



House of Commons
Justice Committee

Rainsbrook Secure Training Centre

Second Report of Session 2021–22

*Report, together with formal minutes relating
to the report*

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Justice Committee

The Justice Committee is appointed by the House of Commons to examine the expenditure, administration and policy of the Ministry of Justice and its associated public bodies (including the work of staff provided for the administrative work of courts and tribunals, but excluding consideration of individual cases and appointments, and excluding the work of the Scotland and Wales Offices and of the Advocate General for Scotland); and administration and expenditure of the Attorney General's Office, the Treasury Solicitor's Department, the Crown Prosecution Service and the Serious Fraud Office (but excluding individual cases and appointments and advice given within government by Law Officers).

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Publication

Committee reports are published on the Committee's website at www.parliament.uk/justicectee and in print by Order of the House.

Committee staff

The current staff of the Committee are Chloë Cockett (Senior Specialist), Su Panchanathan (Committee Operations Officer), Tracey Payne (Committee Specialist), George Perry (Committee Media Officer), Christine Randall (Committee Operations Manager), Jack Simson Caird (Assistant Counsel), Ben Street (Second Clerk), Holly Tremain (Committee Specialist), and David Weir (Clerk).

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Rainsbrook Secure Training Centre

1. On 29 March, we published our Report on Rainsbrook Secure Training Centre,¹ raising serious concerns about the treatment of children there. We recommended, among other things, that if no substantial improvement in that treatment became apparent, the Ministry of Justice should consider taking Rainsbrook back in-house rather than continuing to contract out its operation to MTC. We also made clear our misgivings about MTC's ability to run the centre after a series of negative inspection reports by Ofsted, HM Inspectorate of Prisons and the Care Quality Commission. We seriously doubted MTC's commitment to achieve the substantial change in service required to care for the 12 to 17-year old children in the centre.

2. On 16 June, the Ministry of Justice announced that all children would be removed from Rainsbrook amid 'serious ongoing concerns about safety and performance', following a further Ofsted inspection. The Lord Chancellor, rt hon. Robert Buckland QC MP, announced:

Six months ago, I demanded that MTC take immediate action to fix the very serious failings at Rainsbrook. They have failed to deliver and I have been left with no choice but to ask that all children are moved elsewhere as soon as possible. This move will help protect the public by ensuring often vulnerable children get the support they need to turn their lives around—ultimately resulting in fewer victims and safer streets.²

3. **We welcome the Lord Chancellor's decision to remove all children from Rainsbrook Secure Training Centre for their safety and wellbeing and to seek an alternative use for the centre.** As our March Report made clear, a litany of inaction by MTC, poor oversight of its contractual relationship by the Ministry of Justice and a series of action plans not worth the paper they were written on left children vulnerable and unsafe. **Those children have committed serious crimes; in a civilised society, however, they deserve much better from those contracted to care for them.**

4. Between our Report and this week's announcement, the Government provided us, on 13 May, a response to our March report. We considered that response on 25 May and found it inadequate to the concerns we had identified and raised. The response failed to address seriously the recommendations we had made and did not provide sufficient or adequate detail to reassure us that changes were being implemented in good time. We therefore agreed, unusually, not to publish that response, but to seek fuller answers to the questions we had asked and recommendations we had made. Given the change in circumstances, we today publish that response as an appendix to this Report, but we also take the opportunity here to repeat questions as yet unanswered about what went wrong at Rainsbrook.

1 Justice Committee, Seventeenth Report of Session 2019–21, [Rainsbrook Secure Training Centre](#), HC 1266.

2 "[Lord Chancellor takes immediate action to move children from Rainsbrook](#)", Ministry of Justice Press Release, 16 June 2021.

5. *We seek, in particular, an explanation from the Ministry of why MTC was, early in 2020, granted a two-year extension to its contract to run Rainsbrook when considerable concern had already been raised about the company's capacity to do so. We also asked what ministerial involvement there had been in the decision to grant that extension. The response with which we were provided states:*

HMG approvals and departmental spending were agreed for an overall seven-year period: a five-year contract with a pre-determined option to extend by a further two years. In making the decision, performance data was also considered and the site was not showing significant failings in October 2019. The decision to activate the two-year extension was internally approved in November 2019 and formally notified to MTC in February 2020.³

