

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO THE SUBJECT OVERVIEW AND SCRUTINY COMMITTEE 1

24 MAY 2018

REPORT OF THE CORPORATE DIRECTOR, SOCIAL SERVICES AND WELLBEING

UPDATE ON THE WORK IN HMP PARC FOLLOWING THE IMPLEMENTATION OF THE SOCIAL SERVICES AND WELL-BEING (WALES) ACT 2014, INCLUDING THE CONTRIBUTION OF THE PRISON TO THE LOCAL COMMUNITY AND THE BUDGET IMPLICATIONS OF MEETING THE NEW DUTIES AND RESPONSIBILITIES OF THE ACT

1. Purpose of Report

- 1.1 The purpose of this report is to provide an update to the Overview and Scrutiny Committee on the contribution of HMP Parc to the County Borough of Bridgend and the budgetary impact of meeting the new duties and responsibilities as required of the Council, in Part 11 of the Social Services and Well-being (Wales) Act 2014, as they pertain to the adult prison population.

2. Connection to Corporate Improvement Objectives/Other Corporate Priorities

- 2.1 This report assists in the achievement of the following corporate priority/priorities:-
 1. **Supporting a successful economy** – taking steps to make the county a good place to do business, for people to live, work, study and visit, and to ensure that our schools are focused on raising the skills, qualifications and ambitions of all people in the county.
 2. **Helping people to be more self-reliant** – taking early steps to reduce or prevent people from becoming vulnerable or dependent on the Council and its services.
 3. **Smarter use of resources** – ensuring that all its resources (financial, physical, human and technological) are used as effectively and efficiently as possible and support the development of resources throughout the community that can help deliver the Council's priorities.

3. Background

- 3.1 As previously reported to Committee in July 2016, the Social Services and Wellbeing (Wales) Act 2014 came into effect on 6th April 2016; and accordingly changed the Authority's responsibilities for people in prison. Since April 2016, local authorities are responsible for addressing and meeting the care and support needs of all adults and children in the secure estate not just upon release but while they are in custody. This is a significant change and additional responsibility for the Authority as the Act applies equally to those in the secure estate as it does for those individuals in the community.

3.2 Welsh Government issued a Code of Practice that set out the requirements on local authorities in the exercise of their social services functions in respect of those being held in custody, bail accommodation and on release.

3.3 The responsibilities for the Authority, as required by the Social Services and Wellbeing (Wales) Act, 2014, are as follows;

- Completing care and support assessments for prisoners;
- Producing care and support plans (with prison and healthcare involvement);
- Providing care and support services for those with eligible needs;
- Specialist and moveable items (e.g. walking frames, hoists);
- When a prisoner is to be released, or transferred to a different prison, to work with the local authority that they are moving to, ensuring continuity of care and support.

3.4 What these responsibilities mean for Bridgend County Borough Council:

- Information, advice and assistance must be provided to those in the secure estate while they are detained, in preparation for and on release;
- Preventative and wellbeing services must be provided to those in the secure estate as for those in the community;
- For those whose care and support needs cannot be met by signposting to preventive and wellbeing services, the Authority must find ways to undertake the assessment of those in the secure estate;
- Collaboration with partner organisations such as Health, Housing, Third Sector and Education is required to ensure a consistent and consolidated response;
- The Authority should consider the value of developing an integrated approach with Health to respond to the health and social care needs;
- The Authority should consider the needs of the wider family and ensure that arrangements are in place for family/carers to raise concerns about care and support needs;
- The approach to assessment is the same for people in the secure estate as it is for people in any other part of the community and liaison with carers and family is undertaken in the usual way. However, there are limitations on the rights of carers for people in the secure estate, for example there is no obligation to provide support plans for carers of people in the secure estate. Information leaflets have been developed for prisoners and these have been made available by the prison. Families can contact Adult Social Care about people whom they have concerns about in the usual way by contacting the Common Access Point.
- The National Assessment and Eligibility Tool that has been developed for use across local authorities in Wales and applies equally for those in the secure estate;
- The National Pathways that have been developed for adults and children are adopted to ensure consistency of outcomes for those who require care and support;
- The Authority must provide an appropriate staff resource that is appropriately skilled and trained to meet the duties under the 2014 Act;
- The Authority must liaise with other local authorities where there is more than one authority involved and where an individual intends to resettle in another area. There are two different processes for people returning to their place of

residence which may be in a different area and for those who wish to be domiciled in Bridgend County Borough. The release of prisoners is a planned process over 12 weeks involving a multiagency approach. If the prisoner is to settle in the Bridgend area there will be a care and support plan developed in the same way as any other resident in Bridgend. If the person is returning to another area they become the responsibility of the area from which they are from, in which case the Secure Estate team will liaise closely with that local authority.

