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

## CLUSTER: Norfolk, Suffolk and Essex

TIMETABLE	DATE		
Date of inspection	26 Nov–10 Dec 2020		
Report published	12 February 2021		
Action plan submitted			

Rec. no	Recommendation	Accepted / Rejected	Response / action taken or planned	Action owner	Update / target date for completion
6.1	Key recommendation: Relationships and communication between the three key agencies responsible for custody should be improved and prioritise the delivery of good outcomes for those detained. (Directed to: HMCTS, PECS and Serco)	Accepted	<ul> <li>The regular meetings scheduled are: -</li> <li>Weekly: site level with CCSM representing HMCTS.</li> <li>Monthly: managers meeting</li> <li>Bi-monthly: Senior Management Team.</li> <li>The bi-monthly meetings will commence from April 2021. A review will take place by the end of 2021 to decide whether these revert to quarterly meetings or remain bi-monthly. Standard agenda items to be agreed but must include Safeguarding.</li> <li>HMCTS and Serco will ensure a fixed agenda is followed for monthly managers meetings which will include; Defects, Health and Safety, Late Court Sitting and Cleanliness. The agenda will also include a review of key control checks conducted by HMCTS related to the custody suite.</li> </ul>	HMCTS, PECS and Serco HMCTS HMCTS HMCTS	<ul> <li>June 2021</li> <li>Weekly and Monthly meetings now happening on site</li> <li>Next joint bi-monthly stakeholder meeting diarised for 7<sup>th</sup> July.</li> <li>Review outcomes at 12-month review</li> <li>December 2021</li> </ul>

6.2	Key recommendation: The approach to delivering training and development to custody staff should be improved, to ensure that they understand what is required of	Accepted	• Serco are currently working on a project that will encompass virtual reality in its teaching, running team members through real life mental health issues, from intervention to signposting and support.	Serco	Completed: Commenced on ITC June 2021.
	them and can implement what they have learned, particularly in equality and diversity, safeguarding and mental health awareness. (Directed to: HMCTS, PECS and Serco)		<ul> <li>RESPECT is a video led interactive training program on Equality and Diversity. All staff will receive this as a onetime module.</li> <li>Newly recruited staff are currently trained on an Authority approved level 2 and 3 (for Court Managers) Safeguarding qualification, delivered through virtual colleges online for new staff only. Existing staff training will follow.</li> <li>Safeguarding awareness month. Throughout March 2021 we will be focussing on Safeguarding by sharing useful</li> </ul>		<ul> <li>January 2022: Review date of December 2021 for launch 2022</li> <li>June 2021: Completed, Level 3 for existing Court Managers commenced June 2021. Level 2 for existing staff will be reviewed Q4 2021.</li> <li>Completed: 31<sup>st</sup> March, safeguarding toolbox talk sent out contract wide.</li> </ul>
			information via the contract wide weekly briefing sheets. This will help enhance and refresh team members knowledge on how to recognise where safeguarding may be required and how to report it. February focused on Facilitating Private Worship & Religious Artefacts by way of a toolbox talk.		WICE.

			• A brand-new area of the PECS Hub has been created called 'Focus on Prisoner Welfare'. Each month Serco will have a different themed focus with information articles, Toolbox Talks, quizzes etc.		<ul> <li>Completed: Commenced in February so far covered safeguarding and religious artefacts.</li> </ul>
6.3	Key recommendation: Comprehensive data covering activity affecting detainees in court custody should be collated and analysed, so that action can be identified and taken to address any shortfalls. (Directed to: HMCTS, PECS and Serco)	Accept	HMCTS and PECS have reviewed the data collection and collation requirements for inspection, along with HMIP. The data requirements have been agreed and the stakeholder responsibility for providing each piece of information agreed by all. The process for coordinating and collating the data has been revised and agreed by all stakeholders. All data requests will now be coordinated via a single point in the HMCTS Contracted Services Division. Standard data will be requested by HMCTS Contracted Services Division when a new inspection is announced and deadlines for return set. PECS Performance Team will subsequently request any data required from the custody provider. All data is to be returned to the HMCTS Contracted Services Division who will check the quality of the data returned, to ensure this is accurate and in a suitable format, before submitting this to HMIP, within agreed timescales. This process is untested and therefore will be reviewed following inspections in other areas to ensure it meets HMIP requirements.	HMCTS, PECS and Serco	<ul> <li>September 2021         <ul> <li>To further embed the new data collation and sharing process, PECS have created a data collation toolkit to assist all stakeholders with the process. This is currently being tested with the preparation of an inspection in the London area. Early feedback shows this toolkit is proving to be effective. Review again in December by which time the process would have been fully tested.</li> </ul> </li> </ul>

