

Report on an independent review of progress at

# **HMP/YOI Swinfen Hall**

by HM Chief Inspector of Prisons

**8 – 10 July 2019**

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This publication is available for download at: <http://www.justiceinspectorates.gov.uk/hmiprisons/>

Printed and published by:  
Her Majesty's Inspectorate of Prisons  
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10 South Colonnade  
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### **Glossary of terms**

We try to make our reports as clear as possible, but if you find terms that you do not know, please see the glossary in our 'Guide for writing inspection reports' on our website at: <http://www.justiceinspectorates.gov.uk/hmiprisons/about-our-inspections/>

# About this report

- A1 Her Majesty's Inspectorate of Prisons (HMI Prisons) is an independent, statutory organisation which reports on the treatment and conditions of those detained in prisons, young offender institutions, secure training centres, immigration detention facilities, police and court custody and military detention.
- A2 All visits carried out by HM Inspectorate of Prisons contribute to the UK's response to its international obligations under the Optional Protocol to the UN Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT). OPCAT requires that all places of detention are visited regularly by independent bodies – known as the National Preventive Mechanism (NPM) – which monitor the treatment of and conditions for detainees. HM Inspectorate of Prisons is one of several bodies making up the NPM in the UK.
- A3 Independent reviews of progress (IRPs) are a new type of visit designed to improve accountability to ministers about the progress prisons make towards achieving HM Inspectorate of Prisons' recommendations in between inspections. IRPs will take place at the discretion of the Chief Inspector when a full inspection suggests the prison would benefit from additional scrutiny and will focus on a limited number of the recommendations made at the inspection. IRPs will therefore not result in assessments against our healthy prison tests.<sup>1</sup>
- A4 The aims of IRPs are to:
- assess progress against selected key recommendations
  - support improvement
  - identify any emerging difficulties or lack of progress at an early stage
  - assess the sufficiency of the leadership and management response to our main concerns at the full inspection.
- A5 This report contains a summary from the Chief Inspector and a brief record of our findings in relation to each recommendation we have followed up. The reader may find it helpful to refer to the report of the full inspection, carried out in August 2018 for further detail on the original findings.<sup>2</sup>

## IRP methodology

- A6 IRPs will be announced at least three months in advance and will take place eight to 12 months after the full inspection. When we announce an IRP, we will identify which recommendations we intend to follow up (usually no more than 15). Depending on the recommendations to be followed up, IRP visits may be conducted jointly with Ofsted (England), Estyn (Wales), the Care Quality Commission and the General Pharmaceutical Council. This joint work ensures expert knowledge is deployed and avoids multiple inspection visits.
- A7 During our three-day visit, we will collect a range of evidence about the progress in implementing each selected recommendation. Sources of evidence will include observation, discussions with prisoners, staff and relevant third parties, documentation and data.

<sup>1</sup> HM Inspectorate of Prisons' healthy prison tests are safety, respect, purposeful activity and rehabilitation and release planning. For more information see our website: <https://www.justiceinspectorates.gov.uk/hmiprison/our-expectations/>

<sup>2</sup> Available at: <http://www.justiceinspectorates.gov.uk/hmiprison/inspections/hmp-yoi-swinfen-hall/>

- A8 Each recommendation followed up by HMI Prisons during an IRP will be given one of four progress judgements:
- **No meaningful progress**  
Managers had not yet formulated, resourced or begun to implement a realistic improvement plan for this recommendation.
  - **Insufficient progress**  
Managers had begun to implement a realistic improvement strategy for this recommendation but the actions taken had not yet resulted in any discernible evidence of progress (for example, better systems and processes) or improved outcomes for prisoners.
  - **Reasonable progress**  
Managers were implementing a realistic improvement strategy for this recommendation and there was evidence of progress (for example, better systems and processes) and/or early evidence of some improving outcomes for prisoners.
  - **Good progress**  
Managers had implemented a realistic improvement strategy for this recommendation and had delivered a clear improvement in outcomes for prisoners.
- A9 When Ofsted attends an IRP its methodology will replicate the monitoring visits conducted in further education and skills provision.<sup>3</sup> Each theme followed up by Ofsted will be given one of three progress judgements.
- **Insufficient progress**  
Progress has been either slow or insubstantial or both, and the demonstrable impact on learners has been negligible.
  - **Reasonable progress**  
Action taken by the provider is already having a beneficial impact on learners and improvements are sustainable and are based on the provider's thorough quality assurance procedures.
  - **Significant progress**  
Progress has been rapid and is already having considerable beneficial impact on learners.

As part of this report we will also report on any good practice we find during our visit. Our definition of good practice is impressive practice that not only meets or exceeds our expectations, but could be followed by other similar establishments to achieve positive outcomes for prisoners.

