

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

CLUSTER: Derbyshire and Nottinghamshire

TIMETABLE	DATE
Date of inspection	23 – 30 September 2020
Report published	19 November 2020
Action plan submitted	12 January 2021

Rec. no	Recommendation	Accepted / Rejected	Response / action taken or planned	Action owner	Update / target date for completion
6.1(S27)	<p>Key recommendation: The three key agencies should collectively make sure that working practices consistently focus on managing and mitigating the risk of COVID-19 transmission, in particular by paying attention to social distancing, cleaning and hygiene and by wearing PPE when interacting with or searching detainees.</p>	Accept	<p>HMCTS weekly cell inspections have commenced and are conducted by the Delivery Manager and Building Champions. Reception of detainees will be observed and recorded with findings discussed with the relevant partner agency.</p> <p>Monthly cell inspections conducted by Operations Manager and validation conducted. FM to recommence regular cell inspections with Delivery Manager and regularity is to be agreed.</p> <p>This should be an agenda item of the Team Information Board (TIB) meetings, cell, court capacities should be reviewed,</p> <p>GEOAmeY have an extensive process for wearing PPE this is in line with national guidelines</p> <p>Each court and cell area have been risk assessed to RAG rate them in relation to operating safely with social distancing.</p>	HMCTS (PECS and GEOAmeY)	28 February 2021

			<p>All GEOAmeY staff and visitors are expected to wear face coverings whilst in the cell area and in public areas of the court.</p> <p>Touch point cleaning is carried out by officers following the use of a cell, interview room or court and at least twice a day a touch point clean is carried out by HMCTS appointed cleaners.</p> <p>Should a suspected case or confirmed case arrive into GEOAmeY's care then full PPE is to be worn by staff at all times whilst dealing with the custody and a deep clean of all areas is completed follow the use.</p> <p>Senior Court Custody Manager's to check that mandated PPE is worn and cleaning carried out during visits</p>		
6.2(S28)	<p>Key recommendation: Detainees in court custody should have their cases prioritised and heard promptly. They should be held in custody for the minimum possible time and the reasons for delays should be explored and addressed.</p>	Accept	<p>The listing of cases is a judicial function, however HMCTS & GEOAmeY work with the judiciary in order to prioritise hearings involving those held in custody where possible.</p> <p>The Magistrates Courts have established an agreed process with Notts/Derby police who will notify PECS of their vulnerable detainees and these will be transported first with hand-over to GEOAmeY. Listing teams will also receive details of these lists which will be communicated to the Legal Advisor and Judiciary who will ensure cases are prioritised. This will be reviewed on a monthly basis to ensure systems and processes are in place.</p>	HMCTS (GEOAmeY)	31 May 2021

			<p>HMCTS Crown Delivery Managers to review the listing of cases with the Resident Judges to ensure that priority is given to youth cases and the importance of cases been heard at or as close as possible to the time given on the list. A process is underway to ensure any delays are communicated to defendants via the cell staff.</p> <p>When a delay occurs, the GEOAmeY Court Custody Manager will raise this as an issue at the following day's team information meeting as well as escalating through the GEOAmeY management chain to ensure any significant concerns are highlighted to HMCTS and PECS, particularly relating to children and vulnerable detainees.</p> <p>GEOAmeY will ensure they highlight the requirement for detainee priority listings in order to reduce, where possible the time detainees spend in custody and managers will confirm the process for raising issues at the Team Information Board or other relevant joint HMCTS meeting, providing evidence that cases are being listed.</p>		
6.3(S29)	<p>Key recommendation: The approach to delivering training and development to custody staff should be improved to ensure they understand what is required of them and can implement what</p>	Accept	<p>Drugs and alcohol (including legal highs) and mental health awareness training is delivered to GEOAmeY officers as part of their initial training course. As well as this, staff are provided with refresher training every 3 years.</p> <p>GEOAmeY have increased the number of days officers are trained each year</p>	GEOAmeY	30 April 2021