6.4	Key recommendation: Cells should be safe, clean and in a good state of repair. (Directed to: HMCTS, PECS and Serco)	Accept	Following the HMIP visit HMCTS were provided with a physical conditions and cell checks report. The items in this report have been logged for action and some have already been completed and chasing contractors for completion of unfinished jobs. This report was a moment in time and going forward further issues are picked up in weekly meeting with Serco and HMCTS and reported for action, where necessary.	HMCTS	<ul> <li>June 2021: All works identified through physical conditions report completed to satisfaction.</li> </ul>
6.5	Transfer to court custody: Recommendation (2.7): Women and children should be transported separately from men. (Directed to: HMCTS, PECS and Serco)	Accept	Transport separation is a performance measure within the Generation 4 contract. Improvement or Rectification notices can be issued for continued non- compliance with this requirement. However, the Contract does allow for non-separation where there is no alternative. Within the new fleet of larger vehicles better segregation, if required, by use of a panel is available. Additionally, MPVs are provided as part of the CYP service along with dedicated CYP staff members for the individual transportation of Juvenile detainees. Courts managers to remain vigilant on arrival of vehicles containing prisoners that require separation and that any failures to follow the process are escalated and appropriate action taken. All staff will be briefed contract regarding this requirement. Additionally, all staff across the contract will be briefed regarding the requirements to separate women and children from men.	Serco	<ul> <li>June 2021: Completed, sent out as directors instruction 11th June. Sign off from staff at both Belvedere and Colchester base underway.</li> </ul>

recep indiv legal Reco (3.12 interp used is rec not s Engli interp prom	e custody suite; ption process, vidual needs and l rights: ommendation 2): Telephone preting should be when a detainee ceived who does speak good ish, unless an preter is available nptly. (Directed to: CTS, PECS and o)	Accept		Serco will refresh the process with court staff and therefore mandate the process of use for interpreter services for all those that do not speak good English. Checking understand of the requirement and access to the service for Serco staff. Serco will reintroduce monitoring of the translation service usage through the contract by use of statistical data that will be request from the service provider. If made available the data will be reviewed as part of the joint Serco, PECS stakeholder, Welfare Board.	Serco	•	June 2021: The process for interpreter use is currently under review as we move forward with a new supplier. This action will be encompassed in the release of communications to the business regarding this change once implemented. Completed: Usage is reviewed as part of the ongoing welfare board meetings.
			•	Serco will survey our court managers to better understand any current barriers to use of telephone interpreter services in the NSE area. Any relevant results from this can be discussed at the quarterly welfare board.	Serco	•	June 2021: The process for interpreter use is currently under review as we move forward with a new supplier. This action will be encompassed in the release of communications to the business regarding this change once implemented.
recej indiv legal Reco (3.13 have Braill inforr detai recor	e custody suite; ption process, vidual needs and l rights: ommendation 8): All courts should hearing loops and le versions of key mation for inees. (Repeated mmendation C&E ) (Directed to:	Partially Accepted	Howey and Es agreed they an Local a at each HMCT	S provide hearing loops in courts. ver not all courts in Norfolk, Suffolk ssex have them so HMCTS have d to purchase them for sites where re not currently available. arrangements will be put in place h court between Serco and S to facilitate the use of hearing in the custody suites.	HMCTS/Serco HMCTS Serco	•	September 2021 Portable hearing loops are now available at each site with the exception of two sites. Devices have been ordered for those sites and we are currently awaiting delivery. The hearing loops are for use by the whole building and will be held centrally - Serco should make contact with CCSM or Delivery Manager to