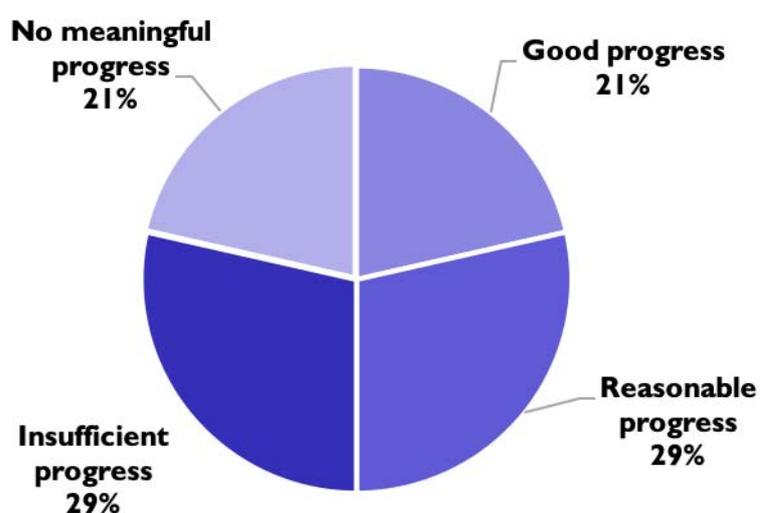
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<sup>3</sup> Ofsted's approach to undertaking monitoring visits and the inspection methodology involved are set out in the *Further education and skills inspection handbook* at paragraphs 25 to 27, available at <https://www.gov.uk/government/publications/further-education-and-skills-inspection-handbook>

# Key findings

- S1 At this IRP visit, we followed up 14 of the 57 recommendations made at our most recent inspection and made judgements about the degree of progress achieved to date. Ofsted followed up three themes.
- S2 We judged that there was good progress in three recommendations, reasonable progress in four recommendations, insufficient progress in four recommendations and no meaningful progress in three recommendations. A summary of the judgements is as follows.

**Figure 1: Progress on recommendations from 2018 inspection (n=14)<sup>4</sup>**



<sup>4</sup> This pie chart excludes any recommendations that were followed up as part of a theme within Ofsted's concurrent prison monitoring visit.

**Figure 2: Judgements against HMI Prisons recommendations from August 2018 inspection**

<b>Recommendation</b>	<b>Judgement</b>
Improvement targets for prisoners on the basic level of the incentives and earned privileges scheme should be individualised and regularly monitored. (1.20)	No meaningful progress
The prison should investigate the causes of violence and antisocial behaviour, and take appropriate steps to address them. (1.21)	Reasonable progress
Violent incidents should be investigated within seven days. (1.22)	Good progress
Managers should investigate and address prisoners' poor perceptions of staff in the care and separation unit. (1.33)	Good progress
Prisoners, particularly those at risk of self-harm, should have consistent access to the regime and be engaged in purposeful activity. They should receive better support from staff working on residential units. (S41)	Reasonable progress
The prison should work to improve the quality of relationships between staff and prisoners, using lessons learned from the more positive examples around the prison. Staff should consistently model pro-social behaviour, have high expectations of prisoners, and encourage them to participate in allocated activities and contribute actively to the wider prison community. (S42)	Reasonable progress
All prisoners should have daily access to showers and telephones. (2.12)	Good progress
Consultation with prisoners should be consistent across the residential units, and lead to changes that are communicated to prisoners. (2.28)	Insufficient progress
Responses to complaints should address the issues raised. (2.29)	No meaningful progress
The prison should fully assess the needs of prisoners under 21 and investigate the reasons behind their over-representation in many areas of poor behaviour and self-harm. There should be a detailed and realistic strategy for this age group to ensure they are properly cared for, and to provide an age-appropriate regime to keep them fully occupied and address any areas of poor behaviour. (S43)	Insufficient progress
The equality and diversity action plan should be time-bound and include actions arising from prisoner forums. (2.35)	Reasonable progress
A full and predictable regime should provide for all prisoners to be allocated to, and expected to attend, work or education and have a period for domestic tasks and association every day. (S44)	Insufficient progress
Visits should start at the advertised time, and there should be sufficient visits sessions to meet demand. (4.6)	Insufficient progress
Prisoners should not be transferred to Swinfen Hall without an up-to-date OASys assessment. (4.22)	No meaningful progress

S3 Ofsted judged that there was reasonable progress in two themes and insufficient progress in one theme.

**Figure 3: Judgements against Ofsted themes<sup>5</sup> from August 2018 inspection**

<b>Ofsted theme</b>	<b>Judgement</b>
What progress have leaders and managers made with increasing the regime, ensuring that more prisoners access the appropriately allocated education, skills and work activities, providing them with qualifications and opportunities to progress and with effective information and advice to increase their education, training and employment opportunities on	Reasonable progress

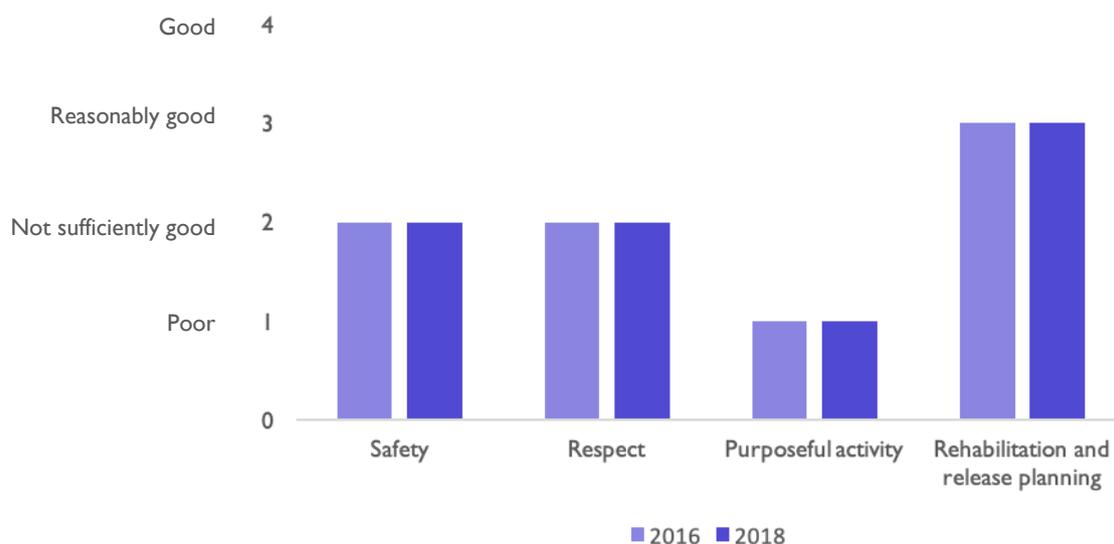
<sup>5</sup> Ofsted's themes incorporate the key concerns at the previous inspection in respect of education, skills and work.

