

## Findings of Kate Lampard and Ed Marsden’s follow up review of Yarl’s Wood Immigration Removal Centre October 2016

This report has been redacted in a limited number of places to remove some of the details on staff numbers where these are too sensitive on security grounds.

Kate Lampard and Ed Marsden recently undertook a review of the progress made at Yarl’s Wood Immigration Removal Centre (IRC) to address the issues they identified in their report dated December 2015, (“the report”). This is their summary of that review and the findings from it.

### The follow up review process

We adopted a light touch approach to the work. We reviewed the action plan and the stakeholder engagement plan prepared by managers in response to the recommendations made in the report. We reviewed the serious incidents and allegations log. We conducted 23 interviews, some of them group interviews. The interviewees included senior Serco managers; the senior management team and the governance and staffing leads at Yarl’s Wood; groups of detention custody managers (DCMs) and detention custody officers (DCOs); the Independent Monitoring Board (the IMB); and Home Office officials. We visited the centre seven times, on one occasion unannounced, and during those visits we toured the centre and spoke informally with residents and staff.

We did not re-read all the local policies (Directors Rules and Post Orders). But the action plan states that 277 of them have been reviewed and in many cases have been subject to amendment or withdrawn altogether in order to meet our recommendation (*recommendation 6*) that they should be made consistent with and better reflect the mission, role and purpose of Yarl’s Wood. We did however look at the small number of policies about which we made specific recommendations for amendment. We comment below on the adequacy of the amendments that have been made.

### Notable improvements since the date of the report:

#### The resident population: (*recommendations 1,2,3*)

There have been fewer residents, either time served foreign national offenders (“TSFNOs”) or residents with mental health issues, who have exhibited the challenging behaviours that were

fairly common place during our previous visits. Managers and staff told us that the resident population had been more “settled”. The senior management team told us that in recent months the Home Office had been more responsive to requests to remove and return to prison those TSFNOs whose behaviour had been unacceptably disruptive. They also said there had been improvement in the speed with which the Home Office handed over information and records relating to TSFNOs.

The Home Office told us that from September 2016 all decisions to detain people at Yarl’s Wood, regardless of the process under which they have entered the removal system (whether as an asylum seeker, a TSFNO or an overstayer), have been subject to a new standardised review process. The reviews consider, among other matters, whether Yarl’s Wood is an appropriate environment in which to detain a potential resident.

As a result of new legislation, fewer pregnant women are being detained at Yarl’s Wood and they are held for a maximum of three days, unless a further period is specifically sanctioned by a minister.

**The senior management team:**  
(*recommendation 10*)

- has been expanded with the appointment of a further assistant director;
- appears to work together much better than the previous team;
- have a positive attitude and appear to have the confidence of their administrative team; and
- appear to be well liked by staff and viewed as approachable (although some staff suggested that some SMT members were not often present in the centre).

**The management and behaviour of staff:**  
(*recommendation 7*)

Most of the DCMs have now been trained in how to conduct appraisals. They have undertaken or are in the process of undertaking appraisals of the DCOs they manage. Managers have introduced a requirement for DCMs to conduct six-weekly supervision sessions with all staff.

The behaviour of staff:

There have been no serious allegations against staff. There has been a significant reduction in the number of complaints against staff about issues relating to the privacy and dignity of residents and inappropriate behaviour. Management and staff attribute this to the introduction of staff body cameras for all staff. The staff acknowledge that their own behaviour as well as that of residents is modified for the better by the use of the cameras.

**Safeguarding:**  
(*recommendations 23-27*)

Managers have drawn up new policies for safeguarding adults and children. The assistant director governance and services at Yarl’s Wood has established good working relations with the safeguarding leads at Bedford Borough Council. This was illustrated by them sharing information in respect of a recent safeguarding issue.

**The environment and provision made for residents:**  
(*recommendations 17, 18 and 20*)

The fully functioning central post room and the opening of all common areas, including dining rooms, 24 hours a day has enhanced the freedom of residents and their ability to manage their own affairs. The increased access to common areas has helped reduce tension between residents at night.

The contracted activities programme is mostly being met.

Those parts of the centre that had shown signs of wear and tear have been redecorated and overall the inside of the centre is in good decorative order.

Fresh fruit, milk, bread, cereals, spreads and more tinned foods are now available in the shop. Residents have access to toasters. The cultural kitchen sessions for residents of Avocet and Dove units have been increased from two to three a day and there is now a separate cultural kitchen for the residents of the Hummingbird unit offering two sessions a day.

### **Healthcare:**

*(recommendations 28 and 29)*

Mental health provision has improved, and counselling services have been reinstated.

