INDEPENDENT MONITORING BOARDS

REVIEW

REPORT TO THE REVIEW BOARD

Karen Page Associates

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Purpose and context of the review and its terms of reference

1. The context for the review was the appointment of a new IMB President, who had agreed a development plan with the Secretary of State to which this review would be helpful. A review also fitted with an imminent Cabinet Office triennial review of IMBs. IMBs had last been reviewed in 2001 by Sir Peter Lloyd.

2. The full terms of reference are set out in an appendix. The key objectives were to:
   • Ensure current Independent Monitoring Boards practice continues to be the “eyes and ears” of the Secretary of State and ministers.
   • Clarify roles and relationships in the governance and administration of Independent Monitoring Boards and improves their effectiveness and efficiency.
   • Identify any improvements that can be made to the support provided to boards.

Methodology

3. Our aim was to draw material from the whole IMB “environment” and, where relevant, the wider world of custodial and detention investigation and inspection. This would ensure we had a complete and balanced picture based on evidence. At the outset we could not predict what the main issues would be and so it was important to factor all parts of the IMB system into the project plan from the outset. We therefore covered:
   • both government departments including sponsors, policy leads and the Arms’ Length Body Unit
   • chairs and members in a cross-section of establishments (by type and by geography) and different contexts (individuals, boards and regional groups)
   • prison governors and centre managers
   • National Council
   • President
   • Secretariat
   • AMIMB
   • HMIP
   • PPO.

4. A full list and glossary are appended.
5. We saw key documents and websites. These provided contextual information and helped guide some of the focus of the fieldwork. We also had a factual briefing from the IMB sponsor unit and Secretariat and a meeting with the project Review Board to confirm terms of reference and to sign off the project plan.

6. The fieldwork was constructed around two themes: national and local / regional. Our brief was to address high level issues but it was important to set any observations and recommendations firmly in the context of what IMBs actually did and achieved. Each theme was investigated by one of the two reviewers and material was amalgamated to produce a report against the terms of reference.

7. The project was constrained by time and resources but we wanted to capture the views of as many people as possible. A web-based survey was therefore provided so that every IMB member could, if they wished, contribute to the review. 50% of the membership did so. A summary of the results is appended.

8. All but one of the interviews were undertaken face to face against predetermined schedules of questions. This enabled interviews to be structured but interactive. Evidence was drawn from quantitative and qualitative information to provide balance, depth and colour to the report.

9. Emerging findings were shared with the Review Board and a final report presented to the Board in July 2014.

**Summary of findings**

10. At a local level individual boards mainly worked well. Respondents to the survey were broadly satisfied with the ways in which their own board carried out its work in the prison or centre and the ways members managed their own board’s business. This was echoed by many HMPS and, particularly, IRC officials. The reviewers were struck by the commitment and energy of members evident in interviews and through the survey.

11. However, insufficient influence over policy and regimes was a key frustration for many members. It was not enough to efficiently report issues (be “eyes and ears”): members expected this to be a catalyst for change. To some extent they may have been over-optimistic about the extent to which they could have a direct impact. There were established processes for developing policy and procedures and resource constraints were an issue. However, one
would hope IMBs would be able to point to measurable contributions to the maintenance and improvement of conditions in prison and detention.

12. Critically, IMBs did not have enough credibility with key stakeholders to be seriously influential, despite many instances of boards working effectively locally:
   • Some members did not inspire confidence because of the way they undertook monitoring or because they seemed not to know enough about prisons or immigration removals systems. This minority could affect the way all members were perceived.
   • There were unexplained inconsistencies between boards in the way they worked.
   • Boards did not express their findings in a sufficiently compelling, evidence-based way.
   • The arrangements at national level for sharing information and reviewing findings between government and IMBs were, with some exceptions, not sufficiently focused and business-like. There were missed opportunities for cooperation and shared approaches with government and with other government sponsored independent bodies.

13. The encouraging finding was that these factors were capable of being addressed and progress had already been made:
   • Next steps enhancements to recruitment, training, appraisal and member development, building on what had already been achieved, would develop individual member skills and knowledge and the profile of board members.
   • A quality standard for practice would provide the context and criteria against which these developments could be planned and their impact evaluated.
   • Reports could have more impact through changes to commissioning and editorial processes and to the way material was selected and presented.
   • Changes to the way information about internal member policies and procedures would create administrative efficiencies and reduce the frustration experienced by both Secretariat staff and members.
   • There was goodwill and a commitment within government to work more effectively with IMBs.

14. In theory these developments could be taken forward under current arrangements but this review’s main finding was that governance, leadership and accountability needed priority reform:
   • No-one, and no body, had overarching responsibility and authority to make the system work effectively and efficiently and so either things did not
happen, did not happen fast enough or happened in a piecemeal fashion. There could be no leadership, except at individual board level, because the structure and systems did not facilitate it. Independence could be expressed as autonomy. The frustrations and dysfunction we heard about derived primarily from these systemic problems and not from incompetence or wilful disruptiveness. Able and committed people were struggling to make the system work well.

- IMBs’ independent status sat uncomfortably with a reliance on civil servants who are, in effect, acting for the Secretary of State. Civil service structures and systems do not lend themselves to the support and administration of an independent federation of volunteer based bodies. This created operational difficulties for members and for staff of the Secretariat. It could also give the erroneous impression to the public that IMBs are part of government.

The system must change if IMBs are to be the kind of public service its members want them to be and which the public recognises and values.

Creating effective leadership and governance structures and systems must be the priority.

With systemic reform in place other improvements will be significantly easier to implement.

15. The Review Board discussed options for reform. It concluded that the prospective scale of change meant it was appropriate to focus on headline findings in this report and defer discussion of potential organisational and systemic models until after consultation with stakeholders had taken place.

Recommendations

16. To improve the efficiency and effectiveness of governance arrangements:
- there should be an urgent root and branch review and reform of sponsorship, governance and leadership. **This is the key recommendation.** The outcome should be a system that protects the independence of boards within unambiguous, transparent, effective governance and leadership arrangements, clear lines of responsibility and accountability and efficient, binding decision making processes.

17. To ensure IMB members are effective “eyes and ears” the Secretary of State and IMBs should collaboratively ensure there are robust systems:
that ensure the most competent people are selected, that optimum training and development (support, mentoring, appraisal) arrangements are in place, and that people unsuited to the role of IMB members are quickly identified;

- to commission, publish and promote timely reports that persuasively set out IMBs’ findings and recommendations; and

- that support timely, outcome focussed and collaborative attention by IMBs and government working together on key issues identified by IMBs.

18. To enhance support to boards:
- there should be a single source of information (e.g. on a website) for boards about internal policies, standards and processes. The new website will be a significant step forward in enabling the efficient dissemination of key information to members.

These are also set out as an annex.

Effective “eyes and ears” of the Secretary of State and Ministers

19. Boards described in the survey their understanding of what being “eyes and ears” meant: details are set out in the appendix. We took “effectiveness” to mean that board members should have been able to:
- accurately and independently understand and interpret what they heard and saw in prisons and detention centres;
- express their views clearly and persuasively; and
- have the respect and confidence of key players in the prison and immigration systems such that the need for change would, as appropriate, be accepted.

The principle of independent scrutiny

20. The principle of independent scrutiny by IMBs was strongly supported by Ministers and all national bodies (sponsor units in both Government departments, NOMS, HMIP and the PPO). This was more than “lip service”: all those interviewed clearly genuinely placed a high value on IMBs. Independent scrutiny was described as “a healthy and essential function”; a senior official said “I’m glad they are there”. IMBs had a unique access to people held mandatorily by the state and a unique and critical opportunity and responsibility to highlight where the welfare or rehabilitation of these individuals might be being compromised.

21. Ministers in both sponsor departments were interested in, and strongly supportive of, IMBs, “maybe more than boards realise”.

22. Where respondents had criticisms of the way the system operated they expressed them in the context of wanting to strengthen arrangements.

Effectiveness

23. NOMS, governors, HMIP and PPO shared a view that there was a variation in the skills and qualities of members. This directly affected the extent to which they took notice of what they had to say. Whether or not a particular board was regarded by the governor, as reliable “eyes and ears” depended on the quality of board members and particularly on whether the chair was respected.

24. Many members were “so skilled and talented that the prison service ought to be able to make use of them more widely”. Examples were given of timely and insightful information provided by boards and of strong working relationships between governors and board chairs. Home Office officials were, with minor exceptions, satisfied with the ways IRC IMBs raised and reported on issues. The quality of board members encountered in this review was high: they impressed with their understanding of issues and the context within which boards operate. They were committed and passionate about their role and gave of their time freely, many for several years.

25. Unfortunately, a small number of ineffective or disruptive members had had a disproportionate negative effect on the credibility of boards. Although “better than in the past” there were times where boards had misunderstood what they saw or were told: this had happened “often enough for credibility not to be high”. Some members did not appear sufficiently to understand how a prison, or the prison system, works. Some boards had tried to involve themselves inappropriately in management or operations or had accepted information uncritically, replaying it in the annual report with unhelpful consequences. Some members had taken overt exception to legitimate investigations by the PPO.

26. The ambivalent view of board members described above may in part be a reaction to members who had justifiably raised difficult but valid questions about what they found. However, the critical reports were sufficiently consistent for reviewers to conclude that some members were weak links in the IMB system and that this needed to be addressed to protect the reputation and impact of IMBs as a whole.
Recruitment

27. Boards and chairs interviewed had criticisms of the member recruitment process as did respondents to the survey: only 61% of the latter were satisfied the process was fair, open and transparent. Critics described it as slow and bureaucratic and not sufficiently responsive to the requirements of IMBs, for example in the framing of selection criteria. Examples were given of selection panels making what appeared to be rational decisions about the suitability or not of particular candidates that had been challenged by the Secretariat. These comments may in part have been a reflection of past experience as the process had recently been modernised. Nevertheless, the volume and strength of the dissatisfaction was compelling.

28. There was no consistent view among members about how to make recruitment more effective but several respondents to the survey cited lack of public understanding of the role and ineffective advertising as reasons for too few and/or poor quality applicants.

29. There were also, however, reports of a worrying lack of understanding in some boards about how to undertake merit based selection. The process was governed by OCPA requirements in line with other public bodies. OCPA placed non-negotiable requirements on recruiting bodies. The Secretariat had had to challenge a significant number of the decisions on candidates because the information in the interview panel’s paperwork was not OCPA compliant. Reviewers examined examples where the Secretariat had challenged decisions. The examples were worrying. Some boards appeared to have knowingly rejected the best candidate and the rationale for some decisions appeared capricious and to reflect a misunderstanding about the principles of selection on merit. For example, recruitment panels had rejected the most able candidates in order to create a gender balance on the board, had made untested assumptions about availability based on an applicant’s occupation or had given aspects of the candidate’s appearance as a reason for not appointing.

30. The high level of dissatisfaction in boards about the recruitment process, despite recent improvements, coupled with the fact that the process appeared not to be OCPA compliant, suggested there urgently needed to be an examination and overhaul of this process.

Board diversity

31. The February 2014 edition of the IMB Secretariat Update reported on the profile of board members in the year to April 2013.
32. The biggest change had been in age: the percentage of those aged 60 and over had fallen from 75% to 46% leading to significant increases in the percentages of those aged 30 to 59 (up from 22% to 40%) and under 30 (up from 2% to 14%).

33. Boards had also attracted a more ethnically diverse membership with increases in the percentage of Asian members (up from 1% to 5%), black members (up from 2% to 3%) and those of mixed heritage (up from 1% to 11%). The percentage of members who did not record their ethnic origin had risen from 11% to 41%. This made it impossible to be more precise about changes over time in the ethnic profile of boards but the changes were in the right direction.

34. The male:female ratio had changed slightly from 50:50 to 47:54.

35. Overall, therefore, boards appeared to have been becoming more reflective in their membership of the national population and to have a better spread by age. There was a not unreasonable scepticism amongst members about how realistic it was to expect all boards to have a fully diverse membership, given the isolated location of some establishments, but as the survey results demonstrated the lack of diversity in the make-up of boards did concern many members. This was particularly an issue given the ethnic disproportion amongst prisoners and detainees. This should have had implications for the design of recruitment campaigns and the way equality issues were discussed in boards: the Secretariat did provide recruitment guidance to boards on how to reach out to the wider community and it had engaged with religious groups to promote the opportunities to volunteer with IMBs. The recent successes in changing the profile of board members needed to be built on to further the diversity of board members.

Training and development

36. Overall members were lukewarm about the quality of training and development. Only 58% of survey respondents were satisfied with training and learning opportunities and 23% were not. The remainder were neither satisfied nor dissatisfied.