6. *We were told in oral evidence that two improvements notices had been given and financial penalties were, in fact, imposed on MTC for failings at Rainsbrook with one financial penalty in place since May 2019. Were those improvement notices and financial sanctions taken into account when it was decided to extend the contract? How does the Ministry define "significant failings"?*

7. *The response appears to imply that no Minister was involved in signing off the two-year extension. Is that so? If it is, why was there no ministerial involvement? What steps will be taken to involve Ministers in such decisions in future when questions have been raised about a contractor? The Ministry should explain what "internally approved" means, setting out clearly who took the decision to extend the contract.*

8. *The extended contract gave MTC until May 2023 to operate Rainsbrook. We invite the Ministry to set out, in detail and including specific figures, what the additional cost was of extending the contract and what, if any, termination costs may now apply. The Ministry should also make clear as soon as possible what the future use of Rainsbrook will be and what is intended to be the Ministry's future relationship with MTC.*

9. *The Government expects to respond to Select Committee Reports within two months normally. As our original Report was published in early March and significant work should already have been done to respond to it, we would hope that it might respond to this one within two weeks.*

3 See Appendix of this report: "Government Response to the Justice Committee's Seventeenth Reports of Session 2019–2021: Rainsbrook Secure Training Centre".

Appendix 1: Government Response

Government Response to the Justice Committee's Seventeenth Report of Session 2019–2021: Rainsbrook Secure Training Centre

On behalf of this Government, I am responding to the recent publication of the Justice Select Committee's report on Rainsbrook Secure Training Centre. I am grateful to the Committee for its diligence in producing this report and can assure you that all recommendations have been carefully considered.

The response (attached to this letter) addresses the recommendations made to the Ministry of Justice, HM Prison and Probation Service and the Youth Custody Service (YCS)—and incorporates responses provided by the contractor MTC on recommendations addressed to them.

The findings presented by the inspectorates, that resulted in the Urgent Notification protocol being invoked last December, are deeply concerning. The safety and wellbeing of children in custody is always our top priority. While I accept that the challenges presented by COVID-19 have had an inevitable impact on the operations during this period, I am clear that all children, including those 'reverse cohorting' should still have sufficient opportunities for meaningful social interaction with staff, and where possible, with their peers to support their mental and emotional wellbeing. It is clear this was not always the case at Rainsbrook, despite assurances provided.

The Government response sets out the actions taken in the aftermath of the UN and in the subsequent months as we—and the provider - have worked to strengthen operational oversight, monitoring and assurance processes at Rainsbrook (and the wider youth secure estate), and contract monitoring arrangements. I am also grateful for the assurances provided by the new Managing Director of MTC that he—and MTC as a whole—are taking these findings very seriously and are addressing the failings identified.

Whilst there have been improvements made—observed by the enhanced monitoring and assurance processes and as acknowledged by Ofsted in their latest assurance report published in February - there is much more to do to ensure MTC run a high-quality service for children at Rainsbrook. The YCS will continue to monitor progress very closely and ensure we see sustainable improvements in children's experiences. As you are aware, the Lord Chancellor has been very clear that he will not hesitate to take appropriate action should this not be the case, or the speed of change be insufficient.

I remain committed to improving the conditions for children at Rainsbrook and am grateful for your considered report and your continued interest in the youth secure estate.

Yours sincerely,

Alex Chalk, Parliamentary Under-Secretary of State, Ministry of Justice

Inspectorate Findings

The Select Committee recommended:

We are concerned by Mr Mulholland's statement that he plans to accept only recommendations "we think are fair or grounded" and **recommend that he make a clear, public commitment to implementing the change the inspectorates, as independent external bodies, tell Rainsbrook to make unless there are clear, evidenced and transparently recorded reasons for doing otherwise in any specific case.**

1. **YCS response:** We are clear that recommendations from inspectorates should be taken extremely seriously, fully considered and responded to accordingly by all secure establishments, whether they are run by the public or private sector.
2. **MTC response:** MTC and Ian Mulholland have made it clear that they accept the recommendations from the inspectorates and MTC is working in collaboration with the Ministry of Justice (MoJ) to address all recommendations made.