Serco's newly appointed Healthcare Business Partner for the Justice division has made progress in establishing better joint working between centre managers and G4S.

### **Continuing issues**

The senior management team have addressed many of the issues raised and recommendations made in the report. They acknowledge however that there is more that needs to be done particularly in relation to some of the staffing issues, including the training and development of staff.

### **Staffing:**

*(recommendations 5,6,9,11 and 12)*

The planned complement of DCOs for Yarl's Wood is [REDACTED]. Currently [REDACTED] DCOs are employed at the centre. [REDACTED] are available for work. 53 per cent of DCOs are female: the centre manager said he thought the target should be above 60 per cent female staff.

The planned staff profile for shifts has improved since we were last at Yarl's Wood. During the day the plan for the normal course of events is for there to be [REDACTED] DCOs working on each residential unit. The plan is for [REDACTED] staff at night, which is meant to allow for [REDACTED] staff to be available to assist and relieve the [REDACTED] on each residential unit when necessary. The evidence of staff and our own, albeit brief, observation was however that staff [REDACTED] on units during the day. Staff said that between the hours of 7 and 9pm it often happened that [REDACTED] had to cover two residential units. Staff told us that at night there were often [REDACTED] staff available to cover if they had to leave a unit for any reason and they sometimes had to cover [REDACTED] units.

Staff said staffing levels were particularly low at weekends. During an unannounced visit on a Sunday afternoon we found that [REDACTED] staff only were scheduled to be on the nightshift and there was concern that [REDACTED] of them would in any event be detained by a bed watch for a resident in hospital. The DCM on duty was ringing round at 4pm trying to find extra staff willing to undertake the nightshift on an overtime basis.

The reasons given by managers and staff for the failure to meet planned staffing profiles were:

- Difficulties in recruiting and retaining the full complement of staff. (7 out of 12 candidates failed to turn up for recent recruitment interviews. The centre loses two or three staff per month.)
- An increase in casual sickness (Figures supplied by the centre suggest that at the end of 2015 the days lost to sickness per month averaged 1.3 per cent of available days. The current monthly average is 2.2 per cent.)
- The continuing high incidence of unplanned hospital visits, planned escorts from the centre, constant watches and other events that are not catered for but happen on a frequent basis.

Whatever the cause, the failure to meet the planned staffing levels means there is a lack of resilience in the staffing arrangements and some resulting risks. In particular, residential units are still being [REDACTED] during periods of the night shift. DCMs and staff told us that a lack of female DCOs meant there continued to be occasions when male officers only undertook role calls and that male officers sometimes had to undertake constant watches on female residents. Male staff told us that, as a result of a lack of female staff to support them when doing checks on residents in their rooms, they would not enter rooms, even if this meant the check was not done thoroughly. They said that body cameras did not provide a good enough record of events, especially when used at night. They still did not make them feel confident about entering residents' rooms.

The staff we spoke to exhibited greater discontent about the levels of staffing than during our visits last year. In particular staff expressed dissatisfaction about the fact that they were often [REDACTED] sometimes had to cover [REDACTED] residential units and were often called into the centre at short notice to cover shifts that were under staffed. Some staff undertake significant amounts of overtime. We were concerned that among those who complained about staffing levels and expressed their disaffection were some who had previously seemed highly committed and motivated. The IMB expressed concerns about a lack of staff. They said they thought this had undermined relations between staff and residents. They referred to a "loss of trust" between staff and residents.

In our report we recommended that managers at Yarl's Wood should put in place a programme of organisational development work involving all staff to develop a clearer and better shared understanding of, among other things, its staffing arrangements. We recommended that such a programme should allow staff to share their insights and engage them in devising plans for how the centre will be managed in the interests of residents and staff. The action plan for the implementation of our recommendations sets out how staff are now being engaged through a "reenergised" Employee Partnership Forum and a Staff Engagement Committee made up of volunteer DCOs. We believe however that there is a need for specific development sessions for all staff focussed on dealing with their continuing discontent about staffing levels. In particular, such sessions need to tackle head on the DCOs apparent difficulty in accepting that, for

whatever reason, they are now expected, for a significant part of the time at least, to work alone. We believe it is important that they understand this is to be the norm. It would also help if there was an understanding with DCOs about how quieter periods, particularly during night shifts, might be used more productively.

The centre manager and other members of the senior management team expressed concern that many DCMs did not appear to accept the extent of their responsibilities. Our interviews and conversations with some DCMs caused us to share his concerns. While we were at Yarl's Wood the centre manager held an offsite away day with the DCMs. The purpose of it was to focus on how they carry out their roles, how they manage their workload and the expectations he had of them. We believe it would be helpful to undertake a similar exercise with the DCO staff group.