release?	
What progress have leaders and managers made in improving the quality of teaching, learning and assessment in prison-run areas through strengthening their quality assurance processes; ensuring that prisoners receive the appropriate targets to make good progress with their employability skills, and that these are recognised and recorded; and improve their English and mathematics?	Insufficient progress
What progress have leaders and managers made in ensuring that prisoners attend activities punctually and that they behave well, developing social and employability skills, including health and safety at work, ensuring that achievement of qualifications is high for all groups of prisoners?	Reasonable progress

# Section 1. Chief Inspector's summary

- I.1** At our inspection of HMP/YOI Swinfen Hall in August 2018, we made the following judgements about outcomes for prisoners.

**Figure 4: HMP/YOI Swinfen Hall healthy prison outcomes 2016 and 2018.**



- I.2** HMP/YOI Swinfen Hall is situated near Lichfield in Staffordshire and, at the time of this independent review of progress, was holding around 570 young male prisoners serving sentences of more than four years. The prison was last inspected in August 2018 when outcomes for prisoners were found to be still not good enough in three of our four healthy prison tests. The greatest concern was the area of purposeful activity, which had been assessed as poor or not sufficiently good at the previous four inspections.
- I.3** In 2018 the fundamental issue requiring attention was the poor regime, which had a negative impact on every aspect of prison life. We found that it was disrupted about 60% of the time, limiting prisoner access to work and education. In particular, the lack of time out of cell had an acute effect on younger prisoners and those who were vulnerable or prone to committing acts of self-harm. It also prevented the development of prisoners' constructive relationships with staff, family contact and basic living conditions. All of this inevitably had a negative impact on prisoners' feelings of well-being, and prevented the prison from fulfilling its objectives as a training prison.
- I.4** At this visit we reviewed progress against 14 key recommendations and three themes identified by Ofsted. Taken as a whole, progress had been reasonable or better in nine of these 17 areas. Of the 14 recommendations HMIP reviewed, there had been good progress in three, reasonable progress in four, insufficient progress in four and no meaningful progress in three. In addition, Ofsted noted that there had been reasonable progress in two areas and insufficient progress in one area.
- I.5** This mixed picture masks the important work to improve safety and purposeful activity that had taken place. In these areas there was reasonable or better progress in six out of nine recommendations and themes. The prison had recently implemented a new domestic period ensuring that all prisoners were offered a daily shower and a telephone call, and evening

association was now far more predictable than at the time of the inspection. Managers had increased the number of activity places since the previous inspection and the allocation process had improved, halving the number of prisoners who were unemployed. However, the population had also increased in this time and the prison was still some way off being able to ensure that every prisoner could access full-time employment. This was a significant deficiency in a training prison holding a long-term young population.

- 1.6** In the area of safety, managers had faced significant external challenges since the previous inspection, including receiving prisoners from the long-term young offender institution at Aylesbury when its capacity was reduced. This contributed to a spike in violence earlier in 2019. Despite these challenges, managers had made tangible progress. A dedicated team of supervising officers now investigated all violent incidents swiftly, and managers used data better to understand the causes of violence and take action. In addition, the prison had addressed the previously poor perceptions of staff in the segregation unit. Care for prisoners at risk of self-harm had also improved, but overall levels of self-harm remained a concern.
- 1.7** In the area of respect, the introduction of key workers<sup>6</sup> and a more predictable regime had led to improvements in staff-prisoner relationships. In addition, a number of peer support roles had been established, enabling prisoners to contribute to the wider prison community. However, there had been little or no progress in improving the complaints system, and the pace of work to understand and meet the needs of the younger prisoners at Swinfen Hall was too slow. There had been some move to make consultation more responsive and consistent, but this was yet to have a significant impact.
- 1.8** Progress was the least well developed in the area of rehabilitation and release planning. Despite some work to improve the punctuality of visits, their provision was not sufficient to meet demand, particularly at weekends. There had also been no meaningful progress in preventing prisoners being transferred to Swinfen Hall without an assessment of their risk or needs. HMPPS had rejected this recommendation, and two-thirds of prisoners still arrived lacking any assessment of their needs to reduce their risks and tackle their offending. Some prisoners could come into the prison, serve their time and be released without doing any focused offence-related work
- 1.9** This was a mixed review. Managers had understandably prioritised the areas of safety and activity and had made progress here. However, progress in other areas had started too late to have an impact, and in several areas senior managers needed to ensure that the quality assurance processes they had introduced were effective in improving outcomes for prisoners.