37. The National Council and Secretariat jointly commissioned an independent evaluation of the content of the Foundation Course for new IMB members published in January 2014. Some “quick win” issues had been actioned, but “fundamental questions about the way the IMB provides training for new
members” remained to be addressed and these were set out in the report’s 59 recommendations. This contrasted with the evaluation by participants, 96% of whom found the course useful. It is difficult to reconcile such different views but it may be that the evaluators, who were training professionals, saw the scope for improvement while attendees were pleased to have had a chance to learn more about the role. The recommendation in relation to the Foundation Course should be examined and an action plan approved by the National Council where the points are accepted.

38. The reported gaps in knowledge amongst some members about prisons and the PPO would suggest it would be helpful to involve HMPS and the PPO in selected aspects of member training. There had been some concern about involvement by the prison service training college in IMB training but it should be possible to do this without compromising the independence of members.

39. AMIMB ran courses but members could not claim expenses for attendance because of MoJ policy. The role of AMIMB is discussed later but in relation to training it would seem to be beneficial if, subject to authorisation by the National Council and MoJ, selected courses were designated as eligible for expenses reimbursement. It may also be possible for AMIMB to work collaboratively with National Council to decide what courses to commission.

40. Members were sufficiently equivocal about the quality of training for it to be advisable for the whole training programme to be independently evaluated. It is particularly important that training is not simply based on “what is” in terms of knowledge and practice which is a risk where training is run in-house.

41. Members could serve for up to 15 years: regular appraisal and continuous development were therefore vital. There were systems for mentoring, for assessment at the end of the first year, for ongoing support and for individual performance review triennially thereafter. The framework was sound but members were, as with training, lukewarm about how satisfied they were with it. Around half of respondents found the Annual Team Performance Review process helpful or properly followed up. Around the same proportion found the process for reviewing their own performance useful and supportive and likely to help them improve. 12% to 16% were dissatisfied with these processes and the rest were neutral.

42. It would, therefore, be good practice to commission an independent evaluation to confirm what works well and to update practice as required.
A quality standard for practice

43. There was no framework which set out the required tasks, quality standards and outcomes for members’ activity in prison or IRC. The National Council considered this should be a priority for development and this is endorsed. Benchmarks about what best practice “looks like” would set the standard for all members, enable training and development to be well framed and targeted and enable people unsuited to being IMB members to be identified as early as possible. Many members and boards were doing a good job and it was in everyone’s interests to be able to say how and why against explicit criteria.

Making an impact

44. There was consensus among representatives of national organisations that the principal focus for IMBs should be their own establishment. This was where they could have most impact on the humane and just treatment of the people held mandatorily and on the adequacy of programmes to prepare them for their release. By contrast, members were keener for IMBs to be equally engaged with national policy and, for some, with wider criminal justice issues.

45. The National Council accepted that the Minister “heard” messages but was unlikely to act in response: it was important to keep saying what had to be said even if nothing resulted. Local board members were frustrated by the lack of reaction from government to their concerns and seemed less sanguine than the National Council about the inevitability of this. They considered, rightly, that they had a constitutional obligation to “speak out” but also hoped they might influence policy or practice. They gave examples of various issues related to the welfare of prisoners or detainees where they had struggled to make their voices heard. There was a reference to a speaker at an IMB national conference who had described IMBs as “punching below their weight” and it was said that this description had resonated with many members.

46. Attempts to directly influence national prison or IRC policy were seen by officials as unlikely to be effective because policy was developed by other established voices and processes and this would not change. Boards or members sometimes wrote directly to the Secretary of State or Minister but correspondence tended to be replied to administratively, with what officials conceded could be a bureaucratic “cut and paste” response, and the issue passed to local prison service managers to deal with. It was very unlikely to be identified as relevant to any national discussions.

47. The Home Office tended to be better able than the MoJ, probably because of the limited number of boards it dealt with, to involve IMBs to some extent in
discussions about policy or procedures. IMB IRC representatives and officials met regularly. An example was given by a Home Office official of an IRC IMB raising an issue which led to the Home Office formally changing its procedures for the handling of certain types of case.

48. Board members could volunteer to be monitors on flights returning persons to their countries of origin. The service was under development and more monitors had very recently been recruited. Reviewers heard concerns from members that there were insufficient standards and guidance for those carrying out this function. It would be advisable for the IRC lead on the National Council to follow this up with the Home Office.

49. It was accepted by officials in both Departments that the constraints on boards’ involvement in policy did not mean IMBs should have no voice nationally. It was necessary to have issues raised even though this could be uncomfortable. Government wanted to know about those matters, realistically probably limited in number, to which IMBs could bring a unique perspective that might make a substantive difference and IMBs needed to be tactical in identifying and communicating these few but critical messages with maximum impact.

50. Various themes emerged:

- Cases must be substantiated. Representatives of national bodies and many individual respondents said IMBs needed to be much better at underpinning arguments with evidence. This had implications for local IMBs’ annual reports, the National Council’s annual report, thematic reports and any correspondence. There was considerable untapped potential to use the material published by the PPO to contextualise and support arguments set out by IMBs.

- Boards needed a clearer focus on achievement. They needed to be able to express their activity as outcomes.

- 45% of members who responded to the survey thought the Annual Report template was helpful and 15% disagreed. 39% had no strong view either way. The views of those who received these reports were that a common structure made reports easier to read and made it easier to pick out key issues.

- Reports needed to make an impact. They needed to be better presented visually and be written in a crisp, succinct, compelling style. Some annual reports were more “readable” than others but HMIP made the point that involving the community in the independent scrutiny of closed and semi-closed institutions was so important that some variability was a price worth
paying. Reports seen by reviewers would have benefited from a more professional presentation. Imposing a “house style” was likely to be counter-productive but advice about presentation, within the structure of the template, would be likely to pay dividends.

- Because it was not mandatory to publish an annual report (though all boards had to produce one) their influence could be devalued especially from the public’s point of view. Consideration should be given to requiring every institution to publish a report every year.

- Thematic reports could be powerful vehicles for bringing attention to bear on issues across several establishments or “niche” issues such as the treatment of, or services for, minority groups. They may be of special interest to the general public or media, showcasing what IMBs do, in a way that reports on individual establishments cannot. Following up PPO thematics with an IMB report on the same theme might be considered.

- To be able to produce compelling reports IMBs needed a “well-oiled machine” to identify topics and draft, edit and publish to a high standard within a reasonable timescale. Several respondents were critical of what were seen as cumbersome current arrangements. This seemed closely tied to the systemic weaknesses discussed below particularly the interface between boards and the National Council and involvement by boards in decisions at Council level such as in working groups.

51. Formal Ministerial responses to annual reports were a non-negotiable part of the process of transparent accountability but the resource intensive nature of their production and of the process of responding to them did not seem balanced by the usefulness of outcomes in response. NOMS drafted responses in what was acknowledged to be a sometimes formulaic and impersonal style. Matters were referred back to governors for local action as required. While they were now trying to send more “customised” replies, the volume of reports meant there would always be an element of standardisation in responses. The exception to this was when an annual report highlighted problems that had been raised with governors, but disregarded with no explanation. NOMS emphasised how critical it was for IMBs to report such issues to DDCs, or to NOMS, as they arose and to pick them up again in annual reports if this approach had failed.

52. There was strong support at Departmental level for an annual distillation of the critical few nationally relevant issues raised in annual reports into either one single report to the two Ministers, or one each for the prison and IRC estates. NOMs also favoured introducing a formal annual personal engagement between the Director of National Operational Services and
National Council on publication of the national annual report. Over and above this NOMS was also keen to have more formal contact with the President and the National Council. This would help key messages to be shared and responses to issues developed in a timely way.

53. This was already largely happening in relation to IRCs: the Home Office produced an annual action plan in response to IRC issues and met with IRC IMB representatives. If NOMS met with the National Council it might become appropriate for the Home Office to meet with the Council instead.

54. It was helpful to recall that all MoJ and Home Office employees represented the Secretary of State. To engage with them was in effect to engage with the Minister but at the point at which most influence could be brought to bear.

55. The staggered publication of annual reports meant that the National Council could never publish a report that was both annual and national. It may be worth considering whether the annual report publication timetable should aim to group establishments by type (e.g. all IRC, high security, private sector, women’s establishments etc.) to more easily draw together shared themes. The Open Estate which drew together the findings of all annual reports from open prisons was an example of this approach. Consideration could also be given to moving from the current largely geographically based regional structure to one based around institution types.

56. There is a reference below to the structural lack of engagement between the Head of Secretariat and senior officials and postholders. This distanced IMBs from the day to day working relationships that could underpin and strengthen their impact on national policy development.

57. It would be unrealistic to say that IMBs could, in the short-term, be significantly more influential at national level. However, there are tactics to be applied to “professionalise” engagement with officials and the presentation and impact of material in the public domain as part of a longer-term strategy to have a more effective voice.

Local Influence

58. There was unanimity that issues in establishments were most quickly and satisfactorily dealt with where IMBs, and particularly their chairs, had an effective working relationship with governors or centre managers based on mutual trust, respect and recognition of respective responsibilities, strengths and constraints. Reference has been made above to the ways in which the
quality of members influenced the extent to which a local board was listened to. Repeatedly it was emphasised how critical the governor/manager: board/chair relationship was. This was observed during this review when both chairs and governors made the point that effectiveness often hinged specifically on their positive personal working relationship. For example, one governor whose chair was coming to end of the term of office was open about his concerns at losing such a valued individual.

59. The importance of compelling written rota reports could not be over-emphasised. As well as focussing attention immediately on issues in the establishment these “real time” insights were the foundation of the pyramid of written reports and oral engagements with MoJ and Home Office decision makers and should provide much of the evidence that could make annual and other reports more difficult to ignore.

60. HMIP noted that the effectiveness of boards was to some extent related to the governor’s ability to work with a board and raised the question whether governors needed more training in this respect. NOMS acknowledged it needed to ensure governors played their part to make such arrangements work well. Discussions were underway to agree an MoU between IMBs and the PGA: this was welcome.

61. The reviewers wondered whether there was scope for joint work between HMPS and IMBs to draw up a good practice guide for governors and boards.

62. There was clearly a gap between the influence many members expected to have in their establishment and the reality. As with engagement at national level this is not likely to change significantly in the short-term but incremental changes may be achievable through sustained joint work with governors and with NOMS at national level and through collaborative training.

**The wider context**

**AMIMB**

63. AMIMB was a charity founded around 30 years ago and was a membership organisation which IMB members were free to join. It provided a forum for debate, education and support for its members. It aimed to stimulate wide-ranging discussion about IMBs and the context in which they worked and to draw in external perspectives in support of this. A quarter of IMB members belonged.
64. There had been difficulties in the relationship between AMIMB and the National Council, reflecting a lack of clarity about aims. This had led to a decision in 2012 by the National Council to suspend its arrangements for liaising with the charity until AMIMB’s aims were appropriately expressed as not covering the same remit as that of the National Council. As a result the position had changed and AMIMB had been allowed to host a stand at the 2013 national conference.

65. AMIMB’s ability as a charity to draw in external funding was an advantage at a time of shrinking government budgets and it had potentially useful links with academia. Its publications and seminars seemed helpful and well supported.

66. The wider IMB community would benefit from explicit acceptance of AMIMB and from collaboration between National Council and AMIMB on areas of mutual interest, mainly around education, development and information. It is important that a clear distinction is understood and maintained between the respective activities of government sponsored IMBs and the charity AMIMB. An MoU would provide transparency about their roles and help manage the interface between AMIMB and IMBs.

**HMIP**

67. The views of IMBs were taken into account by HMIP in its reports through the reading of annual reports and a meeting with the chair of the board. There was no joint working between IMBs and HMIP but HMIP was open to ideas about possibilities, e.g. snapshot thematics, subject to there being no resource implications. An MoU was under discussion: this was welcome. The principle drawback to more shared work was the absence of evidence from IMBs to the standard of robustness required by HMIP. There was a general recognition that IMB reports would benefit from more evidence and less assertion or narrative but even if this were to be achieved it was likely that there would still be differences in the way HMIP and IMBs evaluated evidence because of their different roles. The current relationship seemed to be appropriate.

68. IMBs were members of OPCAT (the Optional Protocol to the Convention Against Torture). HMIP coordinated the implementation of OPCAT in the UK through 20 member organisations of which IMBs were one. HMIP observed that some IMBs seemed ambivalent about their OPCAT responsibilities and this should be discussed with HMCIP. If IMBs are to be signatories to OPCAT they must be fully engaged with what it requires of them.
PPO

69. The PPO aimed to maximise use of the IMB perspective in his work. All IMB reports were read by the PPO and material used as appropriate.

70. In relation to Death in Custody reports systems generally worked well. The PPO always met the relevant IMB, considered material from the latest annual report and provided a copy of the final report to the IMB.