	<p>they have learned in safeguarding, equality and diversity, working with children and mental health and substance misuse awareness.</p>		<p>this includes Mental Health developed with Mind Awareness training is ongoing to the PECS 4 new operating instructions, that include enhanced care of persons in GEOAmeys care.</p> <p>GEOAmeys have introduced Mental Health Champions in each region who can offer support and advice when required. Champions will receive annual refresher training to ensure their knowledge remains current.</p> <p>PECS are commissioning a project lead to review local processes for safeguarding referrals and a key focus of the review will be to consider knowledge and guidance for practitioners.</p>		
6.4(1.11)	<p>Leadership and multi-agency relationships: Relationships and communication between the three key agencies should be reinforced to ensure a consistent focus on delivering good outcomes for detainees.</p>	Accept	<p>This has declined during the COVID-19 Pandemic but meetings will restart in 2021. Weekly meetings are conducted between the Delivery Manager and Cell Supervisor.</p> <p>Quarterly meetings to recommence, led by HMCTS, with a pre-approved agenda with some fixed agenda items covering Fire/H&S, Youth cases, welfare and facilities</p> <p>GEOAmeys - attend quarterly Stakeholder Meetings with PECS, Police, & Prisons.</p> <p>GEOAmeys Court Custody Managers (CCM's) to attend HMCTS Team Information Board meetings or equivalent where daily activity from the previous day and the current day are</p>	HMCTS/PECS/GEOAmeys	31 March 2021

			discussed, to identify specific needs of children and young people, women and those that are vulnerable.		
6.5(1.12)	Leadership and multi-agency relationships: HMCTS should develop a safeguarding policy, and all staff should be made aware of safeguarding procedures and referral mechanisms for children and vulnerable adults at risk.	Accept	Working with a safeguarding specialist, HMCTS has recently completed a comprehensive review of its own safeguarding practices and will be implementing a series of improvements between now and April 2021. PECS and GEOAmeY have been working with HMCTS who are in the process of developing a new safeguarding policy. Whilst this policy is still under development, GEOAmeY do have processes in place to ensure that any detainees who are identified as or appear vulnerable are provided with support and are signposted appropriately. The PECS escort contractor has Standard Operating Procedures for safeguarding.	HMCTS (HQ)	31 March 2021
6.6(1.13)	Leadership and multi-agency relationships: Comprehensive data covering all activity in court custody should be collated and analysed so that action can be identified and taken to address any shortfalls.	Accept	Data capture is comprehensive through evolved systems in the court custody, at the time of the audit this was at the point of change of the contract and the data set was still being re devised to meet the expectations of the new contract. All data will be available as expected from the contract.	PECS/GEOAmeY (for collation of data and analysis to identify problems) HMCTS (for ownership of stakeholder meetings where identified problems can be addressed (see 6.4))	31 May 2021
6.7(2.4)	Transfer to court custody: Women and children should be transported separately from adult men.	Accept	GEOAmeY shall ensure that Young People are transported in separate vehicles to adults. Where this is not possible and subject to risk assessment, Young People may travel on vehicles that hold adults with prior approval from the Authority and with the appropriate separation measures in place. Young	GEOAmeY	Complete

			<p>People must be separated from adults at all times during the escort journey including entry and exit from the vehicle.</p> <p>GEOAmeY shall not transport children and young people to/from SCHs with adults.</p>		
6.8(2.5)	Transfer to court custody: Detainees should be able to wear clothing of their own choice when appearing at court.	Accept	<p>Following discussion of the recommendation between HMCTS/PECS and GEOAmeY, it was agreed that recommendation needed to be addressed towards HMPPS.</p> <p>The clothing that a detainee brings to court is agreed by the detainment establishments and current COVID-19 restrictions may have impacted upon this.</p> <p>HMCTS will approach HMPPS Operations Manager for the East Midlands to discuss issue and decide if this is a local or national concern. If this is revealed to be a national issue, to be raised via Prison Directorate Group.</p>	To be directed to HMPPS.	31 March 2021
6.9(3.4)	In the custody suite: reception processes, individual needs and legal rights: Personal information about detainees, including names, should be kept confidential, especially from other detainees.	Partially accept	<p>The GEOAmeY agreed solution in a number of courts is electronic boards. These hold information about persons in custody and also have count down clocks to aid in the timely turnaround of persons to highlight if a person has been in cells too long or is waiting for transport too long ETC. The design and information on the Boards have been fully accepted and designed to the specification in the bid solution. There are sleep modes that can for a short period of time turn the screens off but the importance of making sure a person is dealt with in a timely manner means the screens need to be on more than off.</p>	GEOAmeY	31 May 2021