**Peter Clarke CVO OBE QPM**  
HM Chief Inspector of Prisons

July 2019

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<sup>6</sup> Introduced under the Offender Management in Custody (OMiC) model, prison officer key workers aim to have regular contact with named prisoners.

## Section 2. Progress against the key concerns and recommendations and Ofsted themes

The following provides a brief description of our findings in relation to each recommendation followed up from the full inspection in 2018. The reference numbers at the end of each recommendation refer to the paragraph location in the full inspection report.

### Managing behaviour

**Concern:** Improvement targets for prisoners on the basic level of the incentives and earned privileges scheme remained too limited and their regime was inadequate. They could only access showers and telephones three times a week, and time unlocked for those who were unemployed could be as little as 30 minutes a day. Reviews of prisoners on basic were initially scheduled for seven days followed by 14 days, but the electronic case notes that we saw showed that they were often late or were missed.

**Recommendation: Improvement targets for prisoners on the basic level of the incentives and earned privileges scheme should be individualised and regularly monitored. (I.20)**

- 2.1 Since the last inspection, the incentives and earned privileges<sup>7</sup> (IEP) policy had been reviewed but only recently published in June 2019. It remained punitive and did little to motivate positive behaviour.
- 2.2 The new scheme now gave those on the lowest level (basic) at least one association period a week in addition to their basic entitlements. However, this was not implemented consistently across the prison. Prisoners placed on basic regime also had their television removed routinely; there was no flexibility to consider those who were vulnerable, such as prisoners on ACCTs<sup>8</sup> or experiencing personal trauma.
- 2.3 Managers had implemented a system for tracking the prisoners who needed IEP reviews to ensure all reviews took place on time. However, at our visit this spreadsheet was inaccurate and did not, for example, include all of the prisoners currently on the lowest level of the scheme. Managers were meant to check the spreadsheet each day, but this was inconsistent and some reviews were late or missed. We found an example of a prison officer placing a prisoner on basic level without appropriate authorisation, which managers had failed to identify.
- 2.4 The behaviour targets for prisoners on the lowest level of the IEP scheme remained generic and superficial, for example 'adhering to prison rules' or 'being polite to staff'. Residential staff did not consistently monitor or record progress against these targets, which undermined IEP reviews.
- 2.5 We considered that the prison had made no meaningful progress against this recommendation.

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<sup>7</sup> Scheme made up of three tiers designed to incentivise and reward positive behaviour with gains such as more time unlocked, more money to spend in prison shop etc.

<sup>8</sup> Assessment, care in custody and teamwork case management of prisoners at risk of suicide or self-harm

Concern: A wide range of data were discussed at safer custody meetings and trends in poor behaviour and violence across the prison were reviewed. However, the minutes contained few, if any, actions to make the prison safer and did not record actions taken since the previous meeting in response to violence.

**Recommendation: The prison should investigate the causes of violence and antisocial behaviour, and take appropriate steps to address them. (I.21)**

- 2.6** The prison had recently reviewed and refreshed the terms of reference for its monthly meetings overseeing violence reduction. Data on violence were now discussed in detail at these meetings, and there was good analysis of patterns and trends resulting in clear actions. For example, an increase in incidents involving weapons in specific areas had resulted in the introduction of the use of metal detector wands<sup>9</sup> on all prisoners leaving two residential units. These actions were appropriate and allocated to a specific manager to take forward, which was positive.
- 2.7** The prison looked at the Viper<sup>10</sup> scores of all new arrivals, which was impressive. This afforded an early opportunity to identify prisoners who might perpetrate violence and consider them for a challenge, support and intervention plan (CSIP)<sup>11</sup> following appropriate screening.
- 2.8** We considered that the prison had made reasonable progress in this area.

Concern: All incidents of violence were investigated by the small team of safer custody officers. However, due to routine redeployment, many investigations had been completed late or were pending investigation.

**Recommendation: Violent incidents should be investigated within seven days. (I.22)**

- 2.9** At our last inspection, staff allocated to investigate incidents of violence were regularly redeployed to other duties. This had significantly affected their ability to complete investigations into violence.
- 2.10** Since February 2019, this issue had been addressed and investigations were carried out by a team of violence reduction staff who were not subject to redeployment. They had completed 138 investigations into violent incidents to date, although we found five incidents that had been missed. The quality of investigations was good and the follow-up action appropriate. Quality assurance into these investigations had also been introduced.
- 2.11** At our last inspection, we recommended that the prison should investigate all violent incidents within seven days. All the investigations reviewed by inspectors had been completed within 72 hours, which was impressive.
- 2.12** CSIPs had been fully implemented to support the violence reduction strategy and manage the behaviour of the most challenging prisoners. Reviews were adequate; for example, we saw plans that took a multidisciplinary approach and included good links with the mental health team.
- 2.13** We considered that the prison had made good progress against this recommendation.

<sup>9</sup> A hand-held metal detector used during searching.

<sup>10</sup> 'Violence in prison estimator' is a calculation based on an estimation of how violent a person may be.

<sup>11</sup> Used to challenge perpetrators and support victims of violence and antisocial behaviour.

Concern: In our survey, only 39% of prisoners who had been in segregation said they had been treated well by staff in the unit. This perception was confirmed to us by prisoners in the unit during our inspection.