- 3.5 Bridgend County Borough Council has within its boundary, HMP and YOI Parc, which is a Category B Prison with capacity for 2000 male prisoners, the majority being adult offenders. The current population is 1779 (includes 62 in the Young Persons unit for people up to 18 years of age). The prison opened in November 1997 and is the only private prison in Wales and is managed by G4S on behalf of the Prison Service.
- 3.6 All offenders over the age of 18 are deemed to have 'ordinary residence' and the Council is responsible for meeting the care and support needs of individuals with eligible needs.
- 3.7 In order to meet the duties and responsibilities required by the Act, the Authority has established a team within HMP Parc which comprises a senior social work practitioner, a social worker, a senior occupational therapist who carry out assessments and develop managed care and support plans for people in the secure estate, as well as support the work of the existing health board's mental health in-reach team. In addition administrative support has been secured, as well as a contract to provide care for those who need it from the existing support service within the prison. Initially these posts and the care, was fully funded by Welsh Government, via a grant to support the implementation of the Authority's responsibilities under the Act.

4 Current Situation/Proposal

Contribution of HMP Parc to the County Borough of Bridgend

Educational aspects in prisons and their impact

- 4.1 There are a range of educational opportunities open to the prisoners covering basic skills and learning including literacy and numeracy. The Secure Estate Team is working with prisoners who are currently working towards qualifications, for example GCSEs. Engaging in education appears to enable prisoners to use their sentences constructively, especially during long hours of lock down.
- 4.2 At HMP Parc, as part of the induction programme for prisoners, they use a screening tool the 'Do-IT Profiler'; the tool includes screening for learning difficulties and disabilities, it has been tried and tested and specifically developed for the criminal justice system. The Secure Estate Team is working with G4S colleagues to build a more effective and collaborative practice model, which will link in and assist with signposting and contribute to a more person centred approach to support planning.
- 4.3 An example of the positive impact that education and learning has had on an individual in the prison is explained in the following example:-

The secure estate team are currently working with a prisoner who is due to be released on licence at the end of April. The man has a mild learning difficulty and a diagnosis of dyslexia and dyspraxia and dyscalculia; when he first came in to custody his offender supervisor and prison officers described him as withdrawn and he found it very difficult to socialise with other prisoners.

The man does not have any formal qualifications and had not pursued education after leaving school. Whilst in prison, he has gained certificates in English and Maths and as a result he has grown in confidence and he feels a sense of achievement. He is very much looking forward to being released and has proven to himself and others that he does have the capacity to learn and achieve.

As part of their work the secure estate team used a strength based approach with this man and he now views his future far more positively and is making plans about what courses he might do and interests he wants to pursue. This would mean him using his time constructively and as a consequence, could potentially minimise the risk of re-offending. He is currently working with the Secure Estate Senior Practitioner to put together a support plan that will inform both his placement support workers in Approved Premises immediately on release, and will also be shared with other relevant agencies when his move-on support is being assessed.

The Community Services provided by Parc Prison and its contribution to the County Borough of Bridgend

4.4 Parc Prison has developed extensive community projects and community links, and has provided the following examples of their work:

- Deliver weekly remedial PE sessions in partnership with Active health to help prisoners regain strength and flexibility to prevent further injury, saving the local health board substantial amounts of money. Prisoners from Bridgend County, fit to return to employment on release;
- Promoting health and well-being for staff and prisoners from Bridgend County by delivering a variety of PE classes and nutritional courses, including weekly weight loss classes tackling the obesity crisis for prisoners returning to Bridgend County Borough;
- Holding health promotion days, and local businesses, for example Halo Leisure, Virgin Active, Slimmer's world, Diabetes Wales, No Smoking Wales breast Cancer Wales, Herbal life are invited in to promote their services and products or raise awareness;
- In partnership with Stroke UK, physical education staff provide blood pressure test, and BMI tests, reducing the workload of local GPs and surgeries;
- The Josh Hall foundation provide free sexual health clinics for prisoners returning to Bridgend County Borough;
- Bluebird is a scheme to provide free dementia training for staff and prisoners from Bridgend County Borough;
- Steroid Awareness training for staff and prisoners from the Bridgend County;
- The prison supports charity events for local families, examples of which are Eye cancer charity, Lexi Fund, Samaritans, Nell McConnick fund, Amelia Matters;