The Select Committee recommended:

While there is nothing wrong with staff moving across to the youth estate from the adult estate, it is not appropriate for these staff to operate as though they are in the adult estate. **We recommend that the management at MTC set out clearly what they are doing to address the existing issue of staff retention, including what incentives and support they offer to staff. MTC should also set out what training is given to staff to ensure that staff are adequately skilled and equipped to work in the youth custodial estate. If consideration has not been given to this, MTC should set out what plans it has in place to ensure that staff are adequately trained and supported to work well in a youth custodial environment**

3. **YCS response:** Staff retention and training is a key focus of the YCS's work with Rainsbrook and is assessed regularly in governance and accountability meetings.
4. **MTC response:** MTC have made a number of changes to address staff retention and training to ensure staff are equipped to work in the youth custodial estate as detailed below, and there are early signs of a positive impact:

- To address training and employee development, MTC are providing external coaching to their Senior Management Team – focusing on developing staff, working better together and resilience management.

A refreshers guide to Rainsbrook's 'Promoting Peace' strategy was recently issued and is available to all employees. The strategy is a monthly agenda item at the Senior Management Team meeting to ensure consistent review.

MTC also have a series of 'Toolbox Talks' helping embed SECURE STAIRS (the integrated framework of care that provides the foundations for how the YCS works with children) into their culture.

On 7 April 2021, a manager development programme commenced to allow their Operational Service Managers (OSMs) better support employees and improve consistent decision making. MTC is currently in the process of recruiting

Custodial Care Officers (CCOs) in conjunction with an organisation that specialises in helping companies transform their recruitment and assessment methods, enabling them to attract and recruit the right people for the right roles. This was following research conducted with the organisation to establish the skills and behaviours that candidates needed to be successful as CCO's.

MTC also recently worked with this organisation to revamp their assessment centre process for candidates to ensure they are getting the best quality candidates. This resulted in the creation of a new role-play scenario and incident report with an improved scoring matrix.

- To further support retention MTC are reviewing the pay of CCOs and are currently engaging with the relevant trade unions. They have also reviewed and improved the maternity and paternity pay scheme which will take effect in July 2021.
- To ensure staff are engaged, MTC has launched 'Rainsbrook News' a new monthly staff newsletter with updates about the centre. The latest issue included results from a recent employee survey and a 'you said – we did' section.
- In April 2021, MTC created a Rainsbrook Inclusion Action Plan holding inclusion focus groups to understand unfair practice and any discriminatory behaviour.

5. Staff retention has improved at the centre over the last 12 months with February and March 2021 seeing staff turnover drop by two-thirds (i.e. from the peak of 10 staff leavers down to 3) - a significant decline.

6. MTC's Director has developed a new vision for the STC which the leadership is consulting on with staff and children, setting out objectives and core values to create a strong and positive identity for Rainsbrook.

The Select Committee recommended:

We are not confident in MTC's ability to deliver the action required by recommendations repeatedly made over a period of years by the three inspectorates. **We recommend that MTC and the Youth Custody Service report to us by June 2021, setting out in detail what progress has been made against the action plan now developed. MTC should also set out what impact changes made have had on children at the centre. If no substantial improvement is then apparent, the Ministry should consider taking Rainsbrook back in house.**

7. **YCS response:** We are monitoring the situation at Rainsbrook very closely as MTC implement the Urgent Notification action plan to ensure improvements that we all want to see happen at pace. Immediate focus is to work with MTC to secure improvements needed to successfully satisfy the requirements of the Urgent Notification, with contractual Improvement Notices issued to this effect. However, in his evidence to the committee the Lord Chancellor was clear that he will not hesitate to take appropriate action which includes considerations around bringing the provision 'in-house' - should the necessary improvements at the centre not be forthcoming, or the speed of change be insufficient.

8. We have started the planning for service provision at the site when current contracting arrangements come to an end. This work is ongoing, and we are taking into account our longer-term ambition to transform the youth custodial estate in line with our future vision.

9. **YCS/MTC response:** Following the Urgent Notification at Rainsbrook, immediate actions were taken by MTC to implement regime changes and the YCS worked with the provider to create a comprehensive action plan to address the concerns outlined in the report and to improve the quality of care.

10. Changes to the admissions process have been made so that no child is isolated on arrival and all children in the Reverse Cohorting Unit (RCU) have access to services and a greater amount of time out of their room, putting in place vulnerability support plans for all new arrivals. To this end, MTC have created new senior management positions to strengthen leadership and operational grip. This includes a Head of Care, Head of Transformation and Compliance, and additional senior operational support to Girls Services, increasing the senior management visibility on the units. MTC have also appointed a Director of Operations who is providing strategic oversight and will ensure a smooth transition to the recently appointed new permanent Director, who took up the post in late March 2021. The director joins with a strong track record of delivery within youth secure settings and his appointment well received by a committee member at the oral evidence session in March.