			<p>The old hand-written boards that will remain in the smaller courts are again an integral part of the operating solution agreed for the contract. The information that is needed on these is in an agreed format that should only use last names and codes that protect the individual needs of a person. This will be re-briefed to all staff to ensure the correct information in the correct format is the only information shown on these boards.</p>		
6.10(3.10)	<p>In the custody suite: reception processes, individual needs and legal rights: Staff should use telephone interpreting services whenever necessary to check on the welfare, risks and understanding of non-English speaking detainees.</p>	Accept	<p>All GEOAmeY officers have the ability to access interpreting services for detainees and instructions for use are set out in the standard operating procedures.</p> <p>GEOAmeY recognise that this service is often underutilised and are taking steps to encourage staff to make more effective use of the service. The service has featured in the 'WOU', a weekly notice informing all staff of the importance and value of this service including a guide of when and how to use the service.</p> <p>Cordless telephones have been purchased to make the service more accessible and a monthly report on each courts use is provided to the GEOAmeY Managers so as they can monitor uptake.</p> <p>GEOAmeY Managers will continue to promote the service and to challenge staff where it is noted that the service is not being utilised.</p>	GEOAmeY	31 May 2021
6.11(3.11)	<p>In the custody suite: reception processes,</p>	Accept	<p>A review of the sanitary items process was undertaken to ensure that sanitary</p>	GEOAmeY	31 March 2021

	individual needs and legal rights: Women detainees should have access to menstrual care products without having to ask for them.		<p>items (hygiene packs) are readily available in toilets for women on arrival. Leaflets advertise this option with products available without having to ask for them.</p> <p>GEOAmev Senior Court Custody Managers and PECS CDMs will carry out dip tests to ensure that this process is embedded.</p>		
6.12(3.16)	In the custody suite: reception processes, individual needs and legal rights: A PER that includes comprehensive, clear and accurate information about a person's risks to themselves or others should accompany all detainees.	Accept	<p>The PER is key vehicle for ensuring that information regarding risks posed by prisoners is always available for staff responsible for the individuals care.</p> <p>PECS and GEOAmev are working together to improve the quality of PERs.</p> <p>PECS issued a notice to contractors in April 2020, reinforcing the process that contractor staff should follow when they are found to have an incomplete PER. This includes checking the PER and highlighting missing mandatory fields to dispatching staff for correction at the point of handover as well as an escalation process should significant risks be missed.</p> <p>The Digital PER (dPER) is currently being rolled out and this includes mandatory fields that must be completed in order to complete the form, it also extracts data from existing systems and will improve the consistency of PER completions, however this will not negate the requirement for quality assurance checks.</p>	PECS/GEOAmev (HMPPS-Police)	31 May 2021

			PER completion will be added as an agenda item to the regional PECS Stakeholder Meeting where poor completions will be discussed and challenged as necessary.		
6.13(3.17)	In the custody suite: reception processes, individual needs and legal rights: The assessment of each detainee's risks on arrival in custody should be carried out consistently and should take account of all relevant information.	Accept	<p>GEOAmey are responsible for the continuing care and safety of all prisoners whilst in court custody.</p> <p>Following the arrival of the detainee with their PER the needs of the custody should be checked against the information already received.</p> <p>The GEOAmey Court Custody Manager or Officer in Charge must carry out dip tests to ensure that checks of all prisoners in their custody are carried out as per the Standard Operating Procedures and that appropriate support is provided for detainees at risk.</p>	GEOAmey	31 May 2021
6.14(3.18)	In the custody suite: reception processes, individual needs and legal rights: All staff should receive a thorough briefing covering the risks presented by detainees while held in court custody.	Accept	<p>This is a contractual requirement and expectation from PECS, that all staff are briefed by the GEOAmey Court Custody Managers regarding vulnerability and risk of all prisoners in their care.</p> <p>Training will be delivered to court custody managers to improve the quality of briefings, this will include the requirement to brief staff coming on duty after the initial briefing as well as further briefings should new custodies arrive or risks change throughout the day.</p> <p>GEOAmey managers and PECS CDMs will observe and review briefings to ensure they are carried out to the required standard.</p>	GEOAmey	31 March 2021