- Supporting local families to participate in the Duke of Edinburgh Award, helping to maintain family ties;
- Supporting local fixtures against BME teams to promote inclusion and community engagement. In addition there are LGBT fixtures: Prisons and communities can be very often homophobic environments where prisoners are reluctant to disclose their sexual orientation. Sport can play a big part in tackling homophobia in the local community;
- Parc prison participates in Black history events, and Holocaust Memorial events;
- They support Walking Clubs for older prisoners. Regular walking has been shown to reduce the risk of chronic illnesses, such as heart disease, type 2 diabetes, asthma, stroke and some cancers; this in turn potentially reduces the workload on local doctors;
- Army Veterans football matches: prisoners suffering from depression, anxiety and social isolation are literally walking back to happiness thanks to the rapidly spreading sporting craze of 'walking football', the sedentary iteration of the beautiful game that aims to attract older players who can no longer cover miles of turf in one match;
- Wheelchair Rugby matches promoting community inclusion (Sport for all) and raise awareness of Disability.

4.5 In addition the prison sign and print shops have over the years created and donated work for various events and charities throughout Bridgend County Borough. For example the prison has donated canvas prints to fundraisers in the community, as well as providing signage for example, to Macmillan Cancer walks for the last four years. Other examples have been the donation of the printed programmes for *Choirs in the Castle* at Coity Castle community event each year.

4.6 The prison advise that many third sector and businesses order from the sign and print shop at Parc prison and these include amongst many others Barnardos, Prostate Cymru, the Princes Trust, AWEN cultural trust, Valleys to Coast housing, Ty Hafan Hospice, Bridge FM and The Ospreys.

3rd Sector services provided at Parc Prison

4.7 The Authority's Secure Estate Team work mainly with third sector organisations relating to issues around housing, homelessness, advocacy as well as alcohol and substance misuse; the team makes referrals and seek advice on behalf of prisoners to these organisations. The type of support a person will need on release will depend on their individual circumstances, and the resources available within the area to which the prisoner is moving. The following are examples of support the Secure Estate Team has provided:

- Arranging case conferences and inviting relevant agencies and providers, including housing and floating support for housing related need schemes, as part of the release planning process;
- Researching and establishing relevant services that are available in the receiving authority area on release for prisoners. This has including signposting and providing information to the individual prior to release;
- Advocacy plays a vital role in relation to one of the key principles of the Act 'Voice & Control' and the team has made referrals to both advocacy services

- within the County Borough Council whilst prisoners are serving their sentence and also to other local authorities as part of release planning;
- Within the prison, in some cases, the Authority works alongside the community resettlement company's (CRC) resettlement officers and have made referrals to PACT (Prison Advice and Care Trust) as appropriate, for support through the Gate Mentoring Service. On the day of release, the Mentor meets the individual at the prison gate and escorts them to initial appointments with Probation, Housing and other services;
 - The Samaritans train prisoners to provide emotional support to other prisoners by becoming 'Listeners' as part of a peer support service within the prison. This support can form an important element in achieving wellbeing as part of the assessment and support planning process;
 - 'Dyfodol' provides support to people with drug and alcohol issues, targeting people within the criminal justice system. Dyfodol provide services both within HMP Parc and in the community, and therefore forms an essential part of release planning in some individuals. A current example involves a person with learning difficulties who has recently been recalled to prison, and whose offending behaviour is directly linked to alcohol misuse. At a recent MAPPA meeting his community Dyfodol support worker attended, and a referral will now be made to the prison team for intervention. The Secure Estate Team will continue to play a part in the multidisciplinary approach to support planning and intervention whilst he is in custody.

The input the Probation Service has working with the Authority and with the resettlement of prisoners including details of the impact on housing.