11. MTC have also appointed a new Head of Education who is undertaking a curriculum review and a wider review of the education department's delivery to ensure education is more engaging, stimulating and valuable to the children at the centre. To this end, work has taken place to increase the education pathway, reinstating the full pathway model, with a revised and improved enrichment programme now being delivered as part of children's daily programme. This provides more activities with a provision that is more engaging for children which has seen an increase in both attendance and engagement as well as an overall improvement. Alongside this, the education offer is being refreshed as part of a provider change from Novus to Nacro on 3 May 2021.

12. A full unit painting and decorating programme was also commissioned and has since commenced following input from children so that the environment can be made to feel more homely.

13. **YCS response:** As set out in more detail below, the YCS have also enhanced monitoring activity at the centre whilst deploying an experienced senior manager to the centre to provide support and operational oversight to MTC.

14. Whilst it is still early in the centre's improvement journey, its positive changes have seen an increase in time out of room (with the latest published Ofsted monitoring visit report published on 22 February noting 'early signs of improvement' and stating that "children are now appropriately out of their rooms for most of the day..."). At a follow up assessment in January 2021, inspectors commented stating the centre "understands the culture change that needs to take place" and reported that they could now see "meaningful" change. Whilst making reference to positive observations of engagement between staff and children, with an increased senior leader presence on the units), with monitors also having observed that more activities are being made available on units. Although delivery confidence in the provider is reasonable at this stage, it is crucial that these improvements are sustained. To this end, robust oversight arrangements are now

in place (as set out below in more detail) with regular meetings taking place with the provider, senior oversight within YCS to monitor progress, additional assurance activity from HM Prison and Probation Service (HMPPS) and regular reports to ministers.

15. However, we fully acknowledge that more still needs to be done to implement recommendations and many of the improvements still require embedding. We are clear that there is still much work to do to sustain improvements at Rainsbrook – and as referenced above, all options remain on the table should this not occur.

The Select Committee recommended:

It is clear that further work needs to be done on the way in which the prison service more generally responds to recommendations. It is important for all organisations that they are able to learn from external sources of assurance. Inspectorates have told us, in this and in other inquiries, that they repeatedly make the same recommendations over a sustained period without effective action resulting. This brings into question how seriously the prison service takes the recommendations made. **The Ministry of Justice should set out in detail, what work they are doing to ensure that recommendations made by Inspectorates are taken seriously and acted upon quickly and effectively.**

16. Independent scrutiny and assurance play an important role in driving safety and security. We recognise its importance and the transparency it provides, particularly during a period where secure establishments have been increasingly closed off from the community. We treat recommendations made by the independent scrutiny bodies with the utmost seriousness and expect all providers to act upon them in a timely and robust manner.

17. Scrutiny body heads regularly meet with MoJ/HMPPS officials to discuss their findings including areas of good practice and areas of concern. The outcome of these conversations informs policy and operational decision making.

18. In addition to regular official-level engagement, the Executive Director of the Youth Custody Service has quarterly bilateral meetings with HM Chief Inspector of Prisons and with Ofsted, to discuss issues and update them on recent developments across the youth secure estate.

19. We have introduced quarterly meetings with HMI Prisons, HMI Probation and the Prisons and Probation Ombudsman to strategically discuss their findings to improve performance and better outcomes. These meetings draw together scrutiny body findings and discuss thematic concerns and good practice. Quarterly meetings are chaired by senior MoJ officials, with participation from scrutiny body heads and HMPPS.

20. We have also been working closely with HMI Prisons on their recent Inspection Consultation. In this, the Department has requested the Inspectorate to consider the number and impact of recommendations made by HM Inspectorate of Prisons (HMIP) and continue with their commitment to reducing the number of recommendations.

21. To ensure that recommendations are acted upon quickly and effectively there is also the assurance activity of the HMPPS Operational and System Assurance Group (OSAG). As part of the HMPPS assurance approach, YOIs in the YCS sites are subject

to an annual programme of assurance activity to provide an assessment on the quality of delivery against key delivery themes agreed in advance with the YCS and overseen through HMPPS governance structures.