71. The PPO could not make a visit to an establishment to investigate every complaint and sometimes it would have been helpful for the local IMB to act as his agent. The PPO was satisfied to rely on IMB evidence on selected issues because of members’ regular access to establishments, for example they were well placed to comment on issues relating to “hotel” functions such as food, heating, lighting, etc. However, IMBs had different policies regarding whether or not they would act for the PPO: some agreed to and some refused. The PPO accepted that boards should be able to take such policy decisions at a local level. It was beyond the scope of this review to say what the position should have been but we would suggest it could be unhelpful to the wider external perception of IMBs to take different approaches on such a key issue.

72. Some IMBs had complained about the PPO’s involvement in their establishment. They appeared to have misunderstood the PPO’s role and felt they should defend the establishment from investigation. This did not help the credibility of IMBs.

73. 500 to 600 complaints were upheld annually by the PPO. There were around 35 deaths in custody annually. The PPO produced thematic reports. For example, the PPO had published a thematic on the treatment of terminally ill prisoners which drew attention to physical restraints applied to prisoners while they were receiving hospital treatment. Another dealt with prisoners’ property, the issue most frequently complained about. There was considerable untapped scope to make use of these reports both to help frame the focus of monitoring activity and as evidence in annual and thematic reports. These reports had the potential to provide direction to boards on what issues to monitor and much of the bedrock of evidence that would support compelling cases by IMBs for changes to practice in prisons and centres.

74. There was scope for closer working between PPO and IMBs and the PPO would be open to exploring this.
Governance, accountability and responsibility

The value of independence

75. Everyone interviewed for this review emphasised how important it was that IMBs were truly independent. The system had no value if there was even the slightest suggestion that boards were being pressured to take, or not to take, any particular position. However, boards should be able to account for their independent views and the IMB system should have mechanisms for setting standards and for holding boards and individual members to account for complying with these standards. Independence should be distinguished from autonomy which carries the risk of inexplicable or indefensible differences in practice and outcomes.

Local boards

76. Members were largely satisfied with the way their own boards ran and with the individual contributions they were able to make:

- 94% of respondents to the survey felt they had adequate opportunity to participate in board business and there was between 79% and 88% satisfaction with the length and content of board meetings, time for discussion and opportunity to express views including dissenting ones. Respondents felt there was open communication in board meetings (91%) and meaningful discussion (82%). 90% considered the meetings were run in a way that ensured independence;
- 87% felt well-informed by the chair and that the chair was responsive to issues and questions raised; and
- 90% thought visits were fairly allocated.

77. Members were a little more ambivalent about accountability: 67% were satisfied they were held accountable, 10% were not satisfied and 23% had no strong view.

78. There were anecdotal accounts of inconsistencies (i.e. more than acceptable variations) between boards e.g. in the number of visits they made. This was despite the existence of a sound formula based system for allocating budgets to enable consistent visiting arrangements. It was not possible to investigate this but the point was made often enough for this review to note it as a matter that merited further attention.

79. There was a formal procedure to deal with complaints but it was not always fully applied. As a result the Secretariat had had to step in to resolve instances of conflict or complaints of unfair treatment within boards. While
clearly undesirable, on the evidence of the survey these were localised problems and not characteristic of the way IMBs ran.

**IMBs as a system**

80. Widespread dissatisfaction with current arrangements beyond local level was expressed during this review. Frustration about what were seen as dysfunctional systemic relationships between, variously, boards, chairs, President, National Council, Secretariat and AMIMB was expressed many times. The IMB system was regarded by many as endemically flawed and a drag on IMBs being able to create and sustain the reputation and authority to effectively champion the proper treatment of prisoners and detainees. There were comments that grappling with, or complaining about, internal systemic problems could become a substitute for focussing on the welfare of people in custody or detention.

81. The reviewers were struck by the waste of talent within the IMB system as committed and able members and Secretariat staff laboured to make awkward arrangements work. We endorsed the view that the IMB system was struggling to be fit for purpose and that this created significant obstacles for members, boards and Secretariat.

82. Insofar as responsibility for assuring the quality of boards’ work was located anywhere it lay with the National Council. Its Constitution said its primary purpose was “to provide leadership, guidance, training and quality control to boards…. to ensure boards work in accordance with policies and good practices where it is considered necessary for standard procedures to be operated…. [but also] to protect the independence of boards…..”.

83. The National Council appeared heavily constrained by its own lack of explicit powers to exercise its functions and by a culture which militated against their being able to take a lead. It described how it tried to influence but had no authority when boards chose to “go their own way”. One respondent to the survey expressed the role as to “persuade and cajole”.

84. The interface between National Council members and boards was ambiguous. Council members believed (and this is supported by their Constitution) that they should have the authority to ensure the IMB system worked effectively and efficiently. However, they also had a role representing boards’ interests at Council meetings (the morning of Council meetings was devoted to reports “upwards” from local boards). These two functions did not always feel compatible. Council meetings could tend towards discussion
without conclusion because the Council had no direct authority and even if it
did reach a decision there was no guarantee every board would agree or
comply.

85. Some National Council members reported excellent relationships with the
boards in their region and felt they added value to boards’ work. There were
also anecdotes about discourteous challenges by boards or board chairs to
advice from National Council members and of what were seen as
unacceptable inconsistencies between boards and of unhelpful practices
within particular boards which the Council was powerless to influence.

86. Members were ambivalent about the National Council: some found it
bureaucratic and distant; others felt it communicated well. 28% of
respondents to the survey felt well informed by the Council and 21% did not.
19% felt the Council was responsive to issues raised and 23% did not. The
rest had no strong view either way on each question.

87. There were problems in recruiting National Council members: some Council
members had served longer than they would prefer because no-one else
seems interested in the role and the London region had had no Council
representative for two years. There was a fairly low level of satisfaction with
the processes for electing board chairs and National Council representatives:
38% to 39% of respondents to the survey thought the processes were well
understood, fair, open or transparent.

88. The Council had previously discussed a business plan but it had not been
implemented. However, in recent years it had led the development of a
number of working groups, for example on healthcare and learning and skills.

89. The constitutional position of the President of the National Council was not
helpful. The President was a member of the Council but his role was restricted
to being a coordinator of its business. Thus unless consensus was reached
matters could remain at stalemate as neither the postholder nor anyone else
had a casting vote or authority to move matters on. The President had no
mandate to express a view, e.g. to a Minister, unless he was reflecting the
collective view of National Council. Constitutionally he had no leadership role.

90. The Head of Secretariat was required, according to the Reference Book, to
work in collaboration (by inference on an equal footing) with the National
Council to determine the duties, responsibilities and operating standards for
boards but he also “served” the Council and other members. He and the
Council were disabled by a lack of coherence about how their collaborative working arrangements, set out in the Constitution and Reference Book, should operate in practice. It was difficult to determine who took precedence if there was a difference of view.

91. The Head of Secretariat also has explicit responsibility for liaising with, supporting and advising Ministers on IMB policy, operations and the appointment and termination of members and for liaising with the head of a number of named government bodies. This post was therefore a senior one of considerable responsibility and arguably had more authority vested in the role than did the President in his. However, in practice much of what the Head of Secretariat was required to do in relation to engagement with Ministers, departments and agencies was undertaken by IMBs’ sponsor unit, the Criminal Justice Group. A similar function was undertaken for IRCs in the Home Office. This seemed to have developed as custom and practice at some point in the past. It not only arguably over-complicated the lines of communication and accountability it also removed IMBs from the everyday interaction with other departments through the Head of Secretariat that would have helped foster mutual understanding and joint working. There were strong working relationships at a personal level but it would have been more appropriate if form had followed function.

92. The MoJ might also wish to consider where sponsorship itself should best lie as part of the overall review of governance recommended in this report: with the policy team or elsewhere in the Department.

93. The Head of Secretariat’s titular manager was the Deputy Director of Reducing Reoffending in the Criminal Justice Group. This seemed to be a device in order to provide someone to undertake his annual appraisal as a civil servant as the Deputy Director had no line management function in relation to him or to IMBs.

94. The Head of Secretariat had decision making powers in relation to budgeting and boards’ finance and expenses but no direct authority to intervene when members did not comply with performance issues. There seemed to be a lack of awareness amongst some members about how potential disciplinary issues should be dealt with despite the existence of a disciplinary and conduct policy.

95. These systemic difficulties were aggravated by the absence until recently of a single source of guidance and instruction about internal policies, standards
and processes: what would be a Staff Handbook if members were employees. Instead information had been set out in “Dear Chair” letters. Members were now directed to the IMB Academy website to access relevant documents but, as detailed elsewhere in this report, knowledge about policies did not seem to be comprehensive. There was no guarantee these were communicated to all members and they would have needed to devise their own system to keep track of information contained therein. This seemed to be one of the causes of the difficulties set out below in paragraph 97. We have set out a framework of those core policies and procedures, as an appendix, that should be available and familiar to members.

96. The Secretariat had improved a number of systems over the last two years. Key improvements had been:
- the introduction of the visits monitoring plan which enabled the expenses budget to be managed transparently against the number of members and the forecast volume of visits. This was reported to be working well and in the context of mandatory year on year efficiencies it was a critical tool in controlling expenditure;
- the Foundation Course review;
- recruitment processes that used OCPA principles and web-based recruitment. While there appeared to be further work to be done, the movement to the OCPA approach was an important step towards recruitment against recognised standards;
- development of a dedicated IMB website. This had not yet been launched but was an important step in reinforcing the identity of the IMBs as independent and not part of the MoJ or Home Office.

97. Several members and external observers felt the Secretariat needed to refine its “customer focus”: many respondents said that while some staff were supportive others did not seem to understand sufficiently well what IMBs did or they were unresponsive to members’ requirements. 24% of respondents to the survey felt the Secretariat did not keep them well informed and 29% felt it was unresponsive when they raised questions or issues. The proportion of respondents who were satisfied with the Secretariat’s performance in these respects was 38% and 24% respectively. The rest had no strong view either way.

98. The Secretariat reported a discourteous attitude by some members towards members of its staff and a failure always to follow reasonable procedural requirements. Staff found they had to remind some members many times of
these non-negotiable rules e.g. in relation to expenses and OCPA requirements. This could be frustrating and a waste of resources.

99. The Secretariat's culture as a government unit trained to apply rules unquestioningly versus IMBs' ethos as independent and challenging seemed to be factors in this, at times, unsatisfactory relationship.
Annex A

Recommendations

To improve the efficiency and effectiveness of governance arrangements:

- there should be an urgent root and branch review and reform of sponsorship, governance and leadership. This is the key recommendation. The outcome should be a system that protects the independence of boards within unambiguous, transparent, effective governance and leadership arrangements, clear lines of responsibility and accountability and efficient, binding decision making processes.

To ensure IMB members are effective “eyes and ears” the Secretary of State and IMBs should collaboratively ensure there are robust systems:

- that ensure the most competent people are selected, that optimum training and development (support, mentoring, appraisal) arrangements are in place, and that people unsuited to the role of IMB members are quickly identified;
- to commission, publish and promote timely reports that persuasively set out IMBs’ findings and recommendations; and
- that support timely, outcome focussed and collaborative attention by IMBs and government working together on key issues identified by IMBs.

To enhance support to boards:

- there should be a single source of information (e.g. on a website) for boards about internal policies, standards and processes.
Annex B

Summary of Interviews

Local / Regional

- 1 Regional meeting
- 1 Regional Chairs meeting
- 4 IMB meetings (1 IRC, 1 male closed, 1 male open, 1 male YOI)
- 5 Chairs (1 female closed, 1 IRC, 1 male YOI, 1 male open, 1 male closed)
- 4 Governors / Directors (1 female closed, 1 male YOI, 1 male closed, 1 IRC)

National

- President
- National Council
- National Council lead for IRCs and Chair of IMB IRC Forum
- Head of Secretariat
- Assistant Private Secretary to Minister, MoJ
- Deputy Director Reducing Reoffending Group, MoJ
- Reducing Reoffending Portfolio Lead, Reducing Reoffending Group, MoJ
- Head of Detention Operations, Immigration Enforcement, Home Office
- Detention Policy Lead, Detention Policy, Immigration & Border Policy Directorate, Home Office
- Director National Operational Services, NOMS
- Chair AMIMB and two colleagues
- HM Chief Inspector of Prisons
- Prisons & Probation Ombudsman
- Arms’ Length Body Unit, MoJ
Annex C

Glossary

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Description</th>
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<tbody>
<tr>
<td>AMIMB</td>
<td>Association of Members of Independent Monitoring Boards</td>
</tr>
<tr>
<td>DDC</td>
<td>Deputy Director of Custody</td>
</tr>
<tr>
<td>HMCIP</td>
<td>Her Majesty’s Chief Inspector of Prisons</td>
</tr>
<tr>
<td>HMIP</td>
<td>Her Majesty’s Inspectorate of Prisons</td>
</tr>
<tr>
<td>HMPS</td>
<td>Her Majesty’s Prison Service</td>
</tr>
<tr>
<td>IMB</td>
<td>Independent Monitoring Boards</td>
</tr>
<tr>
<td>IRC</td>
<td>Immigration Removal Centre</td>
</tr>
<tr>
<td>MoJ</td>
<td>Ministry of Justice</td>
</tr>
<tr>
<td>MoU</td>
<td>Memorandum of Understanding</td>
</tr>
<tr>
<td>NOMS</td>
<td>National Offender Management Service</td>
</tr>
<tr>
<td>OCPA</td>
<td>Office for the Commissioner for Public Appointments</td>
</tr>
<tr>
<td>OPCAT</td>
<td>Optional Protocol to the Convention Against Torture</td>
</tr>
<tr>
<td>PGA</td>
<td>Prison Governors’ Association</td>
</tr>
<tr>
<td>PPO</td>
<td>Prisons and Probation Ombudsman</td>
</tr>
<tr>
<td>YOI</td>
<td>Young Offender Institute</td>
</tr>
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Annex D

Recommended Core Policy and Procedural Documents

Visits and Attendance at Meetings

Expenses

Recruitment and Selection

Tenure and Resignation

Code of Ethics

Code of Conduct

Confidentiality

Data Protection

Equality of Opportunity

Probation Period Policy and Procedure

Performance and Development Policy and Procedure

Capability Policy and Procedure

Bullying and Harassment Policy and Procedure

Grievance Policy and Procedure

Disciplinary Policy and Procedure
Annex E
IMB Member Survey Report

1. A total number of 729 responses were received from IMB members. Some respondents did not answer all questions. For the purposes of this report each question summary provides the proportion of respondents who gave an answer and those who gave no response. The percentage of responses has been calculated on the total number of valid (complete) responses. The reviewers aimed to illustrate key themes in the total of responses through selected quotations. These are necessarily the personal opinions of respondents: the reviewers neither endorse nor reject any views expressed.