	HMCTS, PECS and		Braille versions of key documentation is		arrange access when they are
	Serco)		rejected. Serco has within its policies the		required.
	66166)		requirement that if a prisoner is unable		required.
			to read due to any reason, the content of		
			the forms will be read to them. Officers		
			will be guided by SOP 54 – Prisoner		
			Welfare at Court.		September 2021:
			The Notice of Rights and the complaints		Once acquisition is confirmed
			process will be read to them making		by HMCTS and available at all
			sure they understand all aspects of it.		sites, we (Serco) can brief our
			This includes any religious provisions		sites in NSE regarding this and
			they require, access to legal advice,		to contact court manager for
			their right to medical assistance, food		use
			and drink etc. Any additional welfare		
			needs will be taken into account and		
			documented. Officers will carry out a risk		
			assessment and communicate with		
			HMCTS to prioritise the case if needed		
			to alleviate any anxieties should there be		
			any. If the person cannot speak English		
			then the 'Big Word' interpretation		
			telephone service will be used to explain		
			the forms, officers will be guided by SOP		
			58 Prisoner Rights Welfare		
			Interpretation service.		
			If the person has been sent into custody		
			by the court then the appropriate 'What		
			Happens Next' leaflet will be read to		
			them, explaining what will happen when		
			they arrive at prison. Talking through the		
			reception process, property, clothing,		
			medical, and other aspects they may be		
			anxious about. If. If they are to be		
			released, 'help and support on release'		
			leaflet will be read to them, signposting		
			them to available help should they		
			require it.		
6.8	In the custody suite;	Accept	Currently all know risks as detailed by	Serco	• June 2021:
0.0	reception process,	Accept	the discharging establishments will be	00100	• June 2021:
			The discharging establishinents will be		

	individual needs and legal rights: Recommendation (3.19): The assessment of each detainee's risks on arrival should be carried out consistently. (Directed to: HMCTS, PECS and Serco)		annotated on the Risk Profile Chart. This will be briefed to staff, more often, prior to arrival of the detainee. This briefing will be annotated on the daily briefing sheet where all staff will sign, along with the occurrence book entry for the briefing. Serco will undertake a project to determine the impact of a change to process to include a documented welfare discussion with each detainee following the reception process.		Process change identified and prepared, going through review currently, with an anticipated release end of June 2021
6.9	In the custody suite; reception process, individual needs and legal rights: Recommendation (3.20): All staff should receive a thorough briefing, covering the current risks presented by detainees while held in court custody. (Directed to: HMCTS, PECS and Serco)	Accept	As stated at 6.8. Serco will undertake a project to determine the impact of a change to process to include a documented welfare discussion with each detainee following the reception process. Once completed should any welfare issues be raised, these will be discussed with the team on duty as well as any onward notification or action as required	Serco	<ul> <li>June 2021: Process change identified and prepared, going through review currently, with an anticipated release end of June 2021</li> </ul>
6.10	In the custody suite; reception process, individual needs and legal rights: Recommendation (3.32): Detainees should spend the minimum possible time in court custody; they should have their cases prioritised and heard promptly, and the reasons for delays should be explored and	Accept	Courts (legal advisers, ushers and magistrates) prioritise custody cases over non-custody cases wherever possible. In particular females in custody are prioritised given the distance between Essex Courts and Peterborough Prison. Sometimes delays are inevitable to ensure adequate screening by CJMHT, access to own or duty solicitor and Youth Offending Services. There is regular, on the day, liaison between the court and SERCO	HMCTS, PECS and Serco	<ul> <li>Immediate</li> <li>Telephone and Teams calls take place daily between HMCTS, Serco and the Police from 8.30 am onwards to identify all priority cases such as females, youths, high risk offenders etc., The usher teams work closely with the Legal Adviser to hear these matters as early in the day as possible. A recent reminder of</li> </ul>