It may be difficult however to shift the negative responses of DCMs and DCOs to the new ways of working until the particular risks associated with current staffing levels, which we mention above, have been dealt with.

### **Recruitment and retention:**

Managers and staff proffered a number of reasons for the inability to recruit and retain the full complement of staff. They were:

- **poor pay rates**  
A review of pay, including a bench marking exercise was undertaken earlier this year. It resulted in all staff receiving a pay uplift. The current starting salary for a DCO on completion of training is £18,000, rising to £21,350 after three years. The centre manager has reintroduced a scheme of modest rewards in recognition of good service. Nevertheless, the centre manager told us he thought pay was still an issue and potential recruitment drives elsewhere in the locality would be a risk to the retention of staff at Yarl's Wood.
- **negative perceptions of and publicity about Yarl's Wood**
- **failure to expose new recruits to the realities of the role and to adequately support and mentor them once they start work in the centre.**  
Currently DCOs undertaking the initial training course ("ITC") are only allowed to do observation and orientation visits to the centre. The assistant director governance and services told us she would be discussing with the Home Office what further opportunities there could be to get DCOs in training into the centre to shadow DCOs at work and better understand the role.  
DCMs told us that new recruits were put off the job by being thrown into it without adequate support. One said "*managers try not to leave new recruits alone but what can you do when you have no staff. You have to put new recruits on their own*". The senior management team and the training and staffing lead DCM told us of their plans for mentoring and supporting new staff in future. This will involve extending the initial training course by two weeks during which time new recruits will be rotated around the various areas and units of the centre and will undertake night shift. Thereafter they will be supervised by the training and staffing lead.
- **the fact that staff work long shifts in isolation.**

A newer member of staff said *“I didn’t join what I thought would be a team to work alone”*

- a feeling of vulnerability especially on the part of female staff working alone. We were told this had been the reason given by some long serving staff as well as new recruits for leaving the job.

The SMT said that DCMs had undertaken exit interviews with all staff who had left the centre but DCMs and the HR administrator suggested that these interviews had not always been done. In any event the assistant director governance and services acknowledged that the questions in the exit questionnaire were repetitive and answers given had often been inconsistent. There does not appear to have been a thorough audit of the reasons for staff leaving.

Exit interview formats need to be reviewed to ensure that reliable information can be gleaned from them. Exit interviews need to be done in all cases and the responses need to be audited. There needs to be a comprehensive plan to improve retention.

Recruitment and retention is a pressing issue and needs to be tackled as a matter of urgency.

### **Staff handovers**

*(recommendation 14)*

Although handover periods have now been planned into the shift patterns, face-to-face handovers are still not happening. Managers and staff acknowledged that the alternative written handovers were not being done well or consistently and that, in any event, they were not an adequate substitute for face to face handovers. The centre manager told us that he was in the process of consulting with the Employee Partnership Forum on how to ensure that face-to-face handovers take place. Inadequate handovers remain a risk to the good management of the centre.

### **Staff training and development:**

*(recommendations 6 and 31)*

The training lead told us the ITC had been updated, but he suggested that he was still in the process of amending the training materials to ensure that they all reflected the fact that the training is for a DCO rather than a PCO.

The ITC now includes modules on trafficking, FGM and child safeguarding which are all online e-learning courses provided by Bedford Borough Council. The ITC also includes sessions on immigration patterns and understanding of asylum and refugees delivered by a UNHCR trainer; mental health awareness training provided by one of the mental health nurses now employed at the centre by G4S; immigration processes and principles provided by a Home Office official. Recruits on the most recent ITC received an “introduction” to adult safeguarding but managers are still looking at how they will devise and procure more comprehensive adult safeguarding and safeguarding awareness training.

In our report we recommended that all existing staff should also be given training in the subjects mentioned in the previous paragraphs. The training lead said there were plans to roll out this training to existing staff but most staff had not yet received it. He made it plain that given difficulties in making time to release staff for training purposes, there was a question mark

over whether the training could be delivered to all staff within a reasonable time frame. In particular, he mentioned the fact that the mental health nurse who delivers the mental health training was only able to offer one training session a month and that it was being delivered to only four DCOs each month. In addition, there had been issues with the remote access to Bedford Borough Council's online training system and only 21 staff had been able to complete the child safeguarding training. The immigration processes training had not yet been rolled out to existing staff.

The IMB, one of whose members had attended the mental health training, were concerned that the training had not been engaging or rigorous. We suggest that a member of the senior management team should sit in on that training and make an evaluation of it.