2. **Gender summary:** 729 responses received of which 51% were male, 48% female and 1.5% respondents preferred not to say.

3. **Age summary:** 729 responses received of which the highest proportion of respondents (50%) were aged 65-74 years followed by 30% aged 55-64.
4. **Ethnicity summary:** The sample of respondents was predominantly White British. The proportion of White British in the sample includes respondents who identified themselves as Irish, Welsh and of Other White ethnicity. Male respondents in the White British category outnumbered their female counterparts by a small number. Female respondents comprising the Mixed category represented White and Black African and White and Asian ethnic groups. Asian respondents, primarily male, included Indian, Pakistani, Bangladeshi and Other Asian ethnic background. Black respondents, with a higher proportion of female respondents, represented African, Caribbean and Other Black ethnicities. An equivalent number of male and female respondents did not disclose their ethnicity.

5. **Length of Board membership:** The majority of respondents (61%) had been Board member for 0-5 years, 25% for 6-10 years and 14% for more than 10 years.
Data in the chart above show that more respondents had served on their Boards for 0-5 years and of which a greater proportion were female. More male than female respondents had been on their Boards for 6-10 years. More female than male respondents had served their Boards for more than 10 years.

**Administration of Board meetings**

6. Respondents were asked to provide their views on Board meetings, frequency and about their overall satisfaction with Board processes.

<table>
<thead>
<tr>
<th>In my view:</th>
<th>Strongly Disagree</th>
<th>Disagree</th>
<th>Neither Agree nor Disagree</th>
<th>Agree</th>
<th>Strongly Agree</th>
<th>Responses</th>
</tr>
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<tbody>
<tr>
<td>Length of Board meetings is appropriate</td>
<td>8</td>
<td>59</td>
<td>55</td>
<td>449</td>
<td>126</td>
<td>697</td>
</tr>
<tr>
<td>Content of meetings is appropriate</td>
<td>8</td>
<td>33</td>
<td>47</td>
<td>463</td>
<td>146</td>
<td>697</td>
</tr>
<tr>
<td>There is enough time available for discussions</td>
<td>11</td>
<td>65</td>
<td>67</td>
<td>427</td>
<td>127</td>
<td>697</td>
</tr>
<tr>
<td>I have adequate opportunity to participate as a Board member</td>
<td>2</td>
<td>10</td>
<td>30</td>
<td>404</td>
<td>251</td>
<td>697</td>
</tr>
<tr>
<td>Members with dissenting points of view are given ample opportunity to</td>
<td>4</td>
<td>23</td>
<td>54</td>
<td>419</td>
<td>197</td>
<td>697</td>
</tr>
</tbody>
</table>
The table above shows a 96% response to the question with 4% respondents who chose not to respond. More male (49%) than female (46%) respondents replied. Overall respondents were more likely to agree than disagree to the statements.

- 64% of respondents agreed that length of Board meetings was appropriate followed by 18% who strongly agreed
- 66% agreed on the appropriateness of content for meetings
- 61% agreed there was enough time available for discussions while 2% strongly disagreed, 9% disagreed and 10% neither agreed nor disagreed
- 58% respondents agreed and 36% strongly agreed they had enough opportunity to participate as a Board member
- 61% agreed and 28% strongly agreed that members with dissenting viewpoints were allowed the opportunity to express their views at meetings.

7. Respondents aged 18-24 years were more likely to agree than disagree with the statements compared to those in the older age groups.

8. **Should the Board meet every month? If not, what would you suggest?**

This question was answered by 96% respondents and 4% did not respond. The vast majority of responses agreed that monthly meetings were fine. Further text analysis showed:

- 491 respondents affirming ‘yes’ as a response and another 214 respondents affirming ‘monthly’ meetings as a preference
- 13 respondents preferred ‘bi-monthly’ meetings
- 5 respondents suggested quarterly meetings with monthly updates
Respondents noted that meetings were also important for team-building and were also useful for information sharing and training purposes; one hour, 6 times a year should be dedicated to team-building.

Some suggested that email updates would be good.

Few comments were received on the need to keep the number of meetings and their length flexible. This was to accommodate those members in full-time employment and for discussing specific issues of concern.

Some respondents commented on length of meetings; they should not be more than two hours; meetings should have a start and finish time with agenda items also timed; meetings should not go on endlessly.

Some mixed views were offered regarding attendance at meetings; 9/12 meetings should be mandatory; rules should not be stringent about attendance.

In relation to structure the idea of sub-committees doing specialist work on issues, as the need arose, was also mentioned. These sub-committees could do most of the work and this would prevent lengthy discussions at Board meetings and save time.

9. Board members were asked to rate their views on the conduct of Board meetings.

<table>
<thead>
<tr>
<th>Board meetings are conducted in a manner which ensures:</th>
<th>Strongly Disagree</th>
<th>Disagree</th>
<th>Neither Agree nor Disagree</th>
<th>Agree</th>
<th>Strongly Agree</th>
<th>Responses</th>
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<tbody>
<tr>
<td>Open communication</td>
<td>5</td>
<td>16</td>
<td>41</td>
<td>416</td>
<td>219</td>
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<td>Meaningful discussion</td>
<td>9</td>
<td>34</td>
<td>84</td>
<td>401</td>
<td>169</td>
<td>697</td>
</tr>
<tr>
<td>Timely resolution of issues</td>
<td>12</td>
<td>61</td>
<td>140</td>
<td>374</td>
<td>110</td>
<td>697</td>
</tr>
<tr>
<td>Independence</td>
<td>4</td>
<td>13</td>
<td>53</td>
<td>411</td>
<td>216</td>
<td>697</td>
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<tr>
<td><strong>Total number answered</strong></td>
<td><strong>697</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>No response</strong></td>
<td><strong>30</strong></td>
<td></td>
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</tr>
</tbody>
</table>
96% respondents rated four aspects of Board meetings and 4% did not reply.

Of the valid responses 49% were female and 51% male respondents.

Overall agreement prevailed strongly that Board meetings were conducted in a satisfactory manner.

Male respondents disagreed at a greater rate than female respondents.

White respondents disagreed at a greater rate than respondents from other ethnic groups who tended to agree to all four aspects.

60% of the valid responses agreed and 31% strongly agreed there was open communication while 2% disagreed.

56% agreed, 24% strongly agreed while 5% disagreed there were meaningful discussions.

54% agreed, 16% strongly agreed while 9% disagreed that issues were resolved in a timely manner. 20% neither agreed nor disagreed on this issue.

59% agreed and 31% strongly agreed Board meetings were conducted in a manner that ensured independence while 2% disagreed.

10. **As a member what support/information is most useful? Why?**

A total of 80% respondents replied and 20% did not offer a response. Of the valid responses 38% were female and 41% were male. Further text analysis revealed:

- 105 respondents found ‘information’ about policies, prisons, legislation and changes to be very useful.

  "Changes in prison practices and emphasis. Sharing of information from rota visits to recognise the identification of new issues or existing issues having greater relevance. General perceptions of safety, particular prisoners requiring attention or creating problems."

- Training both on IMB practices and prison policies and processes."

- 4 respondents mentioned ‘bulletins’ which included email bulletins.

- 21 respondents spoke about ‘policy’ issues being very useful to increase their knowledge about local prisons, the IMB, good practice and other
legislative changes that affect prisoners; policy decisions that apply to all Boards rather than ‘one size fits all’ approach; the handbook; subject-specific information that used to be available in the ‘Monitor’

- 9 responses mentioned ‘peer support’ and support from ‘experienced colleagues’ were valuable sources of information and support
- 17 respondents included ‘updates’ and 10 mentioned ‘guidance’ in their responses

“In the last few years, the IMB Secretariat website has become distinctly less useful in terms of ready availability of documents, circulars and minutes. The National Council seems to many members remote from their work, and produces "guidance" and even "instructions" apparently without any wide consultation in draft and open discussion, which reduces their credibility.”

- 36 respondents mentioned the Secretariat but in a more negative tone; too bureaucratic in approach; responses from the Secretariat take a long time

*Helpful: IMB members’ Handbook and the Annual Conference: support from IMB colleagues at the same prison. Quite frankly, not much else, and very little that emerges from the Secretariat or Council: in both cases the wheels seem to grind very slowly. The new so-called "Academy" (what a pretentious title!) is just a glorified library of documents many of which can be accessed on Quantum or by Google anyway: it is hardly an "Academy" offering, say, accredited long-distance learning courses such as the NVQ offered by [a local] College.

- 36 respondents said they would find the ‘National Council meeting minutes’ very helpful

“Absolutely not supported by the NC at all. I have been on my board for 4 years, and never known who the NC rep is. I don’t think there is one for London currently? I have no idea what their role is. I have been to the National Conference once and found it completely irrelevant to my monitoring. The best information/support I receive is from AMIMB. Their magazine is excellent; their trainings are also very interesting and useful but I usually can’t afford their hefty fee. They should be our first port of call, not the strange talking shop that is the NC.”

- The ‘annual report’ was included in 2 responses to point out that it would be helpful to have the template for the annual report from the National Council
All forms of communication from Board Chairs was also very useful to members.

Some other responses included rota reports, I.T. and clerical support for Boards without an office space, IMB reference book, area meetings etc. as useful sources of support.

10 responses specifically mentioned the IMB Academy

“It is good to have both the Minutes and the earlier digest after NC meetings. The Reference Book is essential and less used than it could be; more thought could be given to this. IMBs can now look at the Academy for DGs etc., but all such guidance needs to be on-line as soon as issued, not months later. An example is the new IEP policy, which members should have been monitoring from its implementation, but didn’t.”

“The Reference Book is of real value. The circulated minutes of NC meetings are of interest but the NC is handicapped by its lack of independence from MOJ. The only issue it has really tried to take a stand on was that of tenure, which seemed rather self-serving. The role of AMIMB is of real importance it raises issues that monitors' come across to do with prisoners' welfare and MOJ policy.”

11. As a member what support/information is least useful? Why?

A total of 80% respondents replied and 20% did not offer a response. Of the valid responses 38% were female and 41% were male. Further text analysis revealed:

- ‘Information’ related support was mentioned in 95 responses
- 50 responses mentioned ‘none’
- In 30 responses the National Council was mentioned

“Disappointing lack of contact from NC Rep for our area. Issues raised in NC Bulletins and minutes for discussion with NC Reps and their establishments never happen. NC Rep is very active at national level but has been virtually invisible at area level for some 18 months now.”

“The NC is not good at reporting what it is doing. The NC minutes are minimal and one asks the question what is the NC accomplishing when we appear to be working in isolation. Leave the IMB to get on with the local monitoring of each establishment. Minimal contact with NC as nothing will be achieved if it is raised. The NC as it stands does not have the
teeth or will power to defend IMB principles and stand up to IMB Secretariat and Ministers in fulfilling its role.”

“I have never met the NC member for my region. Perhaps improved communication would be good start?

“Lack of support from NC rep and in the case of the Secretariat - no-one available to answer queries if a person is away from desk or absent from work.”