- 4.8 The Secure Estate Team works extensively with the Probation Service as a key partner, in particular at the release planning stage. This can include attendance at multi-agency public protection arrangement (MAPPA) meetings. The Secure Estate Team carry out Social Care Assessments requested for Parole Board Hearings; this involves liaising with and referring on to relevant receiving home local authorities of prisoners. This work will often involve the initial release of individuals to Approved Premises (AP) prior to move-on into the general community.
- 4.9 In some cases, this has resulted in support plans being formulated in order to provide the AP support staff with an initial plan on which to build and inform ongoing intervention as part of re-settlement of individual prisoners. It also provides continuity for the individual, and engages them in the process surrounding their release and has proved to be more outcome-focussed. This in turn delivers a more holistic approach to support planning, taking account of the Wales Reducing Re-offending Strategy
- 4.10 The Authority's Housing Solution Manager has advised that being a host Authority to the prison has not impacted on housing services. Local authorities in Wales follow the National Pathway for Homelessness Services to Children, Young People and Adults in the Secure Estate. The pathway was created by a multi-agency Working Group, the Prisoner Accommodation and Resettlement Working Group, in which the Authority was a member.
- 4.11 In terms of the Authority's role in the provision of accommodation the following is the usual process for referrals. Approximately 66 days prior to release, the National Probation Service and the Wales Community Rehabilitation Company will undertake

a review of the accommodation element of the prisoner's resettlement plan. Where there is an identified housing need that has not been resolved, a referral is sent to named points of contact in the relevant local authority from where the prisoner originates, to trigger an assessment under the Housing (Wales) Act 2014. When the referral is sent, notification will also be sent to Her Majesty's Prison and Probation Service (formerly the National Offender Management Service) to complete a housing risk assessment. The prisoner will then attend on the day of release if the Authority needs to provide interim accommodation, where the individual is deemed a priority need for housing.

- 4.12 Therefore, the only referrals the Authority receives are for those prisoners who have a local connection to Bridgend. Anyone not from Bridgend will have the referral sent to their home authority. There are circumstances where the Authority can accept a referral from someone out of county; for example, this can be where there is a risk to them if they return to their own local authority area. If anyone is serving a short sentence; for example for people on a 14 day recall to prison, the Authority would either receive the referral immediately before release, or if no referral is received, the prisoner may present homeless to the Authority on that day.

The cost of servicing this need

- 4.13 In 2017/18, the cost of providing social care services to the prison was £217,448, with personal care being provided by G4S medical services from within Parc Prison. In 2016/17 and 2017/18, the Authority has been developing and consolidating the service within the secure estate. The demand for care is fluctuating within the prison and is dependent on the mix of prisoners at any given time; it has been fortunate to date that G4S medical services have been able to provide the care support, as their staff are cleared to enter cells individually, and this has assisted with managing the overall cost of service delivery by enabling calls to be delivered by staff cleared to provide single-handed care; other staff would have to enter in pairs for security reasons.
- 4.14 During 2017/18, G4S medical services have made it known to the Authority that the original proposals have proved unrealistic because of competing priorities for the medical services team and the impact of lock-downs within the prison. As a result the care arrangements are now subject to review with a view to providing a more sustainable way forward; it is inevitable that the revised arrangements, whether they are provided by G4S or by the Authority, will incur additional costs.
- 4.15 There are considerable challenges to providing the care services required by the Social Services and Wellbeing (Wales) Act 2014, in the secure estate; this is due to the nature of the prison environment being locked secure premise. In order to access the prison outside agency staff would need to go through strict clearance processes in order to visit individuals requiring social care support. Clearance takes approximately eight weeks to complete for each carer employed to deliver care and support within the prison; it is therefore not possible to deliver services in the same way that would be provided in the community.
- 4.16 The commissioning of care from G4S has supported the Authority to deliver on its duties and responsibilities, in a way that potentially would not have been possible had the prison been run directly by the Ministry of Justice. It is likely, had the prison not been privately run, that the Authority would have had to provide the care directly

and because of the security rules within the prison, this would have meant that staff would have had to deliver care in pairs which would have inflated the cost of care considerably.

5. Effect upon Policy Framework and Procedure Rules

5.1 There is no impact on the Policy Framework and Procedure rules.

6 Equality Impact Assessment

6.1 A full Equality Impact Assessment for this service will be undertaken as part of the review into changes to funding arrangements which may impact in the longer term on the ability to deliver the service.

7. Well-being of Future Generations (Wales) Act 2015 Implications

7.1 The implementation of the duties and responsibilities of Part 11 of the Social Services and Wellbeing Act (Wales) 2014, for the adult population living within the secure estate, in turns supports the promotion of two of the seven goals of the Well-Being of Future Generations (Wales) Act 2015 within the County Borough of Bridgend. That is by promoting a healthier Bridgend and Wales, by promoting an environment in the secure estate that maximises people's physical and mental well-being; and supporting a more equal Wales for people within the secure estate, supporting them to fulfil their potential no matter what their circumstances.