	addressed. (Directed to: HMCTS, PECS and Serco)		as to the anticipated time that cases will be heard in court and the custody list concluded. Where the court is notified by SERCO that a particular individual should be prioritised over other individuals in custody, for a specific reason(s), the court will do all it can to accommodate this request. The Generation 4 contract requires		"Priority" cases has been provided to all Legal Advisers and Usher staff.
			<ul> <li>detainees to be collected once the court session is completed within 2 to 3 hrs depending on gender and age.</li> <li>Serco will undertake a project to determine the impact of a change to process to include a documented welfare discussion with each detainee post the reception process. This would</li> </ul>	Serco	<ul> <li>June 2021: Process change identified and</li> </ul>
			<ul> <li>seek to encompass a method of communicating prioritisation of magistrate court detainees with HMCTS.</li> <li>As part of the HMIP inspection, statistical data was obtained on the length of wait for governor's</li> </ul>		prepared, going through review currently, with an anticipated release end of June 2021
			authority to release. Serco will obtain this statistical data quarterly. This data may then be reviewed as part of the joint Serco, PECS stakeholder, Welfare Board.	Serco	<ul> <li>June 2021: Completed: data on governor release is now reviewed as part of the monthly welfare boards meetings.</li> </ul>
6.11	In the custody suite; reception process, individual needs and legal rights:	Accept	An initial meeting between PECS and HMP Chelmsford is arranged for 31 <sup>st</sup> March 2021 to discuss the issues regarding hours of operation.	PECS	<ul> <li>Completed         <ul> <li>A letter was published in</li> <li>March 2021 by the Deputy</li> <li>Director of Prisons to all</li> </ul> </li> </ul>

	Recommendation (3.33): HMCTS and PECS should liaise with HMP Chelmsford regarding their hours of operation for receiving prisoners, to reduce delays in transferring remanded or sentenced detainees. (Repeated recommendation C&E 4.17) (Directed to: HMCTS and PECS)		HMP Chelmsford will subsequently be invited to the bi-monthly stakeholders meeting referenced in 6.1 and meetings minuted to provide evidence of discussions.		PGD's reminding them of the requirement to have effective communication between prisons and courts to ensure when requested a governor's authorisation to release is issued as promptly as possible to prevent unnecessary delays. HMP Chelmsford is also invited to the stakeholder meetings referred to in 6.1 and PECS & Serco maintain regular communication with the prison outside of these meetings. Release and transfer data is continually monitored and reviewed within the contract management meetings to ensure these improvements are maintained.
6.12	In the custody suite; reception process, individual needs and legal rights: Recommendation (3.36): All detainees should be given comprehensive and accurate information about the complaints process. (Directed to: HMCTS, PECS and Serco)	Accept	<ul> <li>The process for complaints is detailed within the prisoner rights guide that is made available to each prisoner as a handout and is available in 29 languages and on posters in the cell area.</li> <li>Serco will undertake a project to determine the impact of a change to process to include a documented welfare discussion with each detainee post the reception process. This would seek to encompass confirmation of understanding of the complaints process.</li> <li>The Prisoner Rights leaflet will be updated with constant contract details</li> </ul>	Serco	<ul> <li>June 2021</li> <li>June 2021: Process change identified and prepared, going through review currently, with an anticipated release end of June 2021.</li> <li>June 2021:</li> </ul>