➢ For some respondents it was difficult to spell out which information was more useful as all information was useful; bureaucratic dictates were not helpful

“Not sure the IMB news is useful in broadening my knowledge, keeping me informed of best practice. The Annual TPR needs seriously updating, whilst this might have been recognised nothing has been done about it. The minutes from NC meetings do not reflect or give me any idea what the NC have been involved with e.g. what are their objectives and how have they met them on various special interests, what meetings have been attended etc.”

➢ Some respondents would have preferred more information on the Detention estate as all the existing information was more focused on prisons.

➢ In some cases too much information was less helpful; “Long diatribe of changes to the prison system which we cannot possibly keep up to date with as a part-time person.”

➢ Changes in personnel, financial information, length of membership, some training courses, poor information on schedule of courses, peer group support, lengthy minutes, use of acronyms in communications, frequent emails with too much information etc. were some other issues mentioned by respondents

➢ Recruitment was mentioned in 10 responses
“Recruitment process is overbearing and dysfunctional. The information coming from the centre is, as regards monitoring the prison system, essentially content-free and devoid of intelligent deconstruction/analysis.”

“I feel that the Secretariat/NC do not wish to address challenging issues occasionally faced by boards- in other words - don’t rock the boat- so we feel unsupported and get the impression we have created panic with no-one knowing what to do. Prisoners and prison staff alike say we have no teeth. It’s true - with no back up from you! We need standardised guidelines, case studies, Q and As and a dedicated advice line/trouble shooter. As regards recruitment - why aren’t we able to know from the onset any more who has applied! And when we do get members - why don’t you listen to us when we say s/he can’t manage the commitment. This happened last year - lots of time spent over several months on a new recruit the SEC insisted we take on. He had no transport (our prison is in the sticks, and a full time college student 40 miles away. Crazy! He resigned in his fourth month, as we knew he would, having attended only one board meeting .The SEC poster is FAR too wordy and off putting! A simple poster getting to the point, saying in large print "Want to do voluntary work in a prison, visit this website/speak to your local member". Our board is DESPERATE for new members yet we have to go through the process of asking for permission for a new recruitment drive time and time again as closure dates pass. Why doesn’t the Secretariat advertise in national papers, mags and be listed and have info at the National Volunteers bureau? At least that way people would actually have heard of the IMB. HELP US please - or why are you there!”

“The tenure of service and recruitment need more attention.”

- It is interesting to note that responses to both questions 8 and 9 there was no reference to support and information regarding equalities issues.

12. Respondents were asked to rate the following:

<table>
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<tr>
<th>Please choose a response to the following statements.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Answer Options</strong></td>
</tr>
<tr>
<td>The Board membership reflects the prison 'community' it serves (age, gender, ethnicity etc.)</td>
</tr>
</tbody>
</table>
A total of 580 responses were received with 20% respondents who did not reply. Of the total number of valid responses 38% were from female respondents and 41% from male respondents.

- A total of 70% respondents disagreed and strongly disagreed that Board membership reflects the prison ‘community’ it serves compared to 13% who either agreed or strongly agreed and 16% of those of neither agreed nor disagreed.
- 51% of respondents agreed and 39% strongly agreed that the process for rota allocation is fair, open and transparent compared to 3% who disagreed and strongly disagreed.
- 87% of respondents felt they were well informed by the Board Chairs with 3% who either disagreed or strongly disagreed. This was also reflected in the observations made in response to previous questions.
- On responsiveness of Board Chairs to questions and issues raised 87% agreed and strongly agreed.
- Lower levels of agreement prevailed on the responses about the Secretariat. 38% respondents neither agreed nor disagreed about being well informed by the Secretariat; another 38% agreed and strongly
agreed they were well informed while 24% strongly disagreed and disagreed

- 46% neither agreed nor disagreed about the Secretariat responsiveness to questions and issues raised; 24% agreed and strongly agreed while 29% strongly disagreed and disagreed

- Similarly decreased levels of agreement prevailed regarding the National Council. 51% respondents neither agreed nor disagreed they were kept well informed by the National Council. This may be due to the distant relationship between the local and national function made apparent in observations made by respondents. 28% strongly agreed and agreed while 21% strongly disagreed and disagreed

- 58% respondents neither agreed nor disagreed that the National Council was responsive to questions and issues raised; 19% agreed and disagreed while 23% strongly disagreed and disagreed

- As the age groups increased more respondents were less satisfied with their relationship to the Secretariat and National Council

- There wasn’t much difference in response between male and female respondents

- Black respondents, like those of Asian and Mixed ethnicities, strongly disagreed and disagreed that the Board reflects the prison ‘community’. Like their white counterparts, some black, Asian and minority ethnic respondents had less confidence in the National Council and the Secretariat.

If the National Council keeps you well informed and is responsive to issues raised, please describe in what way.

Overall, 39% responses were received to this question while 61% did not respond. Respondent views on the responsiveness of the National Council were mixed. Many found it bureaucratic and too distant. Many others felt they received good communication from the NC. Further text analysis revealed:
5 respondents spoke about their contact with the National Council to say there was very little contact, random nature of contact and lack of support; while some others found National Council bulletins and publications useful.

In 5 other statements respondents agreed that emails from the National council provided good information and were helpful.

“I attended my first conference and I have to say it was very useful though those who had been before said it was unusually useful.”

“Minutes of NC meetings and other sub-committees provided regularly and in a timely manner.”

The Area representatives and National Council representatives who attend the Chairs Forums were also a good way of keeping well informed by the National Council. On the other hand one respondent also said, “The feeling is that the NC does not keep us informed about what is happening in other HMP’s in the local area.”

Although communication with the Council was regular and relevant according to some respondents it also needed to be customised to have relevance at local level.

Information on current requirements, thematic reviews, circulars sent by the National Council, attending the national conference, circulating matters from other prisons, emails, academy were some of the other ways in keeping well informed by the National Council.

13. If the National Council does not keep you well informed and is not responsive to issues raised, please describe in what way.

80% respondents gave a response to this question while 20% did not answer. Male and female respondents answered in equal proportions. Further text analysis revealed:
17 respondents included ‘communication’ in their response; “Communications often seem dry and long drawn out - it would be better if they could be snappier and more concise.”

“Like the Secretariat, the national council uses overly bureaucratic systems and language in many of its communications.

“Very poor communication on live issues.”

The word ‘time’ was used by 23 respondents to convey that contacting the National Council was time consuming, issues were raised several times before they were noticed and for full-time workers it was very time consuming to get through different documents and emails.

“Sometimes NC does not seem very transparent about issues it discusses – e.g. this study was suddenly announced with no advance warning and no evidence of discussion in recent NC.”

“I am not sure what NC has actually achieved for the benefit of IMB members. When contacted over tenure the president failed to respond in a timely manner and the eventual response was unsatisfactory.”

Sometimes the messages between local and national level needed to be better balanced, “We raised the issue of supporting local purchases of food, this received warm reception throughout but at the same time the MOJ pushed through a new national contract for buying.”

“A classic example is the lack of an IMB clerk, which the secretariat and also the National Council seem unwilling to address.”

There was lack of clarity around the role of the National Council, “I'm not sure what the NC's role is. It seems stuck in the mud with the range and complexity of the problems in HMPS.”

“National Council seems to toe the party line as far as the Secretariat is concerned.”

“Would prefer more person to person contact i.e. at Board Meetings with different members of National Council”

“What should it keep us well informed of.”
“Neither Boards nor individual members are encouraged to raise issues with the NC. The only line of approach has been through regional meetings attended by the area rep, if there is one.”

- Some responses reflected the lack of mutual priorities between local Boards and National Council. One respondent said, “The prison system is under severe pressure from benchmarking and although we flagged this up at a very early stage, the President was not inclined to act, stating that we needed to wait 6 months to amass evidence.”; “The information they send is often irrelevant.”; “They can seem more interested in process over purpose.”

- Respondents also made suggestions; “I feel the national council could summarise three key issues every three months that are common to a number of institutions in the prison system.”

“The national council is only as good as the representative in the area and it is important to have more contact with them. I have met our rep once in 2 years at a board meeting. Maybe for those in chair and vice chair positions this is different but as an ordinary member I don’t feel I have access to the area rep.”

“We do not get enough information regarding best practice, Boards are allowed to do their own thing without some kind of Ofsted or outside check. NC member should visit boards more.”

- Others respondents said there were delays in receiving responses from the National Council and that the responses were too lengthy and academic.

14. What is your understanding of being the ‘eyes and ears’ of the Secretary of State?

80% responses were received to this question and 20% did not reply. Text analysis found that respondents had predominantly understood their role as a monitor that was independent and fair and worked for the welfare of prisoners.

- The word monitor was used by 119 respondents to convey the nature of activity and ascribing the role a more proactive remit, “In that via our
monitoring role we can reflect in our annual report or on an ad hoc basis whether prisoners are being treated fairly and are being accorded those things to which they are entitled. We can also reflect on whether HMPS has adequate resources to deliver its agreed objectives.”

“To Monitor the quality and provision provided to ensure respect and dignity for all in custody.”

“The Secretary of State stands symbolically for the British people, in whose service prisons are run. IMBs have an enormous opportunity to prevent awful things from happening in closed institutions with a dramatic asymmetry of power between captor and captive. That already is worth having. But IMBs punch below their weight, given the potency of the opportunity their extensive coverage of British prisons gives them. IMBs operate as lone Bards and not as a colleague group. They also lack skills and disciplines for the collection of strategically important information. If these deficiencies were improved, then IMBs could monitor much more precisely whether prisons meet or do not meet the expectations placed upon them by parliament.”

“That we monitor what we see and hear.”

- The word ‘independent’ was used by 93 respondents in relation to performance of prisons and to protect prisoners.

“Providing unbiased and independent view of the prison without having concern that he may not wish to hear what he is being told or being constrained by the views of the Governor.”

“My IMB Board is able to give a completely independent and unbiased view of the performance of our prison as we have exceptional relationships.”

“Being independent and reporting any unsatisfactory happening in the prison.”

“Independently monitor and review all aspects of prison life and report back plusses and minuses.”

“Providing an independent and effective perception of the running of the prison and the protection of prisoner rights.”

“Independent monitoring provides the Minister with an ongoing unbiased insight into the way the prison is working and how prisoners are treated. The minister may not always like what the monitors see and hear!”
“I understand that the Secretary of State relies on IMBs to keep him informed, however I do wonder sometimes if any notice is actually taken regarding the issues raised.”

- 91 respondents used the word ‘treat’ and ‘treatment’ in explaining the concept.

“In that via our monitoring role we can reflect in our annual report or on an ad hoc basis whether prisoners are being treated fairly and are being accorded those things to which they are entitled. We can also reflect on whether HMPS has adequate resources to deliver its agreed objectives.”

“That the board should maintain a close and inclusive critical overview of the prison and should report any indications of failure to keep standards of fairness and decency in the treatment.”

“That boards should watch and listen to what goes on in prisons with respect to the treatment of prisoners (and where it impacts on prisoners with respect to conditions for staff too).”

“To ensure that those in custody are treated appropriately and fairly and in accordance with their human rights.”

“Monitor the prison process and treatment of prisoners bringing all matters both positive and negative to the attention of the appropriate department.”

- Some respondents felt they ‘advised’ the Secretary of State in their role as IMB member.

“Taking the opportunity to advise the Sec of State of situations we think he/she would wish be aware of - which we have recently done in a letter outside the Annual Report.”

“just that, we have a duty to advise the SoS of anything we feel is negatively impacting the lives of prisoners.”

“I am happy to monitor the prison and to advise the Secretary of State but not to spy for him. This Secretary of State is an incompetent disaster.”

“That we call things as we see them and flag up anything we consider falls outside the ‘reasonable’ concerning the treatment of prisoners. In this way we should be able to advise when things are not working and if we fail to receive sensible and effective responses from
our local prison to flag serious issues right up to the minister. We are Independent, no one pays us so we are absolutely ideally placed to be totally honest and pragmatic about what we see.”

- The words ‘fair’, ‘fairly’ or ‘fairness’ were used in 115 responses.

“That the board should maintain a close and inclusive critical overview of the prison and should report any indications of failure to keep standards of fairness and decency in the treatment of offenders, or any weakening of endeavour for their rehabilitation; whilst giving recognition to good practice.”

“Monitoring prisons and reporting any injustice and unfairness and problems with the systems of the prison which affect its smooth functioning. Sadly only in the annual report which is our only “clout”.

“Monitoring fairness, decency, dignity and a caring regime within the prison estate.”

“Observer at the coalface, with understanding of prison rules/procedures and knowledge of establishment and staff. Applying ethos of equality, justice, fairness, health and safety, humanity with mature and balance. Able to identify/recognise matters of concern to the Secretary and take appropriate action or draw to his/her attention as necessary without fear, favour or prejudice.”

“Each board observes members of the establishment and prisoners within each prison and the effects of changes being imposed by the MOJ in addition to the day to day monitoring of Fairness, Justice and Equality applied during the normal operations at each location.”