**Recommendation: Managers should investigate and address prisoners' poor perceptions of staff in the care and separation unit. (I.33)**

- 2.14 The A wing was being used as the segregation unit while the existing unit was being refurbished. A wing was clean, tidy and well organised. Managers told us that the move back to the designated segregation unit was imminent.
- 2.15 There were now exit surveys of prisoners who had spent time in the segregation unit. Nine had been completed in the two weeks before our review visit. The surveys contained open questions about treatment by staff in the segregation unit. The responses were positive and all but one of the nine spoke highly of the staff who worked there. The segregation custodial manager coordinated the surveys, which were given to prisoners once they had returned to their wing. This allowed them to complete the survey with no pressure.
- 2.16 Five of the nine prisoners who had completed the surveys were still at Swinfen Hall during our visit. All five gave positive accounts of their time in segregation and of the staff who worked there. They said they were treated with respect, received their entitlements to exercise, a telephone call and a shower every day, and felt they could talk to staff if they needed to. One prisoner on an ACCT talked of caring staff who understood the reasons behind his self-harm.
- 2.17 The staff were fully aware of the prisoners in their care, why they had been segregated and when they were to return to their wings. It was positive to hear staff referring to prisoners by their first names, and encouraging them to talk and clean their cells.
- 2.18 We considered that the prison had made good progress against this recommendation.

## Safeguarding

Concern: Some prisoners at risk of self-harm were not adequately supported. The limited and inconsistent regime and distant staff-prisoner relationships increased the feelings of isolation and alienation for prisoners at risk.

**Recommendation: Prisoners, particularly those at risk of self-harm, should have consistent access to the regime and be engaged in purposeful activity. They should receive better support from staff working on residential units. (S41)**

- 2.19 At the previous inspection, the incidence of self-harm had increased and was high. At this review visit, we found a small increase in self-harm and a small reduction in the number of prisoners involved. There had been 443 self-harm incidents involving 68 prisoners in the first six months of 2019. Ten prisoners were responsible for 56% of the self-harm recorded over this period.
- 2.20 Since the inspection, the prison had introduced initiatives to strengthen the individual support provided to prisoners through ACCTs. Four supervising officers who worked full time in the safer custody team undertook case management of all prisoners on ACCTs, apart from complex cases which were managed by custodial managers. This approach to case management afforded more consistency and regular contributions to the care of prisoners. The psychology team had provided guidance on how to carry out constant supervision, reviewed literature to inform work to reduce repeated self-harm, and offered regular

supervision to the safer custody supervising officers. Although there was regular quality assurance of ACCT documents, this did not always lead to necessary actions being taken. In one case that we looked at, clear actions identified during quality assurance had not been completed more than a week later.

- 2.21 Records indicated that more than half the prisoners on ACCTs had no allocated daily activity during the core day and spent lengthy periods locked in their cells. Some had had previous work or education placements.
- 2.22 Staff on residential units knew the circumstances of prisoners managed on ACCTs. We saw instances of staff offering thoughtful support that prisoners appreciated. For example, an officer ensured that a prisoner who was anxious about other prisoners was able to shower on their own. Case managers put detailed notes of ACCT case reviews on the P-Nomis Prison Service IT system, which were useful for staff working with these prisoners.
- 2.23 The care of prisoners at risk of suicide and self-harm was coordinated at a fortnightly multidisciplinary meeting. Case studies demonstrated that managers and staff had a good understanding of the needs of the most vulnerable and complex prisoners, and individual support was offered. Prisoners we spoke to were positive about the staff support they had received while on an ACCT.
- 2.24 We considered that the prison had made reasonable progress against this recommendation.

## Staff-prisoner relationships

Concern: Relationships between staff and prisoners were largely unchanged since the previous inspection. Although better on D and E wings, overall too few prisoners thought they were treated with respect or had a member of staff to turn to with a problem. There were too few opportunities for staff from many disciplines to engage actively with prisoners.

**Recommendation: The prison should work to improve the quality of relationships between staff and prisoners, using lessons learned from the more positive examples around the prison. Staff should consistently model pro-social behaviour, have high expectations of prisoners, and encourage them to participate in allocated activities and contribute actively to the wider prison community. (S42)**

- 2.25 The prison had used the introduction of offender management in custody (OMIC), which included individual support to prisoners from key workers, to start to improve the quality of relationships. The full rollout of key work had been completed in June 2019, with each officer assigned to up to five prisoners. This gave each prisoner an allocated member of staff who was responsible for building a supportive relationship with them, which included regular one-to-one meetings. Entries on P-Nomis recorded some good quality conversations now taking place between prisoners and their key workers,. There was evidence of improved engagement, with staff raising prisoners' expectations and encouraging them to take part in their allocated work or education, and questioning any non-attendance.
- 2.26 Prisoners were now unlocked for longer and this meant that they had more time for contact with staff, with mutually respectful interaction. Feedback to inspectors was that some staff were more approachable than others, something we observed during association sessions. We saw no evidence of inappropriate behaviour between staff and prisoners.
- 2.27 The prison was continuing to develop the use of peer support roles to give prisoners more opportunity to contribute to the prison community. Since the August 2018 inspection, prisoner information desk (PID) workers had been introduced on all the residential units.

They advised their peers on how to use prison forms and processes to access the services or facilities they needed. Other peer roles included induction orderlies who helped new arrivals to familiarise themselves with Swinfen Hall, and Listeners<sup>12</sup> who offered valued support to prisoners in crisis. The PID workers also represented their units at prisoner council meetings (see section below on daily life).