Most of the DCMs have now been trained in how to conduct appraisals/PDRs and have conducted appraisals of the DCOs they manage. However, the training needs identified in appraisals/PDRs cannot yet be catered for.

DCMs complained about the unmet need to train further staff to be ACDT assessors.

The training and staffing lead said he hoped to be trained so he could meet some of the further staff training needs. He also hoped for some assistance in this from the Serco training lead, Garry Reagan. In addition, there are plans to offer staff within the centre financial incentives to train as trainers.

Managers have introduced a requirement for DCMs to conduct six-weekly supervision sessions for all staff. DCMs questioned whether they would have time to undertake supervision.

Julia Rogers told us that staff training and career development was a matter that needed to be looked at across Serco's Justice division. She had recently appointed a contract manager to take on this task.

### **Safeguarding:**

*(recommendations 23 to 27)*

Bedford Borough Council's safeguarding leads confirmed that there had been a better relationship with Yarl's Wood since the assistant director governance and services came into post. They felt that she understood and engaged with the safeguarding agenda. The council's safeguarding leads and Yarl's Wood managers have arranged to hold quarterly meetings. The next meeting is scheduled for 10 December 2016.

Subject to amendments suggested by them, the council's safeguarding leads were happy with the centre's new safeguarding policies. When we spoke to them they were waiting to receive revised final versions of the policies from Yarl's Wood.

The council's safeguarding leads praised the prompt response by Yarl's Wood to a request for information regarding a safeguarding issue relating to a resident. The issue had been raised with them by the ambulance service. The assistant director governance and services at Yarl's Wood has asked the ambulance service to attend the next quarterly safeguarding meeting with the council.

Bedford Borough Council still had concerns about adult safeguarding and safeguarding awareness training, Mental Capacity Act awareness and the extent to which Yarl's Wood was ensuring that third party organisations operating within the centre (e.g. Hibiscus and the counselling service, Kaleidoscope) were training their staff in respect of safeguarding matters and understood the need to share safeguarding concerns. We raised this with the assistant director governance and services and she agreed that she would look at devising a protocol for ensuring information sharing with third party organisations about their training and in respect of safeguarding concerns.

### **Whistle blowing**

*(recommendation 8)*

Staff told us they found the new senior management team approachable and felt more inclined to raise matters of concern with them than with previous senior managers. As part of the PDR process, all DCOs now have to demonstrate that they understand Serco's "speaking up" policy.

The centre manager and the assistant director security told us of their concerns that staff were not using the drop boxes in the centre to report matters of concern in the way they used to. They were planning to introduce an anonymous online reporting system to strengthen the whistle blowing arrangements.

### **Healthcare**

*(recommendations 28 and 29)*

Staff and managers at Yarl's Wood praised the work being done at Yarl's Wood by two mental health nurses now employed there by G4S. They told us there had been an improvement in the identification and treatment of residents with mental health problems. A third party organisation, Kaleidoscope, is now providing counselling services.

All those we spoke to suggested that healthcare, apart from the mental health care, was still a matter of concern. Managers and staff expressed particular frustration with the turnover of the healthcare staff. All the healthcare staff except for the nurse lead are locum or agency staff. Clare Weston, NHS England head of health and justice East of England, acknowledged the difficulties that G4S had had in recruiting and retaining staff. The staffing issues had been exacerbated by the suspension of the health centre manager and two other staff.

Serco's newly appointed Healthcare Business Partner in the Justice division appears to have made progress in establishing better joint working arrangements with G4S. In particular, she has gained agreement for a regular operational level meeting between Yarl's Wood, G4S and Home Office managers. The meeting will be chaired by the centre manager. The Health Care Business Partner told us that after some difficulty she had been able to access the G4S service specification for its Yarl's Wood contract which would help to inform discussions with G4S about gaps in the service and how these might be met. She had already come to an agreement with G4S about the funding of a substance misuse service. Serco needs to ensure that this more joined up and cooperative approach is pursued.

Serco managers and staff suggested that G4S staff referred residents for hospital visits unnecessarily. But Clare Weston of NHSE was doubtful about this. We discussed with her the



need to audit the unplanned hospital visits to understand whether referrals were being made appropriately. Serco managers should follow this up with her.

**Activities and education:**  
(*recommendation 22*)

Activities staff are not being used as they were to fill staffing gaps elsewhere and the regular activities programme is mostly being met. There was a fete during the summer. Bingo and disco sessions and other one-off events are being put on. These events are popular with residents, relieve boredom and greatly enhance life within the centre but they are not scheduled as part of a management plan and rely wholly on the goodwill of the staff who instigate and manage them on their own initiative. A new education officer has procured new music keyboards and new computer terminals. He hopes to be able to introduce software which will enable residents, including abler residents, to access appropriate learning courses.