“to report to the Secretary of State on how the prison is measuring up to the standards of humanity, fairness and decency and to note any concerns about matters which may jeopardise these standards”

“The ability to report fairly, constructive and honestly what is happening within a Prison.”

- The word ‘inspect’ was used 11 times.

“To maintain a continuous inspection of the prison, keeping a full record of observations in rota reports and referring matters to the S of S when they warrant it.”

“Inspections are a "snapshot " of what is going on in a particular prison during a particular period of time. As the "eyes and ears" we provide an ongoing oversight of prison life in a particular prison enabling the IMB through its reports, or if there are real concerns to immediately, inform the MOJ of how a prison is managing.”
The words ‘decent’ and ‘decency’ were used by 21 respondents, ‘observe’ was used by 34 respondents, ‘concerns’ was used by 38 respondents, ‘humane’ by 10 respondents and the words ‘prisoners’, ‘offenders’ and prison staff came up numerous times.

Recruitment to the Board

15. Regarding experience of recruitment process respondents offered the following views:

<table>
<thead>
<tr>
<th>Answer Options</th>
<th>Strongly Disagree</th>
<th>Disagree</th>
<th>Neither Agree nor Disagree</th>
<th>Agree</th>
<th>Strongly Agree</th>
<th>Responses</th>
</tr>
</thead>
<tbody>
<tr>
<td>I believe the recruitment process is fair, open and transparent</td>
<td>31</td>
<td>57</td>
<td>137</td>
<td>283</td>
<td>62</td>
<td>570</td>
</tr>
<tr>
<td>The process for electing a Chair/National Council Representative is well understood</td>
<td>23</td>
<td>97</td>
<td>234</td>
<td>188</td>
<td>28</td>
<td>570</td>
</tr>
<tr>
<td>The process for electing a Chair/National Council Representative is fair</td>
<td>7</td>
<td>29</td>
<td>316</td>
<td>193</td>
<td>25</td>
<td>570</td>
</tr>
<tr>
<td>The process for electing a Chair/National Council Representative is open</td>
<td>9</td>
<td>27</td>
<td>310</td>
<td>199</td>
<td>25</td>
<td>570</td>
</tr>
<tr>
<td>The process for electing a Chair/National Council Representative is transparent</td>
<td>10</td>
<td>31</td>
<td>312</td>
<td>190</td>
<td>27</td>
<td>570</td>
</tr>
<tr>
<td>Total number answered</td>
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<td>570</td>
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<tr>
<td>No response</td>
<td></td>
<td></td>
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<td></td>
<td></td>
<td>157</td>
</tr>
</tbody>
</table>

78% of respondents offered a response to this question and 22% did not respond.

61% of respondents agreed and strongly agreed that the recruitment process was fair, open and transparent whereas 15% strongly disagreed and disagreed
38% respondents agreed and strongly agreed that the process for electing a Chair/National Council representative was well understood whereas 21% disagreed and strongly disagreed

38% respondents agreed and strongly agreed that process of election was fair whereas 54% neither agreed nor disagreed

38% respondents agreed and strongly agreed that process for elections was transparent whereas 55% neither agreed nor disagreed

40% male and 37% female responded to these questions regarding recruitment

Comparing the different age groups, respondents aged 65-74 years were more likely to disagree about recruitment being open and fair compared to the younger age groups

In relation to ethnicity respondents from a Mixed background had less confidence in openness, transparency and fairness of recruitments processes compared to their Black and Asian counterparts.

16. If you think the recruitment process needs to be improved please tell us in what way?

78% respondents answered the question while 22% did not respond. Respondents offered a variety of views on improvements which included better understanding of processes.

Respondents used ‘advertising’ in their response 29 times clearly indicating improvements to be made:

“Wider advertising to other sections of the community.”

“So very much to say! The system is sclerotic and relies far too much on the ‘support’ of a few overcommitted people in the Secretariat. The advertising system is far too prescriptive and dysfunctional. The scoring system is a disaster - open, fair and transparent it may be (sort of) but does it deliver the best people? Absolutely not! “
“Confined to the official website it is likely to be insufficient. Perhaps it might reach more potential recruits if a similar approach as to child adoption were taken in advertising and job description.”

Another alternative suggested was to make use of social media to advertise more widely. Others suggested the importance of a recruitment strategy:

“If the IMB is to survive it must invest in recruitment. It needs to utilise local media through on page advertisements and use social media in order to attract and inform a younger IMB profile. It cannot rely on the goodwill of local press/media to run press releases. Its present advertising strategy is wrong.”

“Advertising in Guardian on line and not LOCALLY is a waste of time.”

“Local newspaper advertising should be used. Application form is too complicated; whole process takes far too long.”

Some respondents commented on the need for more outreach to other community groups:

“Advertising, talks by board members to ethnic minority and minority faith groups.”

“The recruitment process needs to be inclusive. If the advertising for members is not inclusive it is not a fair and open process. When adverts are placed in only certain places then only certain people will respond. The applicants should be given a briefing on what the role includes and what admin. load is expected of them.”

Equally the need to raise IMB profile to attract volunteers was also mentioned:

No national advertising at all - raise the national profile - like CAB or Samaritans - and I am sure there would be volunteers. We have for years had to recruit each year, and retention is very hard when there are low numbers - new people often leave because they perceive the low numbers mean crisis. - retiring lots of experienced members has been a disaster.

Some respondents focused on the paperwork in the recruitment process complaining it took far too long. The word 'long' was used in 49 responses:
"I think the recent improvements in the recruitment process have helped considerably, however it is still too long from application to appointment"

"Far too slow, hr compliant, tick box, process may guard against legal challenge, but does not necessarily facilitate the choice of the best candidates - those not accustomed to this type of application are disadvantaged"

It needs to go back to having much more local involvement.

"The secretariat needs to be more responsive both initially and throughout the process. The current procedure is taking too long 7 months from interview to first board meeting for one of my new members. Two of the new members almost gave up after having waited several months. Form filling and paperwork too long and complicated."

➢ It was also noted that despite improvements made there still remained gaps in the process:

"I think the recent improvements in the recruitment process have helped considerably, however it is still too long from application to appointment."

"The handling of member recruitment for my Board has been a complete shambles by the Secretariat who, if they were a Company would have gone bust ages ago. I speak as a founder of a very successful company so I believe a complete clearout of senior management, and recruitment from outside the civil service for top jobs to be the way to change the ethos and performance, and let underperforming staff go. The Secretariat just don’t do what they promise."

Given that volunteers need to be attracted to this job the recruitment process had to be shortened and streamlined:

"Takes far too long, current process started in February and yet to learn of outcome in June. Interviews yet to be held."

Another respondent complained, "TOO MUCH EMPHASIS ON DIVERSITY RATHER THAN CAPABILITY TO BE A GOOD MONITOR"

➢ The word ‘diversity’ was mentioned 7 times.

"In order to seem fairer it is getting too centralised. Of course we need diversity but we also need speed!"
“I think that the Board recruitment panel should have a greater authority to select new recruits who will improve the diversity of the Board, not just to be bound by the competency criteria. You may find someone extremely competent but you might question their ability to empathise with the prisoners and other board members. You might have a person who does not fully appreciate, say, the workings of the board and get poor scoring there but be someone who you feel would enhance the board. So greater flexibility over the scoring please.”

“This is an issue at Board level. Recruitment, and especially diversity, can be greatly affected by the members used to escort prospective members around on their visit or interview days. It would be more appropriate if the members chosen for this did not have out-of-date ideas.”

As this survey results suggest better diversity around age, gender and ethnicity must be achieved within Boards.

17. **How can Board membership be improved to reflect the prison 'community' it serves?**

Similarly different comments were received on making the board reflect the prison community it serves:

- Some respondents felt the diversity of the Board depended on the area where recruitment was taking place.

  “Does the Board need to mirror the community to carry out its role? It might be an ideal but not necessarily obligatory.”

  “Boards can only recruit from the area in which a prison is situated, other than major cities, prisons are often in a rural setting where the local population does not offer much in the way of diversity.”

  “By more contact with external groups, more publicity about work of IMB but again this puts pressure on board members who at the end of the day are volunteers and often reluctant to take on extra work beyond that defined in the role of an IMB member.”
‘Diversity’ was mentioned in 22 responses and the words ‘ethnic’ and ‘ethnicities’ was mentioned in 102 responses. Responses referred to youth and ethnic groups in particular.

“Younger people and a variety of ethnicity is a challenge given the area in which the Board works and the time constraints - as with so many voluntary activities.”

“I am a member of an IRC IMB and although we only have one black board member, the local community is predominantly white, and I am confident that ethnicity is fully considered in the recruitment process.”

“By using local community groups circulation, and putting up notices in local community centres. Using all local means to contact ethnic minority communities.”

Some responses suggest that local areas would benefit from advice and support on recruiting ethnic minorities.

“Not sure. I think the new way of advertising vacancies is attracting people from a younger age range but whether Ethnic Minorities can be attracted is another issue.”

“Marketing is key - preferably national - see previous comments. Also advise us/suggest where we can advertise to best attract applications from ethnic minority groups.”

“Wish I knew. Speaking to community groups. I have got friends to put posters in local mosque and Gurdwara. Main problem for us in a multi ethnic town is that the idea of doing ‘voluntary work ’ is either not understood or done only within their different cultural groups and confined to them.”

A few comments reflect issues of perception and assumptions

“This is very difficult as we can only consider those who apply and we find some ethnic communities have a different perspective on unpaid work of this type.”

“By attracting more members from ethnic minorities. One would not wish to make the Board representative in terms of gender since many of the most effective members in a male prison.”

Suggestions to make better links with different groups were also made

“Forge links with BME Muslim groups in [local towns].”

“Advertising through various means - radio, magazines, newspapers etc. which are read by ethnic minorities.”
On positive discrimination one respondent said, “This is very difficult since applicant in my area tend to be from one social category - white, retired and predominantly female. Despite this apparently unrepresentative board, I believe that it has functioned effectively since the Board does appreciate, or, at least, to understand the issues raised by prisoners. Whilst our board would welcome a greater diversity, I would strongly oppose positive discrimination or selection of candidates felt by the interviewing panel unsuitable just because it would lead to a more varied composition of the Board.”

“This is very difficult and I am not sure it can. I would be strongly against any imposed quotas to reflect different groups. However, advertising could be better targeted.”

18. **There appear to be a significant number of vacancies on the Boards. Can you offer any reasons as to why this may be?**

Respondents offered a variety of reasons which included lack of understanding about the role, public perception, poor training, inability of younger members to afford time for voluntary roles etc.

- Respondents used lack of ‘awareness’ on more than 12 occasions.

  “Lack of awareness of the work of IMB. Limited opportunities to join i.e. infrequent recruitment campaigns for individual boards. Inflexibility within some boards to accommodate people in employment, students etc.”

  “In no particular order: 1. Dread of the timely and inefficient recruitment process (for potential interviewers, and for the poor candidates who have to fill in the huge form). 2. Geographical remoteness of some prisons. 3. Lack of awareness in the community of what the IMB is. 4. Significant time delays/disorganisation in processing applications (I personally applied over 1 year before actually joining a board, and during the recent recruitment I was part of at least 2 good candidates withdrew their applications due to the long wait for a response and being offered other, similar, interesting volunteer work (e.g. police custody visiting) in the meantime.”

  “Mainly accessible to those who are retired or not working. Commitment makes it hard to carry out if in full-time work. Also lack of awareness in community of the post.”

- Some respondents mentioned the need for a flexible approach
“Some Boards are unwelcoming and "closed" and are dominated by certain individuals or attitudes which can deter people from joining them - or people leave once recruited. Flexibility and welcoming of difference should be encouraged.”

“I have been a Board member for 10 years and it has become increasingly time consuming and the monitoring is more far reaching. Many potential members are put off very early on when they realise the commitment. Those in work find it difficult to get time off to do the job. Some new members are not well enough equipped to do the job. Many retired people have family commitments and cannot offer regular flexible time. Our experience with graduates in our area of work is poor. They do it for their CV-start well and disappear.”

“The need for flexible working makes it difficult for those in employment and the implicit expectation appears to be once appointed the individual will remain with the board for a lengthy period. there is no “fast track” to allow individuals to take on a post for 1-2 years. Admittedly this would require more commitment from longer term members to support and mentor.”

➢ The focus was also on recruitment process which was deemed far too slow and cumbersome

“Obviously the tenure issue has made a significant impact on the current situation but outside that I would suggest that there is a disjunction between the expectations stated on recruitment campaigns and at interview and the reality which means to do a good job one has to commit more time and energy - members find this hard and so leave prematurely. Some others (law students for example) do it for their CV - this is ok if they commit at least 2 years.”