22. HMPPS have operated a three-stage approach to monitor and report on their progress against HMIP recommendations in prisons and YOIs since 2018. The three-stage approach to this is (stage 1 continued throughout this period but stage 2 and 3 activity was paused at critical points during the pandemic):

1. Self-assessment by the operational line
2. OSAG challenge the operational line on their self-assessment and
3. OSAG conduct an in-depth assessment of progress against recommendations

23. OSAG also follow up on progress made against recommendations six weeks after a HMIP Scrutiny Visit report is published. However, OSAG's established three-stage assurance process for following up with prisons showing limited progress is temporarily on hold due to the ongoing impact of COVID-19, the follow up on concerns remain with the Deputy Director for Operations and Governor.

24. Scrutiny Visits have also been used to highlight positive practice. This is defined as innovative practice or practice which leads to particularly good outcomes from which other establishments may be able to learn. The Scrutiny and Intelligence Unit (SIU) within OSAG, has established processes to share positive practice from external scrutiny reports and internal assurance reports from OSAG with practitioners through an online 'library of good practice'. Ofsted published a briefing on children's social care providers and made comments on positive practice observed in Secure Children Homes, commenting on the regularity of risk assessments to ensure the safety of children and the nurturing relationship children had with staff.

Oversight of Rainsbrook STC

The Select Committee recommended:

We welcome the implementation of a new assurance process. More is required than that, however, given what we have heard about action plans being written but not acted on. Those charged with overseeing previous assurances processes failed in the basic task of checking for themselves what was going on and we need greater confidence that a new process will improve upon the existing one. **We recommend that MTC set out what their new assurance process is and how it differs from the one previously in existence. In particular, what practical steps will MTC take to ensure that its senior managers at the centre know, for themselves, whether improvements reported to them are real and long-lasting? We also recommend that the Ministry of Justice and the Youth Custody Service set out clearly what they will do to assess the provider's new assurance processes to ensure that they are operating effectively, and to confirm, for themselves, that what they are being told is true.**

25. **MTC response:** There have been significant changes to the leadership of the centre since the first and second Ofsted inspections. As referenced in paragraph 10, a new centre

director is now in place, joined by a new head of education and education provider. MTC have reviewed their assurance approach and made significant changes to strengthen operational grip. These include:

- The drafting of a Duty Director handbook which includes expectations and role requirements between the Deputy Director and interim Head of Care. As part of this process, the Deputy Director has also reviewed the Duty Director role description to ensure it is fit for purpose and this will be detailed in the handbook.
- Duty Directors are required to visit all residential, educational and activity areas daily and evidence of these visits within both the daily Duty Director Handover as well as signing occurrence books in each area. The Head of Transformation has been undertaking weekly audits of occurrence books since January 2021.
- A management information review was undertaken in January 2021 and will now be used as part of the monthly SMT meetings with a focus on reviewing the centre performance through strategic analysis of data and to encourage and plan for consistent, exceptional delivery.

26. To embed these crucial initial changes, MTC is creating a new quality assurance model independent of the STC, which will provide assurance to the centre Director and the MTC Executive. The MTC model is identical to the approach developed by HMPPS in recent years and provides a robust and independent assessment of performance. It will be used by MTC to inform its assessment on the quality of operational delivery. MTC has shared the approach with the YCS as it has developed, and it committed to sharing findings of the work as they emerge.

27. Additionally, MTC is also developing 'what good looks like' in respect of the actions they are taking to improve the services, and quality standards for work in the future these are also being developed in collaboration and was shared with the YCS in April 2021.

28. **YCS response:** To assure ourselves, the YCS is holding weekly meetings with MTC to track operational progress, with a monthly improvement board established as the formal route for taking contractual action as necessary. The YCS is monitoring progress closely at these meetings so it can be assured that actions being taken are having the desired impact on improving performance and that MTC is sustaining these improvements.

29. As a result of an urgent review of the monitoring activity, the monitors have increased the time they spend out and about in the centre and on units. They conduct daily visits to all residential units, including the RCU and education where they speak to and engage with children and staff. This allows the monitors to capture evidence to assess MTC's leadership and operational grip, programme delivery and the safety and well-being of children.