7.2 The Act provides the basis for driving a different kind of public service in Wales, with 5 ways of working to guide how the Authority should work to deliver for people. The following is a summary to show how the five ways of working to achieve the well-being goals have been considered in this report:

- Long Term – There is a challenge in trying to predict and meet the needs of people in the longer term in the secure estate, because the population mix within the prison is determined by the Ministry of Justice and can change at any time. The secure estate population, and service, needs to be kept under review in order to ensure that people are able to access their rights and entitlements under the Social Services and Wellbeing (Wales) Act when they are needed.
- Prevention – the implementation of the Secure Estate Teams Service has enabled the Authority to work with individuals providing information advice and assistance including life skills and support to people in the prison as well as those preparing for a release; this has enabled the Authority to take a preventative approach, anticipating future problems for people particularly for those who need support on release.
- Integration – The provision of the Authority Secure Estate Team service is delivered in partnership with the NHS and G4S and the probation and rehabilitation services and supports the maximisation of people's physical and mental well-being.
- Collaboration – This collaborative approach is managed and monitored through the Prison Health and Care Partnership where there is cross sector stakeholder representation, and where the pressures and challenges of delivering services within the prison are shared and mitigated to deliver the

best possible intervention within the limitations of delivering services within the secure estate.

- Involvement – from inception there has been a collaborative approach to developing the Secure Estate Team; the Authority has worked with public bodies collaboratively, in terms of developing the Secure Estate Team Service, as well as supporting training on the requirements of the Social Services and Wellbeing Act. In addition there has also been considerable engagement with prisoners to ensure they understand the role of the service and how to access it; this has been achieved through the provision of accessible information, advice, and publications for prisoners that have been made available to individuals through the prison systems.

8.0 Financial Implications

- 8.1 In 2016/17 Welsh Government provided grant funding to the Council of £236,774 under the ‘*Grant to Support Provision of Care and Support to those in the Secure Estate*’, , and this included additional funding to cover the set up costs of establishing the secure estate team and service; and in 2017/18 they awarded grant funding of £217,448. As reported to committee on 7th February 2017, the council had been led to believe that the grant funding had been allocated on a recurring basis; and on that basis the secure estate team staff were recruited. Recent analysis suggests that the cost of the delivery of care in the secure estate is at least three times that of delivering care in general community settings, and that the delivery of social work is nearly four times the cost to deliver it in the community.
- 8.2 For the 2018/19 financial year Welsh Government transferred the £412,000 funding for social care provision for prisoners in the secure estate across Wales into the Local Government Settlement; and this was distributed based on the overall funding allocations for social services across all the 22 authorities in Wales, as opposed to a specific distribution to those authorities with prison populations. This decision resulted in Bridgend County Borough Council receiving approximately £18,000 for 2018/19.
- 8.3 The financial impact of the significant change to the funding arrangements from Welsh Government for the delivery of the duties and responsibilities of the Social Services and Wellbeing Act within the Secure Estate for 2018/19, has placed the Council in an ‘at risk’ position, and at a financial disadvantage, given that the Secure Estate Team has been established in good faith based on the initial grant funding allocation that was believed to be recurring from 2017/18. There was never an indication that the Council would have to subsidise this service going forward.
- 8.4 The Council has made representations to Welsh Government about the changes in the allocation of funding to support social care for prisoners and is intends to make further representations, with a view to requesting that the method of allocation is reconsidered.
- 8.5 In the context of the current financial challenges and the need to achieve the directorate’s Medium Term Financial Strategy savings, and in a climate of increasing demands being placed on the services provided, if the funding allocation remains part of the local government settlement across the 22 local authorities in Wales, it is inevitable that the council will have to review and reconsider how it delivers its duties and responsibilities under the Social Services and Wellbeing (Wales) Act to support to prisoners within the secure estate.

9.0 Recommendation

- 9.1 It is recommended that the Committee notes the report and provides comment on the budgetary impact of meeting the duties and responsibilities required under the Social Services and Wellbeing (Wales) Act 2014.

Susan Cooper
Corporate Director, Social Services and Wellbeing
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10. **Contact Officer:** Carmel Donovan, Group Manager Integrated Community Services
Telephone: 01656 642236
Email: carmel.donovan@bridgend.gov.uk

11. **Background Documents**
None