“There are a number of factors, Tenure has certainly played its part in the last twelve months, recruitment tends to be slow and time consuming, and volunteers by their nature are subject to changes in circumstances that are beyond the control of the IMB. To my mind it is not possible to operate for any length of time at the establishment level, given that this is a maximum. Therefore, the establishment level needs to be set high enough to enable a working level to be achieved.”

“The introduction of the 15 year tenure. When interviewing for new members they (the person being interviewed) do not understand the time commitment required to fulfil the monitoring role and the time it takes to learn the role. Most members will leave within the first 3 years those that stay have now been penalised when in most cases people will leave
when they are not valued or under-valued. IMB Secretariat treating members as a non-entity, couldn't care less rather than if IMB Secretariat is contacted then an issue is needed to be dealt with / resolved. Some because board members do not accept new members.”

“Introduction of the 15 year rule has left many Boards with vacancies, we lost 4 of 14 nearly one quarter.”

“Tenure Rules devastating some boards. Those left with little experience getting fed up with lack of experience available and often leaving themselves.”

➢ Other responses included the length of time it took for appointment, negative public opinion about prisons and prisoners and the wrong perceptions about IMB and its role. According to one lengthy response,

“a) Other voluntary unpaid options e.g. serving on NHS Trusts, University Councils, on School Governing Bodies, acting as unpaid non-executive directors for charities etc, involve a similar time commitment but offer volunteers the chance to have much more influence over the management of the organisations they oversee, make them feel they are making a real difference and also, frankly, as roles, enjoy much more status in the wider local community. The IMB needs to do much more to raise its profile nationally and to try to shed its image of being pretty toothless. In short, “beef it up” and make it the sort of voluntary role that people would aspire to, by giving members greater authority and influence both locally and nationally. A national campaign fronted by the Minister for Prisons which would attract media publicity could be really useful. b) As above, advertise vacancies in quality national newspapers, e.g. The Guardian, and relevant local newspapers. c) Conduct a survey of members who have recently resigned to establish their reasons for doing so, in order to ascertain if there are particular features of being Board members that they have found disappointing or unfulfilling, and invite them to explain what factors led to their decisions. The "drop-out" rate amongst recruits is high. It could prove enlightening and give us clues as to how the role needs to evolve on a local level d) Consider providing potential recruits with more incentives to join e.g. better quality training; the chance to work towards relevant related qualifications; exemption of their mileage expenses from Income Tax (bearing in mind that members currently lose 20% or 40% of their mileage refunds as they have to declare them as “income” to HMRC); an annual national awards ceremony for above-and beyond service and some sort of long-service medal for those who have served 10+ years, b) Another factor, undoubtedly is the fact that Prison Governors and their SMT often regard the IMB as a group of rather well-meaning amateurs who have to be tolerated and humoured but generally not taken
seriously. The more they can be marginalised or fobbed off with excuses or vague promises and a “smoke and mirrors” routine, the easier it is to keep them at arm’s length. The role needs to become much more professional, the initial and ongoing training more rigorous, and this also needs to be accompanied by a lot of work which needs to be done to change the basic culture and psychology of prison managers themselves, many of whom treat what they dub “civilians” with thinly disguised disdain.”

“The demands of IMB membership are made too great for the role to attract most people who are in work. There is a need to reject over complication and over importance and keep the job simple and focused on the key issue, prison by prison (they are not all the same).”

**Learning, training and performance**

19. Views were expressed on training, learning and performance.

<table>
<thead>
<tr>
<th>Answer Options</th>
<th>Strongly Disagree</th>
<th>Disagree</th>
<th>Neither Agree nor Disagree</th>
<th>Agree</th>
<th>Strongly Agree</th>
<th>Responses</th>
</tr>
</thead>
<tbody>
<tr>
<td>There are sufficient training and learning opportunities</td>
<td>24</td>
<td>102</td>
<td>107</td>
<td>286</td>
<td>36</td>
<td>555</td>
</tr>
<tr>
<td>The Annual Team Performance Review is helpful</td>
<td>20</td>
<td>68</td>
<td>169</td>
<td>260</td>
<td>38</td>
<td>555</td>
</tr>
<tr>
<td>I am satisfied that actions from the Review are subsequently monitored</td>
<td>11</td>
<td>76</td>
<td>214</td>
<td>227</td>
<td>27</td>
<td>555</td>
</tr>
<tr>
<td>I find the process for reviewing my own performance useful and supportive</td>
<td>18</td>
<td>50</td>
<td>208</td>
<td>244</td>
<td>35</td>
<td>555</td>
</tr>
<tr>
<td>The review process helps to improve my performance</td>
<td>20</td>
<td>63</td>
<td>220</td>
<td>225</td>
<td>27</td>
<td>555</td>
</tr>
<tr>
<td>I understand what will happen if I underperform</td>
<td>25</td>
<td>79</td>
<td>127</td>
<td>279</td>
<td>45</td>
<td>555</td>
</tr>
<tr>
<td>I am satisfied that the template for the Annual Report, introduced by the National Secretariat, has improved the content and approach in providing information</td>
<td>27</td>
<td>59</td>
<td>219</td>
<td>222</td>
<td>28</td>
<td>555</td>
</tr>
<tr>
<td>I feel satisfied that I am held accountable in my role</td>
<td>15</td>
<td>40</td>
<td>128</td>
<td>309</td>
<td>63</td>
<td>555</td>
</tr>
</tbody>
</table>

**Total number answered** 555  
**No response** 172
76% respondents answered the question and 24% did not respond. Of the valid responses 39% were from male and 36% from female respondents.

- Training and learning opportunities were written about in numerous responses to previous questions regarding Board processes and duration of meetings (see points 9 and 10). While 58% respondents agreed and strongly agreed they had sufficient training and learning opportunities 23% respondents disagreed and strongly disagreed with the statement. This suggests scope for improving training and learning opportunities.

- 54% found the Annual Team Performance Review (ATPR) helpful while 16% did not. Comments about ATPR were made by respondents in relation to accountability mechanisms (see point 20 below).

- 46% respondents were satisfied that actions from the Review were subsequently monitored but 16% did not. 38% respondents neither agreed nor disagreed on this issue. This could be due to lack of awareness about subsequent monitoring processes or even indicate the need for training and learning.

- 50% found the process for reviewing performance useful and supportive but 12% did not. 38% of respondents neither agreed nor disagreed.

- 45% respondents agreed the review process helps to improve performance but 15% disagreed. 40% neither agreed nor disagreed. The process of reviewing performance and its impact on improved performance could be another area to explore further. Although the respondents who disagreed are relatively small, 38% and 40% respondents neither agreed nor disagreed. Improving and monitoring quality of performance review could help increase the levels of satisfaction and would better link up the process of review to improved performance.
Consequences of underperformance was well understood by 58% of respondents but 19% did not. 23% neither agreed nor disagreed.

45% were satisfied with the template for Annual Report introduced by the National Secretariat but 16% were not. 39% neither agreed nor disagreed.

67% respondents were satisfied that they were held accountable in their role while 10% did not and 23% neither agreed nor disagreed. This indicates that the relationship between Board members and their Chair is strong.

20. **In your position as Chair/member, do you feel there are mechanisms in place to hold you to account? If yes or no, please explain?**

76% respondents provided a response while 23% did not answer. Of the valid responses, 40% were male and 36% were provided by female respondents. Many members felt there were enough mechanisms in place to hold them to account but a few others were not sure what these mechanisms were; the Secretariat was also blamed for not dealing effectively with under-performance. Further text analysis revealed:

- The vast majority of respondents felt there were mechanisms in place to hold them to account. ‘Yes’ was used in 224 responses. In some cases it was used on condition as one respondent felt,

  “Yes, if Board meetings are open and transparent there are plenty of opportunities to discuss matters and sort out any areas of disagreement/practice.”

Other Board members, the Chair, Secretariat and the Triennial review were also noted as good mechanisms. Other members noted the lack of follow-up and better local level accountability through Chairs.

  “Yes, conflict of interest is explained; unprofessional and criminal behaviour is covered; but implications arising from inadequate monitoring are perhaps tolerated more readily.”
“Yes, but the mechanisms could be better monitored - not by sending stats to the NC or the Secretariat, but by edging Chairs & BDOs towards a greater appreciation of their roles.”

“Yes/ Mainly peer review and friendly co-operative nudges from a very competent chairman.”

“Yes there are but they are mainly self induced, relying on the individual members conscience and goodwill.”

“As for Q19, I think the role of IMB member is a demanding one and that we are constantly held to account not only by our fellow board members, but also by prisoners and by prison staff, because between them they tell us how well we are walking the tightrope and holding our independence.”

Training and learning was important to new members even after their probationary periods had finished. As one respondent indicated,

“yes as a new member of the board but now that I have passed my probationary year I am unsure what mechanisms will be involved.”

“No. Triennial Review, contact with Board Development Officer and Chairman. ATPR process set out by Secretariat is NOT good. Far too complicated and should not be anonymous.”

Other respondents were satisfied with minimal accountability mechanisms. Small teams for quick communications and discussions with Chair and other members to resolve concerns was also noted.

“Our Board work as a team, performance and good communication is key. I feel happy that any negative issues or areas of extra support required by a member would be addressed by the Chair, Vice Chair, BDO.”

“Yes e.g. if I didn’t attend meetings or report on my areas of responsibility Chair will chase me. Discussions have been held with others when there have been problems. There is also a sense of team accountability to each other. When I was Chair I felt I was able to hold members to account.”

Clearly some respondents did not feel there were mechanisms in place or that they worked effectively. The word ‘No’ was used in 191 responses.

“No. I am unable to say what mechanisms are in place or how/ by whom they are exercised.”
"I'm not really sure. I have seen a member leave because they did not attend Board meetings regularly. I am less sure whether there are mechanisms that control the quality of what is done."

Some comments were also made about the ATPR indicating inadequacies and lack of a clear process followed consistently.

"The Annual Team performance review seriously needs updating. The tri-annual reviews are a tick box exercise rather than being of any worth or merit. IMB currently offers 'on the job' training for IMB members, delivered by IMB members/NC reps who have volunteered, not necessarily those who have the skill. In training attended there has been inconsistency in messages delivered. AMIMB training, I believe, is more focussed on wider issues, so that we can set our role into the wider context of the CJS."

"When I first joined the Board I had a mentor - it would be helpful for each member to receive supervision or peer-supervision rather than an Annual Performance Review which can feel tokenistic."

"I haven't yet completed an annual review, I have been a member for 10 months. I have not had any performance review. I know various members on my board do not carry out procedures as I was trained to do by my mentor and there does not seem to be a process for helping to correct this."

"I feel I would be admonished if I were not pulling my weight on my Board, but I am not sure there is a real mechanism to ensure I am "held to account".

Respondents also linked this issue to training and learning.

"The triennial review should be helpful if the Chair has had effective training and understands how to approach the process in a constructive manner. I used to find that discussions at Board meetings and the comments/ideas of colleagues were helpful, but I'm not sure of any actual mechanisms for holding me to account."

"I need to comment on Q18. Boards can create training and learning opportunities 'in-house' but national training and learning is currently quite limited. Members used to be encouraged to go on continued development courses every 3-4 years, which I felt was a good way of keeping us 'on track', and a not unreasonable level of ongoing training, but this has been withdrawn. I depend on AMIMB for decent ongoing training - but not everyone can afford to go on training for which they get no expenses. As far as I know there
has been an Annual Report template for all the years that I have been a Board Member, so I can’t comment on what it was like before it was introduced.”

Regarding the peer review process one respondent noted, “No - the peer review that was to be introduced was shelved because people did not understand its function and were afraid of change.”

Some respondents clarified who they were being accountable to, “To the Board and members but not the wider community.”

“By whom? Offenders? Other members of the Board? Local community?”

“Hold me to account to who? To the Board to fulfil my rota duties in sufficient quality and quantity? To the secretariat? To the NC? Not really. A Board, in my experience are friendly with each other (to an extent- no one socialises outside of Board membership) and if we weren’t things wouldn’t function as well as we are often asked to support/help each other. However, this stands in the way of holding each other accountable.”

“Not really. After a member goes 'solo' there is no further review.”

“Not really - we need to be able to back up what we say in the annual report but any accountability seems to be at a local level and down to the Chair to monitor day to day performance, unless there was a major breach when I would not have faith in either the NC rep or Secretariat support.”

“Only if someone informs the chair or another member. How the board operates whilst in the prison or an IRC is not monitored by an outside body. It is assumed that we work to the guidance laid down by the Secretariat. Most members visit on their own.”

“Not really sufficient. The chair has a great responsibility here for keeping the board on an even keel and it can be difficult for her/him and seem personal if a member is taking a wrong stance. For e.g. if a board member becomes over involved with a manipulative prisoner and loses sight of our role and becomes too subjective, what support is there for the chair in this difficult situation? Apparently none. Maybe members of one board could review members of another local board as one of the steps in a review process.”
Some respondents noted the inadequacies in dealing with under-performance

“I believe the probationary year and the mandatory attendance at 9 out of 12 board meetings is there to hold members to account. In practice however, it is extremely difficult to get rid of under-performing members. Many do not come in or do not produce adequate reports of their rota visits. In practice I could be up to anything each time I come in.”