30. In addition, the YCS has deployed a highly experienced senior leader with extensive operational experience as on-site project lead, who is working closely with MTC to build leadership capacity and strengthen grip, and on ensuring actions taken on the back of the action plan are robust with sustained impact. Weekly meetings to consider performance are taking place, in addition to the monthly improvement boards to establish a joined-up approach across operations, contract management and commercial areas.

31. Work with the HMPPS contract management improvement team is underway, and a 12-week improvement programme is being developed and due to commence at the start of May 2021. Through consultation with OSAG leads, a new YCS assurance framework is to be designed, with development ongoing throughout the year. The framework will be based on the MoJ approach to risk management. Delivery of assurance work will be risk led and complemented with the expansion of support and coaching from subject leads. The quality of outcomes will support the importance of creating and delivering bespoke offers to each child to meet their individual needs. Further, the creation of such an open learning approach will also support MTC in better understanding and assessing performance and help maintain high standards of care going forward.

The Select Committee recommended:

The Ministry of Justice, Youth Custody Service, HMPPS and MTC failed in their management and oversight of Rainsbrook STC, and the evidence suggests that, in varying degrees, that failure was not limited to one body. We are deeply concerned that processes in place to oversee Rainsbrook failed to fully safeguard children in the care of the establishment. We welcome work being done to address failings, but the issues identified here in poor leadership and oversight are not new and a greater sense of urgency is required. **We welcome the independent review being carried out to understand what went wrong, directed by HMPPS, and recommend that HMPPS share its findings with the Committee and set out clearly what changes will be made to national oversight to ensure that HMPPS, YCS and MoJ have sufficient grip and oversight on all institutions, both contracted and public.**

32. As described throughout this document, there were a number of immediate changes implemented to improve operational grip and oversight. Following the Urgent Notification, senior leaders at the site now have a greater on-site presence, in order to support staff and better oversee regime delivery, with the previously referenced Head of Transformation and Compliance providing additional assurance and oversight around improvement activity outlined in the Urgent Notification action plan.

33. After placements restarted at the centre in early March 2021, having been paused in the aftermath of the Urgent Notification, the Duty Director is visiting all new children regularly during their first 14 day period to ensure they have settled into the centre and understand how they will be cared for, and that children reverse cohorting have access to services and time out of their room to support their emotional and physical wellbeing. This additional senior oversight will be modelled and spearheaded by the new Director, who will look to drive forward improvement work at the centre. Monitors also conduct daily unit visits and feed any concerns or issues back to the provider. If these are not dealt with appropriately they are escalated to achieve timely resolution.

34. The Contract Management Improvement Team within HMPPS were also commissioned to undertake a review of the contract management practices at Rainsbrook in response to the Urgent Notification. This review included a detailed analysis of key documents, performance data and governance processes alongside interviews with all personnel involved with the management of the Rainsbrook STC contract. The preliminary review findings concluded that YCS needed to improve its approach to

contract management, ensure clear roles and responsibilities and robust governance structures, strengthen first line assurance by creating a stronger focus on service quality rather than just service compliance, and establish a clear framework for future delivery.

35. To address the concerns detailed above, a bespoke package of improvement support has been developed which will involve staff from the YCS, the MoJ commercial function, HMPPS Assurance Team and youth justice policy. This work will continue through to mid-summer 2021. The improvement work, whilst having a primary focus on Rainsbrook will encompass all contracts managed by YCS to ensure lessons are learned.

36. As above, the development of the new YCS Assurance Framework will focus on best practice in contract management and monitoring. The early findings from this assurance work support both the YCS's and Ofsted's initial diagnosis; that is, there have been some improvements made around local oversight and onsite capability, but there is still much work to do to improve performance sustainably. This assurance work will complement the review of monitoring that has been taking place since the Urgent Notification at Rainsbrook. Additionally, as a response to the findings, the HMPPS Commercial Sub Committee will be considering if there is a need for additional assurance or analysis of contract health going forward to prevent a similar situation with other contracts.

The Select Committee recommended:

We recommend that the Ministry of Justice review monitoring processes in place across the youth secure estate to ensure that robust central monitoring is in place. The Ministry should also set out how they intend to learn lessons from the failings at Rainsbrook, and ensure that the same mistakes are not made in the delivery of secure schools.

37. The senior operational manager appointed to Rainsbrook is also providing support to the monitoring team at Oakhill STC, with the continuous improvements being delivered at Rainsbrook shared with staff at Oakhill STC. Further, as above, the YCS is developing a new Assurance Framework which will focus on best practice in contract management and monitoring.