**2.28** The inspection in August 2018 had found that prisoner perceptions were better on the two units (D and E wings) where there was a more collaborative relationship between staff and prisoners. The prison was considering ways to spread this good practice.

**2.29** We considered that the prison had made reasonable progress against this recommendation.

## Daily life

Concern: The restricted regime prevented most prisoners from having evening association more than twice during weekdays. This limited their access to showers and telephones.

**Recommendation: All prisoners should have daily access to showers and telephones. (2.12)**

**2.30** At the previous two inspections we had found a restricted regime that prevented daily access to showers and telephone calls. A new domestic routine introduced three weeks before our arrival had improved access to basic amenities and indicated some tentative evidence of progress.

**2.31** Prisoners were now offered a shower and telephone call and were able to go outside from 8am to 8.45am, Mondays to Fridays. Wing diaries monitored this process to ensure that every prisoner was offered daily access to a shower and telephone call. Prisoners we spoke to were positive about the new domestic regime.

**2.32** Staff were well supported by senior managers to implement these improvements, and they were regularly reviewed at a strategic level to monitor progress. The prison was committed to delivering a consistent regime, and no morning domestic sessions had been cancelled since the new regime started.

**2.33** We considered that the prison had made good progress against this recommendation.

Concern: A prisoner council meeting took place quarterly and was complemented by wing forums, some of which took place more regularly than others. In our survey, only 20% of prisoners thought that consultation had led to changes. The minutes of the forums that we reviewed varied in quality. Some set out clear action points which were reviewed at subsequent meetings, while others recorded discussion but no action.

**Recommendation: Consultation with prisoners should be consistent across the residential units, and lead to changes that are communicated to prisoners. (2.28)**

**2.34** The prisoner council met with the governor every two months and was well attended by peer workers from each unit. Meetings were now held in the bistro, which offered a more informal environment. Nonetheless, progress on agreed action points was slow, and there was not yet sufficient evidence of improved outcomes for prisoners.

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<sup>12</sup> Prisoners trained by the Samaritans to provide confidential emotional support to fellow prisoners.

- 2.35** In addition, each wing had its own monthly forum, with a standard agenda drawn up by senior managers. Minutes were taken at the forums and on some wings there was evidence of helpful discussions. Some custodial managers were committed to developing this process, but not all wing forums took place consistently. Consequently, the quality of consultation with prisoners varied across residential units.
- 2.36** A 'you said, we did' form was displayed on wing notice boards to communicate outcomes of consultations to prisoners, but some information was out of date. Prisoner peer workers helped to raise awareness of the 'you said, we did' process on the wings, but some prisoners we spoke to were unaware of it.
- 2.37** We considered that the prison had made insufficient progress against this recommendation.

Concern: Most responses to complaints were prompt but the standard of investigation varied and some of the responses that we reviewed did not cover all aspects of the complaint. Random quality assurance had not adequately identified these weaknesses, and additional quality assurance was now carried out by functional heads.

**Recommendation: Responses to complaints should address the issues raised. (2.29)**

- 2.38** There had been 607 prisoner complaints in the previous six months before our review, compared with 775 at our 2018 inspection. Most complaints concerned the residential units and difficulties with access to property.
- 2.39** While responses to most complaints were prompt, the standard of investigations remained variable.
- 2.40** The head of business assurance completed 10% of assurance checks, and 5% were completed by a member of the senior management team. Despite the appearance of more thorough quality assurance, some checks did not identify if the response to the complaint had addressed the issues raised.
- 2.41** One case we looked at that had been quality assured involved a prisoner raising concerns about the treatment he had received from a member of staff following a self-harm incident. The member of staff in question responded to the complaint; this was inappropriate and had not been identified during the quality assurance.
- 2.42** A prisoner complaints feedback form had been introduced in the week before our visit, but no responses had so far been returned.
- 2.43** We considered that the prison had made no meaningful progress against this recommendation.

## Equality, diversity and faith

Concern: Approximately half the population were under 21. These younger prisoners were over-represented in incidents of self-harm, segregation, adjudications and other elements of poor behaviour. Many were undergoing the transition from young offender institutions to adult prisons. There was no specific focus on this age group, despite their involvement in destabilising behaviour.

**Recommendation: The prison should fully assess the needs of prisoners under 21 and investigate the reasons behind their over-representation in many areas of poor behaviour and self-harm. There should be a detailed and realistic strategy for this age group to ensure they are properly cared for, and to provide an age-appropriate regime to keep them fully occupied and address any areas of poor behaviour. (S43)**

- 2.44** The prison group psychology team had been commissioned to carry out a literature review on the needs of young adults (under 21) at Swinfen Hall, which was intended to support managers in developing provision for them. In addition, the psychology team had recently circulated a survey to about 300 young adults and about 100 had been returned. The responses had identified issues with the availability of activity spaces.
- 2.45** However, work to understand and meet the needs of young adults remained underdeveloped. Our inspection 10 months previously had identified significant overrepresentation of 18–20-year-olds in incidents of violence and self-harm. This continued to be the case; at the time of our visit just over half of the population was aged 18–20 but this group accounted for about three-quarters of all violent incidents and a similar proportion of self-harm. We were concerned that managers had not yet investigated or addressed this issue.
- 2.46** Some provision had been prioritised for young adults, such as the Duke of Edinburgh's Awards and Choices and Changes (a non-accredited resource to support positive maturity and prosocial choices). A young adult forum had started to support key workers working with young adults, and the gym had held focus groups for young adults.
- 2.47** Overall, there was no realistic strategy to ensure that young adults were appropriately cared for.
- 2.48** We considered that the prison had made insufficient progress against this recommendation.