“No, not really, and I don’t expect such mechanisms to be in place. We are volunteers and as such should not need to be held to account. There are also ways to get rid of non-performers.”

“No some members are not challenged about lack of commitment/communication.”

“If not suitable for the commitment then the member should be held accountable and if no improvement that they should be asked to reconsider their position.”

“No at all. We have an underperforming member. He was recommended for exclusion. The Secretariat blocked the exclusion. We now have a member who is totally useless and unsuitable.”

“No. The induction and review process was paid lip service to by the Chair and BDO. Reviews were never conducted on time; I was not given focused feedback on areas of competence or areas for development. Training needs were not systematically identified and addressed. However, one does get told if it’s felt one has done something wrong!”

Some respondents recommended there should be more robust mechanisms for accountability, “An interesting 'who guards the guards' question. Some kind of mechanism does need to be in place beyond peer pressure. But this should not be managerialist in nature (e.g. KPIs etc.).”

➢ Other key words such as accountability were used in 108 responses. Similarly, performance, training, review and appraisal were also used in responses indicating the close link between performance and accountability mechanisms. It is clear that although mechanisms exist they are not being used effectively. Also a lack of awareness and understanding about what constitutes accountability raises further questions about training and learning.
21. **What three things would you be looking for to demonstrate the impact of the work you do?**

A total of 76% respondents gave their views on demonstrating impact of their work and 24 chose not to answer this question. 39% respondents were male and 36% were female.

- All observations from respondents indicate an aspiration for recognition of IMB role. The vast majority of responses articulated negative perceptions. The commitment of individual members was undeniable and a greater need for better training and reflecting diversity was also articulated.

> "Tough question. It is my view that the IMB isn’t valued, either by the MOJ or the prison it serves. There is a deal of mistrust at both ends. Demonstrating impact is going to be difficult for a body that, ‘only monitors’. The authority to instigate change comes from the minister reading annual reports and possibly acting upon them. Perhaps closer ties with HM inspectorate?"

> "Trustworthy, reliability and honesty."

> "Good response from SS to annual report - more to the point and less wordy. Prompt response from prison management to concerns raised. Higher public profile."

> "Outstanding results in prisoner questionnaires about IMB value. Outstanding results in staff questionnaires about IMB value. Outstanding reports from HMIP praising the IMB."

Many respondents articulated their impact in terms of human rights, fairness and good treatment for prisoners.

> "Prisoners reporting that they feel safe. Prisoners feeling that they are being treated fairly and that unjust treatment can, and will, be addressed by the IMB. Staff communicating well with the Board and not feeling threatened in any way by them."

> "Resolution of formal applications but also informal queries; changes resulting from representations made to (say) Governors; feedback from prisoners that IMB presence has reassured them."
Board members felt that more could be done to follow-up concerns raised through the Annual Report. This aspect needed to be further strengthened.

“Prompt responses and where appropriate prompt action by prison staff and managers to issues raised by board members a positive awareness among prisoners that board members are there for their benefit. Real responses from the Secretary of State to questions asked and issues raised in the Annual Report.”

Responses also articulated the need for greater involvement with other structures including prison Governors to enhance positive outcomes for prisoners.

"Prompt ministerial response to reports. Easier communications with the Secretariat. Governor attendance at Board meetings would ensure matters/issues are reported to him and action/explanations given expected."

“More determination and drive by prison staff to improve. Improved outcomes in, e.g., time out of cell, a good reputation within the NC etc., shown in the quality of our annual report.”

“Getting senior prison staff to think about their role and actions and in particular the pathways to resettlement.”

“1. Results from one’s efforts to ensure fairness and humane treatment of a prisoner or prisoners.2. A change to local prison policy where this is clearly wrong. Progress in the manner in which a Board operates.”

“Expressions of trust from both prisoners and staff in the way you do your duty. Good responses to your guidance offered to prisoners Applications. Improved profile for IMB within the establishment.”

“Respect and trust from prisoners and staff, showing that they see IMB as listening fairly and making no judgements. The governor/director picking up issues in IMB reports which get addressed and some wrongs put right?”

Trust and recognition were also used by respondents to demonstrate impact. The word trust appeared in 22 responses.

“A happy and settled community where trust and respect between all parties are evident.”
“1. Evidence of trust by detainees in our independence 2. Responsiveness (timely and effective) of the executive and other organisations playing a role in the centre 3. Low level of complaints from detainees and staff.”

“1. Prisoners and staff belief that we can be trusted to put their views/concerns forward and that we will be listened to. On an individual prisoner basis we manage to solve a particular problem. 3. There are fewer apps/complaints/unrest in the prison which would suggest prisoners feel they are being dealt with reasonably fairly.”

“Increased confidence and trust from prisoners and staff in the role. Positive outcomes when we investigate problems. Increased awareness of the importance and effect of monitoring by ministers.”

“1. The feedback from prisoners we have helped is validating. 2. It would be really useful to discuss the apps we handle, and look at different ways in which we might have responded. 3. It would be great if more of the staff regarded us as a useful resource, instead some of them see us as time-wasting do-gooders (and maybe some do fall in that category). It would be useful for us as a Board to spend more time reflecting on (our) good and bad practice, and sharing methodology.”

“Effective and communicative relationship with staff and particularly governor and CM grades, high level of responsiveness and trust from inmates reflected in Applications and informal interactions and perhaps involvement and acceptance at strategic events and meetings concerned with serious incidents and strategic change.”

“More publicity nationally for the work of the IMB. More funds for advertising and recruitment. Local MP to visit and attend a Board Meeting having ready the Annual Report!”

Respondents also used words like ‘concerns’ to draw out their role as observers who were proactive in bringing issues of prisoners before prison authorities. Members were keen that their suggestions should be acted on more frequently by prison governors.

“Better feedback from Home Office and the Immigration Minister, and action taken on IMB concerns raised in Annual Reports.”
“An answer to our Annual Report from the minister. Evidence that IMB concerns are reflected in policy. Within my prison the management will act on something the IMB brings to its attention if it is a valid concern e.g. post problems.”

“Prisoners satisfaction with manner in which the members have dealt with any query. Prison staff and management satisfaction -ditto-. Prison Management, including Director reaction to concerns expressed to them by the Board members.”

“What does this question mean? I think our impact is shown in small ways every visit when we effect tiny changes in responding to apps. I often tell prisoners I will be raising their concerns with the governor or with the minister in our annual report. However, the minister’s replies are very delayed, usually cursory and often defensive, which is an insult to our commitment as volunteers.”

“Good relationships within prison, ability to achieve small successes on behalf of prisoners, demonstrable improvements in response to concerns.”

“My concerns being followed up by staff. An offender saying thank you for the outcome of an Application.”

“The offenders and staff of the prison are aware of the IMB’s role. The offenders approach the IMB when they have issues. Governor reacts to IMB’s raised concerns.”

“That equality and diversity is properly monitored for both prisoners and staff. Equality and diversity issues are taken seriously, less of the tick box exercise. Concerns of the IMB in their Annual Reports are taken seriously and acted upon as appropriate.”

“the prison responding to our concerns, good relationship with prisoners, staff and IMB team, less apps from prisoners”

Effective communication, good team-working, increased membership, reduction in prisoners returning to prison, prisons are safe and decent, prisoner satisfaction, feedback from prison management and lower complaints were some other key words used to demonstrate impact.

**Concluding observations**

The overall emerging view from the survey indicates strong local leadership and communication with some areas for improvement. The relationship between
local Boards to the National Council and Secretariat indicated distance and sometimes isolation. Better communication existed at a local level within Boards than between the local and national level.

The lack of diversity in the make-up of Boards concerns many existing members. Much more can be done to enhance diversity not just in make-up but also in content of discussions at Board meetings given the high rates of ethnic disproportionality in prisons. This emerged as a clear gap and raises further concerns around recruitment and how vacancies are advertised. More could be done to increase awareness on equalities related issues that affect staff and prisoners and indeed Board members.

Learning training and performance were other key areas for improvement. Governance, accountability and improving performance were not particularly strong. Adopting consistency of approach, quality training and coaching together with mechanisms to identify thematic good practice or areas for improvement would go a long way in enabling IMB’s to ‘punch above their weight’.
Annex F

IMB review Terms of Reference

Context

The Prison Act 1952 and the Immigration and Asylum Act 1999 require every prison and IRC to be monitored by an independent Board appointed by the Secretary of State from members of the community in which the prison or centre is situated.

Each Board is specifically required to:

i. satisfy itself as to the humane and just treatment of those held in custody within its prison and the range and adequacy of the programmes preparing them for release.

ii. inform promptly the Secretary of State, or any official to whom he has delegated authority as it judges appropriate, of any concern it has.

iii. report annually to the Secretary of State on how well the prison has met the standards and requirements placed on it and what impact these have on those in its custody.

To enable the Board to carry out these duties effectively its members have right of access to every prisoner and every part of the prison and also to the prison’s records.

In 2001 a major review of the Board structure, role and monitoring responsibility conducted by Sir Peter Lloyd concluded in:

i. A change of title from Board of Visitors to Independent Monitoring Board;

ii. the creation of the National Council;

iii. the appointment of a President of that National Council.

IMBs and the Secretariat currently spend just over £2m and deploy approximately 1700 volunteer lay members. The secretariat has 19 staff, led by a Head of Secretariat.

Since the last review, developments have included:

i. improvements in boards’ financial planning and management with improved controls introduced by the secretariat,

ii. the introduction of a tenure rule, limiting members to 15 years of service with a board,

iii. a new president has been recruited with the expectation that the role will consider, propose and implement new developments

iv. IMBs also monitor large parts of the immigration estate, - with a link to the Home Office and Immigration Enforcement.
v Similar monitoring functions exist for other NOMS services, with lay members monitoring prisoner escort and custody services (looking at contracted out services). There are also similar functions carried out by members of the public in relation to police custody suites.

vi Following the Commissioner for Public Appointments involvement with tenure there is now a new recruitment process.

The IMBs are currently considered to be operating satisfactorily, without any specific difficulties or crisis that would precipitate a review. However a review would be useful for the newly appointed National Council President with a development plan for the IMBs, as agreed with the Minister of State. A review also fits with the requirement from Cabinet Office that requires triennial reviews of MoJ ALBs and the timing fits with the MoJ ALB Governance review programme.

It is therefore an appropriate time to examine the existing structure to consider if it is effectively providing the service under the requirements of the Acts.

**Review objectives**

The review will:

- Ensure current Independent Monitoring Boards practice continues to be the “eyes and ears” of the Secretary of State and ministers.

- Clarify roles and relationships in the governance and administration of Independent Monitoring Boards and improves their effectiveness and efficiency.

- Identify any improvements that can be made to the support provided to boards.

The review will also consider how far the changes springing from the review conducted by Sir Peter Lloyd in 2001 have been successful, in the areas of concern to this review (below).

**Areas for review**

National governance, support and sponsorship
• National Council – role of president and engagement with the minister.
• National Council – operation, membership and working groups.
• National Council – relationship and interaction with Boards and the Secretariat
• Secretariat – Key areas of support activity (recruitment, membership and communications)
• Secretariat – Effective financial and risk management
• Sponsorship - including role of MoJ ALB Governance team and split sponsorship with Home Office.
• How the IMB works with other monitoring bodies in criminal justice
• How the IMB interacts with HM Inspectorate of Prisons and other stakeholders

Local and regional governance

• Local Board practices – including recruitment, election of chairs etc.
• Collaborative working and regional network/NC linkages
• Effective IMB working across immigration and prison estates.

Effectiveness and outcomes and the role of Boards:

The review will examine how boards can be supported to maintain high standards in the following areas:

• Monitoring, visit planning and visit allocations
• Annual reports – quality and coherence with template (follow up action & outcomes)
• Quality of monitoring and management of individual board member performance, Annual Team Performance Review (ATPR) and triennial reviews.
• Other outcomes such as the process of dealing with applications and the effectiveness of Board meetings.

Review Governance

i The review would submit a draft report to the Deputy Director, Reducing Reoffending, Criminal Justice Group and the President of the IMB National Council and the Head of Secretariat.
ii The final review and any substantive proposals will be submitted for ministerial approval.
iii It is not anticipated that any changes would require alterations to primary legislation.
iv Consultation will take place with Board members and members of the Secretariat.

Establish a board to decide on the review scope and approach

A review project board to be convened, including membership of:
• NC president
• National Council representative
• Head of Secretariat
• MoJ sponsor
• MoJ ALB Governance team rep.

Communicate draft review scope to Minister and key stakeholders, including IMB National Council.