

Report of Head of Governance and Scrutiny Support

Report to Scrutiny Board (Adults and Health)

Date: 5 September 2017

Subject: Scrutiny Inquiry: Health and Social Care Needs of Offenders

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

1 Purpose of this report

1.1 The purpose of this report is to an update on the development of the Scrutiny Board's inquiry into the Health and Social Care Needs of Offenders and introduce a range of information, including an outline of the Council's social care responsibilities for offenders.

2 Main issues

2.1 During the initial consideration of the Scrutiny Board's 2017/18 work schedule, the Board agreed that the Health and Social Care Needs of Offenders should form a specific area for more detailed consideration, broadly covering the following areas:

- Leeds City Council's care obligations in relation to offenders.
- Current commissioning and delivery arrangements of offender health services, particularly focusing on HMP Leeds.
- Specific health issues identified by Independent Monitoring Boards.
- Outcome of Healthwatch Leeds' work around offender's experience of health and care services.

2.2 To assist the Scrutiny Board's initial consideration of this inquiry, this report seeks to provide details associated with:

- (a) Leeds City Council's care obligations in relation to offenders; and,
- (b) Specific health (and care) issues identified by Independent Monitoring Boards, through recent annual reports.

2.3 This report also presents progress details associated with other aspects of the Board's inquiry.

Leeds City Council's care obligations

- 2.4 Details associated with Leeds City Council's care obligations in relation to offenders are set out in Appendix 1.
- 2.5 Appropriate officers from Adults and Health have been invited to attend the meeting to discuss the information presented and address any questions from the Board.
- 2.6 Members are asked to consider these details and identify any specific matters for inclusion with the Board's inquiry report, and/or where more details are required.

Independent Monitoring Boards

- 2.7 Independent Monitoring Boards (IMBs) have been established through statute and exist for a range of custodial environments¹. Members of IMBs are appointed by Government Ministers and are collectively charged with monitoring whether prisoners and detainees are treated with fairness and humanity whilst in custody, and (in prisons and Young Offender Institutions (YOIs)) prepared properly for release.
- 2.8 The National Monitoring Framework for IMBs is attached at Appendix 2. The National Monitoring Framework defines the role of IMBs in performing their duties and sets out a range of approaches to monitoring – aimed at ensuring a high degree of consistency between all IMBs, while providing sufficient flexibility for IMBs to plan and undertake their monitoring duties in such a way as to reflect the unique nature of individual facilities. In summary, the purpose of the National Monitoring Framework and guidance is to:
- Define the role of IMBs in performing their duties;
 - Promote a consistency of approach;
 - Disseminate good practice; and,
 - Support Boards in monitoring effectively.
- 2.9 The following custodial institutions are located within the Leeds boundaries:
- HMP Leeds
 - HMP Wealstun
 - HMYOI Wetherby
- 2.10 The associated Independent Monitoring Board Annual Reports for 2016 are appended to this report, along with the ministerial response to the HMP Leeds report.
- 2.11 Each annual report includes a number of different sections; however the Scrutiny Board's attention is drawn to the specific sections on healthcare and mental health for specific consideration.
- 2.12 It should be noted that while no IMB representatives will be in attendance at the meeting, contact has been made with the secretariat responsible for providing support to IMBs and discussions continue around the potential input of appropriate IMB representatives into the work of the Scrutiny Board.

¹ Prisons of all sorts and the Immigration Detention Estate (IDE) which comprises immigration removal centres (IRCs), short-term holding facilities (STHFs) and repatriation flights for those being removed from the United Kingdom.

- 2.13 The secretariat has also indicated that some analysis is being undertaken to map healthcare themes across the annual reports, which may be able to be shared with the Scrutiny Board, depending on the reporting timescales.
- 2.14 Based on the IMB information and annual reports presented, members are asked to consider whether or not these details should be considered in or out of scope of this inquiry.

Other progress

- 2.15 Contact has also been made with NHS England (NHSE) and Public Health England (PHE) and discussions with representatives having particular responsibilities around offender health continue, regarding future input into the Board's inquiry.
- 2.16 NHSE's responsibilities for health care of people who are detained are set out in the Health and Social Care Act 2012. The Health and Justice commissioning intention for 2017/18 are also appended to this report, which provides a useful summary of NHSE's responsibilities.
- 2.17 As part of the initial discussions, NHSE have identified that two thirds of offenders serve sentences in the community and their additional healthcare needs the responsibility of community health and care service commissioners and providers, and not NHSE. As such, members are asked to consider the specific scope of this inquiry.
- 2.18 Discussions with Care UK – the provider of healthcare services at HMP Leeds and HMP Wealstun – have also commenced, in preparation for future discussions with the Scrutiny Board.
- 2.19 In order to make effective and efficient progress with the identified stakeholders, members of the Scrutiny Board are invited to identify any specific matters or issue that such stakeholders might usefully be asked to address or report on.
- 2.20 It should also be noted that Leeds woman subject to a custodial sentence may be detained and subsequently released from HMP New Hall in Wakefield. Details associated with HMP New Hall have not been provided at this time, and members are asked to consider whether or not such details should be included within the scope of this inquiry.

3. Recommendations

- 3.1 As part of the Scrutiny Board's inquiry around the Health and Social Care Needs of Offenders, Members are asked to:
- a) Consider the information presented in this report and the attached appendices;
 - b) Identify any specific matters for inclusion with the Board's inquiry report (if required);
 - c) Identify any specific matters where more information and/or detail may be required;
 - d) Consider and agree matters associated with the scope of the inquiry, as highlighted in the report.

4. Background papers²

4.1 None used

² The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.