<p>6.15(3.28)</p>	<p>In the custody suite: reception processes, individual needs and legal rights: HM Courts & Tribunals Service should ensure that consultation rooms are soundproofed to ensure confidentiality.</p>	<p>Accept</p>	<p>Within the HMCTS Design Guide it mentions that consultation rooms should have “vandal resistant acoustic walls”.</p> <p>HMCTS will engage further with HMIP with regards to details for particular site, or sites and if the transference was from one consultation room to another or from the consultation room to a corridor.</p> <p>This will allow us to conduct a more thorough investigation and arrange for an acoustic survey to be completed</p>	<p>HMCTS (FM)</p>	<p>31 May 2021</p>
<p>6.16(4.7)</p>	<p>In the custody cell, safeguarding and health care: Fire drills to practise emergency evacuations should be carried out at least annually in all court custody suites.</p>	<p>Accept</p>	<p>GEOAmeY Managers will work with HMCTS Building Champions/Delivery Manager/SPOS to conduct evacuations HMCTS require Fire Evacuations to be held at least twice per year not once per year:</p> <p>These evacuations will take the form of a simulation and would not include detainees, as to do so would pose an undue and unacceptable level of risk. A simulation approach would potentially utilise PECS/Suppliers staff and HMCTS staff in the custody areas acting as detainees in order to reduce the risk, but still provide a practical physical walk through of emergency evacuation plans rather than a ‘desktop’ exercise as that does not offer the level of assurance that is required by either HMCTS or CPFSI.</p> <p>Any physical site evacuation(s) - simulation or otherwise to specify and include HMCTS, PECS and all other relevant stakeholders on site to</p>	<p>HMCTS</p>	<p>31 May 2021</p>

			<p>participate in these drills at the same time in order to consider total numbers of people, size of evacuation routes, capacity of assembly points etc Having just the custody suite areas participate in isolation would not give a true reflection of the whole premises and the physical site constraints</p> <p>Any FRA must be shared with HMCTS colleagues and the results of relevant evacuation drills and their resultant Action Plans must also be recorded and shared with HMCTS colleagues</p>		
6.17(4.11)	<p>In the custody cell, safeguarding and health care: The standard of individual statements accounting for the use of force against detainees and related quality assurance processes should be improved.</p>	Accept	<p>Each month a sample of all Use of Force forms are assessed by GEOAmeY Safeguarding manager and any actions learnings are tracked through to completion.</p> <p>New Senior Court Custody Managers understand the need to quality assure the forms and store in central location</p> <p>Through quarterly Use of Force review conducted during the use of force board introduced with the Gen 4 contract. A report is produced after every review with actions assigned to owners where necessary and a RAG rating applied to recommendations.</p>	GEOAmeY	Completed
6.18(4.14)	<p>In the custody cell, safeguarding and health care: Managers should implement a COVID-19-secure method for issuing distraction activities and religious artefacts.</p>	Accept	<p>GEOAmeY have a robust process that has been fully briefed to officers via group, and individual briefings. These follow national guidelines.</p> <p>Items that can be sanitised after use will be completed and returned for use, those that cannot will be sealed in a self-seal bag and stored for 72 hours before being used again.</p>	GEOAmeY	Completed

			Court Managers and CDMs will dip test to ensure that this is embedded.		
6.19(4.20)	In the custody cell, safeguarding and health care: Children should be moved promptly to places of detention when remanded in custody or receiving a custodial sentence.	Accept	<p>Under the new PECS 4 contract GEOAmeY have increased the number of Escorting Officers (ECO) who have specific training to deal with Children and Dual badged officers, those that have both training expertise of Children and adult. This has increased the number of vehicles available daily to effect moves from courts to place of detention.</p> <p>There has been an increase in the availability of Dual Badged officers based at court to ensure enhanced care is given to a child should one come into custody from off bail, a part of this role is to help chase the placement orders and vehicles to meet the two hour collection from when a person is ready for transportation.</p> <p>GEOAmeY's success on the return of young people to a place of detention is excellent once the person is ready for transportation.</p> <p>GEOAmeY also monitor the period of time it takes to receive placement orders and where unacceptable delays occur, these are escalated to the C&YP CDM.</p>	GEOAmeY	31 March 2021
6.20(4.30)	In the custody cell, safeguarding and health care: All custody staff should receive annual first aid refresher training to maintain their skills.	Reject	GEOAmeY officers are trained in first aid at work and resuscitation and attend two day refresher training course every 3 years in line with current legislation; both GEOAmeY and PECS have internal processes in place to monitor this.	GEOAmeY	

6.21(4.31)	In the custody cell, safeguarding and health care: All custody staff should have ready access to regularly checked basic life support equipment, including an AED.	Partial Accept	An HMCTS provided AED is available in all court locations. The location of the AED is signposted in each custody area. HMCTS will provide assurance testing schedule at review.	GEOAmey/HMCTS	31 May 2021
-------------------	--	----------------	--	---------------	--------------------

Recommendations	
Accepted	18
Accepted Subject to Resources/Partially Accepted	2
Rejected	1
Total	21