38. Over the last 6 months we have been adapting our assurance approach with public sector YOIs. We have removed reliance on historic data to identify risk and successful compliance, with managers across sites looking at performance holistically and reporting to the YCS Deputy Director for Operations through bi-monthly performance meetings (established in July 2020). These are supplemented by Governors Assurance Reports and bi-monthly Deputy Director for Operations visits and other group leads, enabling conclusions and emerging risks to be identified from current data. This approach will be expanded to include assurance on Rainsbrook, and in the interim, additional support has been provided to Rainsbrook from the group safety lead.

39. We are continuing to engage with the inspectorates to enable transparency regarding secure schools. Furthermore, in November 2020 the Lord Chancellor met with the HM Chief Inspector of Prisons to discuss secure schools and how HMIP and Ofsted work together in relation to them.

The Select Committee recommended:

Embedding YCS staff within the institutions whose performance they are monitoring is clearly good practice in principle but is not sufficient on its own. The Minister should consider having additional monitors travelling around sites, or a further form of independent monitoring. **We recommend that the Ministry consider how it can manage the risk of its staff either failing to see what is happening or failing to challenge it. Whichever of those things happened at Rainsbrook, neither is acceptable.**

40. The YCS enhanced its monitoring and operational oversight capacity at Rainsbrook immediately after the Urgent Notification was invoked, this included the upskilling of the monitoring team so they have the skills to identify and challenge risks. In addition to the immediate measures that were put in place, monitoring practice is being reviewed and procedures have been revised to strengthen the focus on programme delivery, time out of room, and the well-being of children accommodated at Rainsbrook. Evidence from these activities is presented to the provider promptly. Any improvements that are required are identified and their delivery is closely monitored.

41. The changes to monitoring practice are also being translated to Oakhill where the YCS has also increased capacity for operational oversight and monitoring. In addition, there is a programme of work underway to strengthen contract management arrangements at the YCS (see paragraph 31 above).

42. HMPPS have also strengthened the role of second-line assurance in relation to STCs with a team from outside of the YCS conducting additional assurance activity at Rainsbrook as well as at Oakhill.

The Select Committee recommended:

We seek a clear explanation of why the Ministry of Justice chose to extend MTC's contract by two years when the contractor's ability to deliver was already in question, and we ask what ministerial involvement there was in making that decision and, in particular, in signing it off.

43. In 2016, the Department (MoJ) and wider HM Government (HMG) - HM Treasury and Cabinet Office - approved the full business case to fund and award the current contract (with MTC) for services at Rainsbrook STC. HMG approvals and departmental spending were agreed for an overall seven-year period: a five-year contract with a pre-determined option to extend by a further two years. In making the decision, performance data was also considered and the site was not showing significant failings in October 2019. The decision to activate the two-year extension was internally approved in November 2019 and formally notified to MTC in February 2020.

The Select Committee recommended:

Consistently sub-standard performance of a contract does not merit renewal in any circumstances. **We recommend that the Secretary of State urgently reviews whether his Ministry plans to renew any other contract or any contractor whose performance is similarly consistently poor.**

44. All projects considering the future delivery of services to the Ministry are undertaken in accordance with Cabinet Office guidance and the Sourcing Playbook best practice

policies. Delivery Model Assessments (make vs buy analysis) routinely incorporate lessons learned from the 'business as usual' contract management and performance function to ensure the most appropriate sourcing route is applied for future generation delivery.

Appendix 2: Letter from Alex Chalk MP

Letter dated 18 June 2021 from Alex Chalk MP, Parliamentary-Under-Secretary of State, Ministry of Justice, on Rainsbrook Secure Training Centre

Dear Bob,

As you know, following the invoking of the Urgent Notification protocol at Rainsbrook Secure Training Centre last December, the Youth Custody Service ordered the provider MTC to take the immediate action necessary to address the unacceptable failings at Rainsbrook, including a focus on ensuring no child was isolated on arrival and all children in the Reverse Cohorting Unit, have suitable access to services and a greater amount of time out of their room. Whilst this has been achieved, it is clear – in particular over the last month - that significant issues around staffing, safety, safeguarding and on-site operational grip remain, with measures taken having not done enough to resolve the long-standing issues. These concerns have been further highlighted by a recently concluded Ofsted inspection which, although the final report has yet to be published, is understood will further emphasise these failings.