Our recommendation for a review of the activities, education and training programme for residents to ensure they provide meaningful activity, education and training even for the most able residents was rejected. The current centre manager has however conceded that the question of whether residents are adequately occupied needs to be looked at again. In particular, he is concerned about whether the facilities available at the centre are being used as productively and imaginatively as possible.

**Physical environment and food:**  
(*recommendations 16,17,18,20 and 21*)

Common areas and dining rooms on each unit are now open 24 hours a day. DCOs said this had meant there had been many fewer complaints and difficulties caused by residents making noise in their rooms at night.

One of the murals on the garden walls has been painted over. Staff agreed that this had greatly improved the atmosphere of the garden in question. There are still three other such garish, unsightly murals and it is unclear when these too will be painted over.

Plans to offer female residents access to the outside sports pitch, to open up more outside space and to provide the opportunity to undertake gardening activities discussed on our previous visits and referred to in the action plan have not been implemented. We believe female residents' experience of being in Yarl's Wood would be improved by them being offered access to outdoor activity areas and further open space.

The centre manager told us of the plans being devised with the Home Office to soften the environment in the Kingfisher separation unit. These will include the replacement of metal doors with wooden ones, the introduction of ordinary furniture and the replacement of the metal toilets and basins.

Toasters have been provided in the dining rooms for residents use. More fresh food is available in the shop. The assistant director residential told us she was looking at further opportunities for residents to cater for themselves including the provision of fridges.

There are now three sessions per day (as opposed to the two previously) in the cultural kitchen for Dove and Avocet units. The Hummingbird unit now has a cultural kitchen open for two sessions a day.

There have been improvements in the lunch menu in that it now includes freshly made soup and a more appetising salad, as well as a piece of fresh fruit. But the main component is still sandwiches of indifferent quality. We heard complaints, including from the IMB, about the quality of the sandwiches and the fact that the lunch menu never changes.

The Home Office told us that they are still to sign off the planned new DSO on fluid and food refusal that will remove the requirement for residents to be automatically put on ACDT if they miss six meals in the dining room.

### **Stakeholder engagement:**

*(recommendations 33, 34 and 35)*

The Home Office director of detention and escorting told us that at the time of the transition programme and the Channel 4 allegations, she used to convene weekly meetings with Serco managers to discuss the centre. She said she now felt there was *“much less anxiety and noise”* being generated by Yarl’s Wood, and as a result she felt confident enough to delegate meetings with Serco managers and the meetings took place less frequently. Charles Carr said he believed the findings of our report, and the fact that there had been few if any allegations against staff since the introduction of body cameras, had *“improved the conversation around Yarl’s Wood”*.

Recent media coverage and interest group activity has been quieter than previously and has focussed on external demonstrations at the centre rather than the treatment of detainees. There have however been media reports of the ongoing trial of three former DCOs, one of whom is accused of the rape of a resident in November 2012.

Charles Carr told us there are limited resources within Serco for handling media relations, and in particular for strategic planning for stakeholder engagement. Nevertheless, a stakeholder engagement plan for Yarl’s Wood has been produced, which he described as *“a work in progress”*. Our recommendation for the formation of a regular stakeholder forum has not been met.

A number of visits to the centre have been organised for MPs and Peers, local councillors, and other local officials (e.g. the Lord Lieutenant of Bedfordshire). Serco and the Home Office have still to agree on a proactive and open method of media engagement and communication. The Home Office director of detention and escorting made it plain however that decisions on access were for Ministers.

### **The response to some recommendations**

In a couple of instances, cited below, it appears that managers at Yarl’s Wood have endeavoured to fulfil our recommendations without fully understanding why the recommendation was made, the real purpose of the recommendation, and possibly without properly considering the text of our report.

- Recommendation 13: The policy on entering residents' rooms has been amended and is now explicit about the need for a female DCO to be present when a resident's room has to be entered. But it is still not explicit on the real matter that the recommendation aimed to address, namely that all ACDT checks must be done comprehensively, that officers must enter rooms if that is the only way they can be satisfied about the wellbeing and safety of a resident and they must do so even when staffing arrangements mean that no female DCO can be present.
- Recommendation 8: The SIR policy and the violence reduction policies have both been amended but still do not make explicit the fact that staff can use them to report other staff members as well as residents. Nor do they refer to the need to report matters of sexual impropriety.

We would urge managers to further revise the policies in question to take account of the deficiencies we have identified.

In response to recommendation 30, the action plan states that pregnant women will be allowed to eat in their rooms if they choose to do so.