			• A template letter will be constructed to be utilised in the formation of a response to any prisoner complaint. This will contain direction to the independent appeals process.		<ul> <li>Corrections for Perspex poster, material identified, order being placed.</li> <li>June 2021: Template letter prepared, going through review currently, with an anticipated release end of June 2021.</li> </ul>
6.13	In the custody cell, safeguarding and health care: Recommendation (4.6): Emergency evacuations should be practised at least annually in all custody suites and should involve detainees. (Directed to: HMCTS, PECS and Serco)	Partial Accept	It has been agreed with the Crown Premises Fire Safety Inspectorate (CPFSI) that practice emergency evacuations do not have to take place whilst members of the public are in custody. It has been agreed that HMCTS Delivery Managers/Senior Person on Site will ensure a joint approach, agreeing a mutually convenient day and time to hold the evacuation to prevent unnecessarily hazardous situations. HMCTS will follow Fire and Safety Operating Guidance 12G – Arranging a fire drill/evacuation.	HMCTS, PECS and Serco HMCTS	• December 2021
6.14	In the custody cell, safeguarding and health care: Recommendation (4.12): Managers should scrutinise use of force documentation, to ensure that force is only used proportionately and as	Accept	As of the end of October 2020, Serco commenced implementation of a monthly and quarterly use of force board. The monthly Use of Force Board provides an opportunity to formally discuss the use of force on adults, children and young people.	Serco/PECS	<ul> <li>Completed: Both use of force and welfare board meetings are completed monthly and quarterly.</li> </ul>

	a last resort, and to identify areas for improvement. (Directed to: HMCTS, PECS and Serco)		<ul> <li>The primary focus of the Use of Force Board is to:</li> <li>Review of incidents where injury and warning sign reports have been raised</li> <li>Review of incidents where force was used on adults, children or young people</li> <li>Review of CDI 2.3: Each incident of inappropriate use of force used by any member of supplier personnel upon a child or young person which is not in accordance with legislation or the agreement.</li> <li>Confirm quarterly outcomes.</li> </ul>		
6.15	In the custody cell, safeguarding and health care: Recommendation (4.18): Detainee toilets should have hygienically stored supplies of toilet paper, soap and paper towels (or an electric dryer) which are freely available. (Directed to: HMCTS, PECS and Serco)	Accept	Any specific issues in regards to this, mentioned in HMIP's physical conditions report have had jobs raised to rectify. These are expected to be completed by April 2021. Any new issues identified will raised during weekly Serco and HMCTS and reported for action. Progress of these will be monitored and effectiveness reviewed.	HMCTS	<ul> <li>June 2021</li> <li>Completed.</li> </ul>
6.16	In the custody cell, safeguarding and health care: Recommendation (4.19): Detainees should be offered, and provided with,	Accept	• Serco will undertake a project to determine the impact of a change to process to include a documented welfare discussion with each detainee post the reception process. This will	Serco	<ul> <li>June 2021: Process change identified and prepared, going through review currently, with an anticipated release end of June 2021.</li> </ul>

	appropriate reading materials and distraction activities routinely. (Directed to: HMCTS, PECS and Serco)		<ul> <li>include a discussion on available reading and distraction materials.</li> <li>Distraction packs are purchased through Recoup and available in all custody suites. They are offered to detainees on reception and are available throughout the day on request.</li> </ul>		<ul> <li>Completed: Distraction available at all sites.</li> </ul>
			<ul> <li>Chalk will be offered as part of the reception process in custody suites that have cells contain chalk board paint.</li> </ul>		<ul> <li>Completed: Chalk available in those sites with chalk paint, use has been reviewed at welfare boards.</li> </ul>
			<ul> <li>Currently Serco provides a distraction box containing various distraction aids within vehicles utilised for the transportation of children and young persons. Serco will undertake a project to determine the cost impact for widening the provision of these items.</li> </ul>		<ul> <li>Completed: Supply of distraction boxes widened to high footfall courts. They can also be used by adults, however CYP will have first refusal on use.</li> </ul>
6.17	In the custody cell, safeguarding and health care: Recommendation (4.35): Liaison and diversion staff rotas and contact details should be published and accessible in court custody offices, to ensure equitable access across the courts. (Directed to: HMCTS, PECS and Serco)	Accept	Whilst there are no liaison and diversion rotas, the contact details have been made available for all custody suites. The Senior Person on Site will ensure that this is updated as is necessary.	HMCTS	Completed