Concern: The equality and diversity action plan did not include the outcomes of discussions with minority groups, and actions were not time-bound.

**Recommendation: The equality and diversity action plan should be time-bound and include actions arising from prisoner forums. (2.35)**

- 2.49** Since the last inspection, managerial oversight and governance of the equality action plan (EAP) had improved. At the time of our review, all outstanding actions were time-bound and were to be discussed at the next equality meeting. Equality meetings were held every two months.
- 2.50** Actions regarding equality that arose from prisoner forums and protected characteristics meetings were routinely sent to an equality administrative assistant who added these to the EAP agenda for discussion at the next equality meeting. New time-bound actions were set but not all had up-to-date comments about the steps required to reach completion.
- 2.51** We considered that the prison had made reasonable progress against this recommendation.

## Time out of cell

Concern: The limited time out of cell available to prisoners had a negative impact on most areas of their prison life. It affected attendance at activities, the promotion of a work-focused culture, contact with family and friends, the development of active relationships between staff and prisoners, formal and informal support for other prisoners, and access to the basics required for hygiene and decency.

**Recommendation: A full and predictable regime should provide for all prisoners to be allocated to, and expected to attend, work or education and have a period for domestic tasks and association every day. (S44)**

- 2.52 Managers and staff had worked hard to make the best use of the facilities and resources at Swinfen Hall and access to the regime was improving for many prisoners. However, the fundamental problem of too few activity places remained. We found about a third of prisoners were locked in their cells during the core day. This was far too many in a training prison holding a long-term population of younger prisoners.
- 2.53 Managers had made more work and education places part time. This enabled more prisoners to benefit from at least part-time employment and all prisoners could take part in daily domestic periods, thus increasing their time out of cell.
- 2.54 Evening association was provided four nights a week. Prisoners who worked full time or were on the highest IEP level could now have association every evening, while others had association on alternate nights or one night a week according to their IEP level.
- 2.55 The prison had also increased the total number of activity places available, for example by adding an additional bikes workshop, but the prison population had increased at the same rate, which still left it with too few places to meet need. At the time of the review visit, 58 prisoners did not have any allocated activity during the core day.
- 2.56 We considered that the prison had made insufficient progress against this recommendation.

## Education, skills and work<sup>13</sup>

**Theme 1: What progress have leaders and managers made with increasing the regime, ensuring that more prisoners access the appropriately allocated education, skills and work activities, providing them with qualifications and opportunities to progress and with effective information and advice to increase their education, training and employment opportunities on release?**

- 2.57 At the previous inspection, the curtailed regime limited the opportunity for prisoners to participate in learning and skills activities. Prisoners did not receive adequate information, advice and guidance to support their release.
- 2.58 At our visit, we found that the range of activities available to prisoners had increased. Additional workshops had been opened to meet the interests of prisoners, and work with local charities had also increased. However, the population had also increased and the proportion of prisoners who were able to access appropriate activities had not risen.

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<sup>13</sup> Ofsted's thematic approach reflects the monitoring visit methodology used for further education and skills providers. The themes set out the main areas for improvement in the last inspection report.

- 2.59** The head of learning and skills and the newly appointed education manager had a good understanding of the population, particularly prisoners' previous educational attainment.
- 2.60** Leaders and managers used this information to deliver a curriculum more suited to the needs of prisoners. The curriculum was appropriately informed by a recently completed needs analysis of prisoners' skills development needs. The curriculum was being phased in for completion by September 2019.
- 2.61** Leaders and managers had improved the process of allocating prisoners to activities. Prisoners' aspirations for education, skills and work were recorded accurately at induction, together with their previous qualifications and skills. Prisoners received information, advice and guidance at induction to help them make informed choices about the most appropriate activities for them. If activities were full, managers now had reliable information to ensure that prisoners could access their preferred option as soon as it became available.
- 2.62** In a commercial workshop the activities undertaken by prisoners had a low skill content and did not offer prisoners sufficient opportunity to develop higher-level skills. Staff did not identify the personal development skills that prisoners had developed. This type of work failed to motivate prisoners and they did not develop their skills sufficiently.
- 2.63** Leaders and managers had been too slow to increase the range of qualifications offered to prisoners in work. As a result, prisoners were not gaining qualifications which would help them to progress their career, either in prison or on release.
- 2.64** Ofsted considered that the prison had made reasonable progress against this theme.

**Theme 2: What progress have leaders and managers made in improving the quality of teaching, learning and assessment in prison-run areas through strengthening their quality assurance processes; ensuring that prisoners receive the appropriate targets to make good progress with their employability skills, and that these are recognised and recorded; and improve their English and mathematics?**

- 2.65** At the previous inspection, prison managers had not implemented effective quality measures for provision run by the prison, and they did not have an accurate understanding of its strengths and weaknesses. Staff did not set prisoners appropriate targets to make progress in their employability skills.
- 2.66** At this visit we found that staff had implemented prisoner learning plans across all areas of education, skills and work. However, in most activities the targets that they set for prisoners were not specific enough and did not identify what prisoners needed to improve and the incremental steps to take to achieve these improvements. Prisoners did not know what technical or personal skills they had already developed or what they were expected to develop.
- 2.67** Staff had not been successful in improving prisoners' skills in English or mathematics. Staff in most workshops did not use the opportunities available to develop prisoners' skills. In a small number of areas this was done successfully; for example, prisoners were able to calculate the area of fencing panels and convert between imperial and metric units.
- 2.68** Too many staff did not consistently hold high expectations of prisoners. In the few areas where they did, prisoners were motivated, worked well and were keen to learn.
- 2.69** The newly appointed head of reducing reoffending had developed suitable quality assurance processes to improve the whole provision. The arrangements were comprehensive and detailed but had not yet been implemented.