As a result, work has begun to remove all children from Rainsbrook in the coming weeks, transferring them to alternative appropriate accommodation within the youth secure estate. I want to assure you that we have taken this action to ensure the safety and wellbeing of children at Rainsbrook, which remains my priority.

Separate to this, we are also considering the future of the centre, with a further announcement to be made on this position in due course. I will of course write to you in order to notify you of this decision.

Yours sincerely,

Alex Chalk MP

Formal minutes

Tuesday 22 June 2021

Members present:

Sir Robert Neill, in the Chair

Paula Barker	Maria Eagle
Rob Butler	Laura Farris
Angela Crawley	Dr Kieran Mullin
Janet Daby	Andy Slaughter
James Daly	

Draft Report (*Rainsbrook Secure Training Centre*), proposed by the Chair, brought up and read.

Ordered, That the draft Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 9 read and agreed to.

Two papers were appended to the Report.

Resolved, That the Report be the Second Report of the Committee to the House.

Ordered, That the Chair make the Report to the House.

Ordered, That embargoed copies of the Report be made available (Standing Order No. 134).

[Adjourned till Tuesday 29 June at 1.45 pm]

List of Reports from the Committee during the current Parliament

All publications from the Committee are available on the [publications page](#) of the Committee's website.

Session 2019–21

Number	Title	Reference
1st Report	The Coroner Service	HC 68

Session 2019–21

Number	Title	Reference
1st Report	Appointment of Chair of the Office for Legal Complaints	HC 224
2nd Report	Sentencing Council consultation on changes to magistrates' court sentencing guidelines	HC 460
3rd Report	Coronavirus (COVID-19): The impact on probation services	HC 461
4th Report	Coronavirus (Covid-19): The impact on prisons	HC 299
5th Report	Ageing prison population	HC 304
6th Report	Coronavirus (COVID-19): The impact on courts	HC 519
7th Report	Coronavirus (COVID-19): the impact on the legal professions in England and Wales	HC 520
8th Report	Appointment of HM Chief Inspector of Prisons	HC 750
9th Report	Private prosecutions: safeguards	HC 497
10th Report	Sentencing Council consultation on sentencing guidelines for firearms offences	HC 827
11th Report	Sentencing Council consultation on the assault offences guideline	HC 921
12th Report	Children and Young People in Custody (Part 1): Entry into the youth justice system	HC 306
13th Report	Sentencing Council: Changes to the drugs offences definitive guideline	HC 751
14th Report	Appointment of the Chair of the Independent Monitoring Authority	HC 954
15th Report	Appointment of the Chief Inspector of the Crown Prosecution Service	HC 955
16th Report	Children and young people in custody	HC 922
17th Report	Rainsbrook Secure Training Centre	HC 1266
18th Report	The future of the Probation Service	HC 285
1st Special Report	Prison Governance: Government Response to the Committee's First Report of Session 2019	HC 150

Number	Title	Reference
2nd Special Report	Court and Tribunal Reforms: Government Response to the Committee's Second Report of Session 2019	HC 151
3rd Special Report	Transforming Rehabilitation: Follow-up: Government Response to the Committee's Nineteenth Report of Session 2017–19	HC 152
4th Special Report	Coronavirus (COVID-19): The impact on probation systems: Government Response to the Committee's Third Report	HC 826
5th Special Report	Coronavirus (Covid 19): The impact on the legal professions in England and Wales: Government Response to the Committee's Seventh Report	HC 898
6th Special Report	Ageing prison population: Government Response to the Committee's Fifth Report	HC 976
7th Special Report	Court and Tribunal reforms: Further Government Response to the Committee's Second Report of Session 2019 and Coronavirus (Covid 19): The impact on courts: Government Response to the Committee's Sixth Report	HC 1008
8th Special Report	Coronavirus (Covid-19): The impact on prisons: Government Response to the Committee's Fourth Report	HC 1065
9th Special Report	Children and Young People in Custody (Part 1): Entry into the youth justice system: Government Response to Committee's Twelfth Report	HC 1185
10th Special Report	Private prosecutions: safeguards: Government Response to the Committee's Ninth Report	HC 1238
11th Special Report	Children and Young People in Custody (Part 2): The Youth Secure Estate and Resettlement: Government Response to the Committee's Sixteenth Report	HC 1357