6.18	In the custody cell, safeguarding and health care: Recommendation (4.36): All automated external defibrillators should be regularly checked and signed for, and this should be undertaken by staff who understand the minimum requirements for these checks. (Directed to: HMCTS, PECS and Serco)	Accept	HMCTS Building Champions/CCSM's to complete monthly checks on AED's. An HMCTS annual review of AED's is scheduled each December to ensure all pads and batteries are in date.	HMCTS	<ul> <li>June 2021: National review of the defibrillators policy through HMCTS Safety &amp; Security being taken forward to ensure that we have defibrillators on each site (unless in immediate vicinity in a neighbouring site), and can be accessed by all within 5 mins, including custody suite). As an additional measure, posters will be created for CCMs to display so all custody staff are aware where the defib is and how to access it.</li> <li>Recent audit of Defibrillators at sites confirm that all items are in date. One site is currently waiting for replacement pads – these are on order. A reminder was recently issued regarding the monthly check on AED's. Poster created and cascaded across all sites within NES to confirm the location of the AED.</li> </ul>
6.19	In the custody cell, safeguarding and health care: Recommendation (4.37): Custody staff should have annual life support training. (Directed to: HMCTS, PECS and Serco)	Reject	Serco complies with Office of Qualifications and Examinations Regulation (Ofqual) requirements via the awarding body Highfield Qualifications for the award of level 3 First Aid at Work qualifications.		
6.20	In the custody cell, safeguarding and health care:	Accept	Serco are not permitted to dispense medication without the appropriate advice. There are established	Serco	

Recommendation         (4.38): Detainees         should be able to         access medicines at         times to meet their         needs. (Directed to:         HMCTS, PECS and         Serco)	Accept	processes with prisons for the provision of medication. Where this is not available, this provision must be completed through IPRS or Emergency services. The generation 4 contract requires Serco to make contact with IPRS or Emergency Services within 30 minutes for anyone in their custody that raises medical issues, or who has a medication requirement. • Currently Serco are undertaking a pilot in selected courts for the provision of Naloxone. Naloxone is the emergency antidote for overdoses caused by heroin and other opiates or opioids (such as methadone, morphine and fentanyl). Under current legislation naloxone can only be supplied by a registered provider. Therefore, Serco are working with an authorised drug charity provider who train staff in the management of drug emergencies and the deployment of naloxone when necessary ("for the purpose of saving life in an emergency"). The drug charity provider will also supply train staff with naloxone in nasal spray form (Nyxoid). Only staff that have been trained to administer naloxone will be able to do so in the event of a suspected overdose.	Serco,	• September 2021: The pilot commenced the 1st March 2021, and we have trained staff, including CCM/DCCM and PCO's in each of the pilot sites to provide continuous cover. To date there have been no requirements to deploy the use of Naloxone.
from court custody:		COVID restrictions have prevented the	HMCTS	

	Recommendation (5.4): Every court should have information leaflets about local support organisations and local custodial		handing out of leaflets, most of the signposting is towards the Citizens Advice Bureau. As and when suitable posters become available, these will be made available to the Custody Suites.	HMCTS	September 2021
	establishments, which should be available in a range of languages. (Repeated recommendation N&S 5.53, C&E 5.58) (Directed to: HMCTS, PECS and Serco)		The "What Happens Next" leaflet will be translated into 27 languages to provide information for custodies remanded in prison.	Serco	<ul> <li>July 2021: Updated version of the WHN leaflet passed to PECS for translation with new provider. Awaiting return.</li> </ul>
6.22	Release and transfer from court custody: Recommendation (5.5): HMCTS should work with PECS to ensure that the governor's authorisation to release is issued as promptly as possible to the custody staff. (Directed to: HMCTS and PECS)	Accept	<ul> <li>HMCTS follow Key Control Checks which require notifications and documents to be produced within 60 minutes of the case being dealt with.</li> <li>HMCTS will monitor this performance and provide data at the bi-monthly meeting referred to in 6.1.</li> <li>PECS will provide a briefing to all prisons through the Prisons Directorate as a reminder that on request from HMCTS a governor's authorisation to release is issued as promptly as possible to court custody staff to prevent unnecessary delays</li> </ul>	PECS, HMCTS	Completed To review outcomes at 12- month review.

Recommendations	
Accepted	19
Accepted Subject to Resources/Partially Accepted	2
Rejected	1

Serco Business

Total	22
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