**2.70** Leaders and managers had not improved the quality of teaching and learning. Managers' observations focused too much on compliance and not enough on the quality of teaching. Leaders and managers had recently started to work with the new education manager to develop a consistent approach to assessing the quality of teaching, learning and assessment. However, it was too soon to see any demonstrable impact.

**2.71** Ofsted considered that the prison had made insufficient progress against this theme.

**Theme 3: What progress have leaders and managers made in ensuring that prisoners attend activities punctually and that they behave well, developing social and employability skills, including health and safety at work, ensuring that achievement of qualifications is high for all groups of prisoners?**

**2.72** At the previous inspection, we identified that prisoners' attendance at activities was too low and that they were not developing the skills needed for employment.

**2.73** At this visit, we found that attendance had improved through the efforts of staff to allocate prisoners to more appropriate activities, and because of the full regime operating in the prison. If prisoners did not attend their planned activities, most staff knew the reason for this. Most prisoners arrived promptly for their activities, were well behaved and took pride in their work. As a result, they were developing the skills they needed for employment on release or to progress their career in the prison.

**2.74** Staff ensured that prisoners in workshops used the correct safety protection and adhered to the health and safety requirements for that workshop. As a result, prisoners operated tools and machinery in a safe way.

**2.75** Leaders and managers now monitored the achievement of different groups of prisoners and had a good understanding of the achievement of prisoners based on age and ethnicity. There were no significant differences in the achievement of different groups of prisoners, for example by ethnic background.

**2.76** Since the previous inspection, more prisoners who worked on residential wings had gained a qualification related to their job, but the proportion remained too low, particularly for prisoners working in the food serveries.

**2.77** Ofsted considered that the prison had made reasonable progress against this theme.

## Children and families and contact with the outside world

**Concern:** Visitors confirmed the responses in our survey that visits often started late, especially on weekdays. This was the case during the inspection, with a delay of around 20 minutes for some visitors who had arrived in good time for the 2pm start. We were also told that there could be delays in booking visits because of limited visits sessions. This was confirmed when we tried to book a visit and could not book a weekday slot for 10 days, and the first weekend slot was not available for more than two weeks.

**Recommendation: Visits should start at the advertised time, and there should be sufficient visits sessions to meet demand. (4.6)**

**2.78** Managers had taken practical steps to ensure visits started on time. The officer in charge of visits for the afternoon was no longer required to assist with prisoners' lunches. This ensured that they were ready to manage a prompt start to visits, and prisoners and visitors began moving into visits as soon as the lunch period was over. However, there were still problems in getting prisoners and their visitors into the visits hall for the advertised start

time. We observed one visits session when five out of 31 visits had started just after 2pm while other visitors gradually entered the visits hall to join the prisoners waiting there. Prisoners said this was not unusual.

- 2.79** The number of visits sessions had not increased. The prison was exploring the options to add an extra session, but this depended on the availability of other agencies, including the visitors' centre. The prison had planned to extend the number of family day events to 14 a year pending the addition of an extra visits session.
- 2.80** The first visitors' forum meeting had recently been held. This positive initiative had produced some useful suggestions for managers to consider and take action.
- 2.81** We considered that the prison had made insufficient progress against this recommendation.

## Reducing risk, rehabilitation and progression

Concern: There continued to be a problem with prisoners arriving at the prison without an OASys (offender assessment system) assessment. Managers estimated that about half the prisoners transferred to Swinfen Hall had no OASys. Despite regular attempts to reduce the backlog, the problem remained and stood at 19% at the time of the inspection, with almost a quarter of all prisoners assessed as low or medium risk of harm without an assessment. There was a mechanism to chase up delayed assessments that were the responsibility of community offender managers.

**Recommendation: Prisoners should not be transferred to Swinfen Hall without an up-to-date OASys assessment. (4.22)**

- 2.82** This recommendation had been rejected, and almost two-thirds of prisoners continued to arrive with no OASys. Offender supervisors had undertaken some work to compensate for this, but at the time of the visit 24% of prisoners (139) did not have an OASys assessment. Nearly a third (30%) of them were assessed as posing a high risk of harm. The senior probation officer resource at Swinfen Hall had recently increased, enabling cases where the National Probation Service had responsibility for completing the prisoner's OASys to be escalated. Managers were prioritising cases according to risk and release date. This was a sensible approach but some prisoners still experienced extended delays. One prisoner reviewed at our visit had been at Swinfen Hall since June 2017 and still did not have a completed OASys.
- 2.83** The lack of an assessment and sentence plan meant that prisoners could be released without doing any focused offence-related work. In one case we looked at, a medium-risk prisoner due for release in November 2019 had been asking his offender supervisor about a sentence plan since October 2018 and was still waiting for the OASys to be completed.
- 2.84** We considered that the prison had made no meaningful progress against this recommendation.

## Section 3. Appendix

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