

Public Audit Committee
Thursday, 2 May 2024
14th Meeting, 2024 (Session 6)

The 2022/23 audit of the Scottish Prison Service

Introduction

1. At its meeting today, the Public Audit Committee will take evidence from the Scottish Prison Service and the Scottish Government on the Auditor General for Scotland's (AGS) section 22 report, [The 2022/23 audit of the Scottish Prison Service](#), which was published on 12 December 2023. The report can be found at **Annexe A**.
2. The Committee previously took evidence from the AGS on the report on [1 February 2024](#), from HM Chief Inspector of Prisons for Scotland on [14 March 2024](#) and from GEOAmev on [28 March 2024](#).
3. At its meeting on 28 March 2024, the Committee agreed to seek written evidence from the following organisations:
 - Community Trade Union
 - Prison Officers Association Scotland
 - Public and Commercial Services Union.
4. Written responses received to date can be found at **Annexe B**. The response from the Public and Commercial Services Union will follow in due course.
5. The Committee has also received follow up written information from GEOAmev and HM Chief Inspector of Prisons for Scotland. This can be found at **Annexe C**.
6. At its meeting on 28 March 2024, the Committee agreed to draft a report setting out its conclusions and recommendations from its scrutiny of the 2022/23 audit of the Scottish Prison Service.

Clerks to the Committee
April 2024

The 2022/23 audit of the Scottish Prison Service



AUDITOR GENERAL 

Prepared for the Public Audit Committee by the Auditor General for Scotland
Made under section 22 of the Public Finance and Accountability (Scotland) Act 2000

December 2023

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The 2022/23 audit of the Scottish Prison Service

1. I have received the audited annual report and accounts and the independent auditor's report for the Scottish Prison Service (SPS) for 2022/23. I am submitting these financial statements and the auditor's report under section 22(4) of the Public Finance and Accountability (Scotland) Act 2000, together with this report that I have prepared under section 22(3) of the Act.

2. My report brings to the Scottish Parliament's attention issues relating to the Scottish Courts Custody Prisoner Escorting Services (SCCPES) contract managed by SPS on behalf of the Justice Multi Agency Liaison Group, as well as wider concerns about the projected increases in the prisoner population and the impact this will have on the prison estate.

3. The auditor issued an unqualified opinion on the financial statements of SPS for 2022/23.

Key messages

- The SCCPES contract was awarded to GEOAmeY PECS Ltd (GEOAmeY) in March 2018. The contract, managed by SPS on behalf of justice partners, is for the safe and secure transfer of prisoners in Scotland between specified locations such as prisons, courts, police custody units and healthcare facilities. Its successful delivery is critical to the effective operation of the criminal justice system in Scotland.
- In recent years, GEOAmeY has been unable to achieve the staffing levels required to effectively deliver the contract. Between April 2022 and October 2023, staffing levels at GEOAmeY decreased from around 660 to around 520 full-time equivalents, around 25 per cent less than the estimated 670 to 700 needed to deliver the required levels of service. Between July and September 2023, only 62 per cent of prisoners due in court arrived on time and only 63 per cent returning from court arrived back on time. Similarly, only 65 per cent of non-court escort services such as transfers to hospitals, police identification parades or special escorted leave, took place on time. The ongoing poor performance of the contract is resulting in delays and inefficiencies across the justice sector, impacting on policing, prison services and the courts.

- SPS has taken several actions to support improvement in GEOAmeys performance. This has included issuing Improvement Notices and applying financial penalties of around £4 million (to 2022/23) in line with the contract's terms. These have had limited impact. SPS is now taking more direct action including financial support to GEOAmeys to aid staff recruitment and retention, while at the same time limiting the use of performance measures and financial penalties. SPS anticipate that these actions will take around six months to take effect.
- Scotland's prison population is increasing and becoming more complex. Greater proportions of prisoners are required to be accommodated separately due to a wide range of issues including their legal status (remand or convicted), sex, age or offending history. In 2022/23, the average population was 7,426. By 13 November 2023, the population had increased to 7,948. Forecasts by SPS show that the population is expected to increase further over the next six months to 8,166 by the end of March 2024.
- Significant investment is required to create a fit-for-purpose prison estate. Since a major review of its estate in 2002, SPS has carried out extensive redevelopment work to parts of its estate to improve living conditions. Four new prisons were constructed during this time including the most recent, HMP Stirling, in June 2023. Two new community custody facilities were also opened during 2023 to support female prisoners prior to release and work has commenced on a replacement for HMP Inverness. Despite this investment, the forecast increases in the prison population will put additional, extensive pressure on the existing estate.
- His Majesty's Inspectorate of Prisons in Scotland (HMIPS) highlighted in her 2022/23 annual report that 'the ageing infrastructure and general condition of some of Scotland's prison buildings are ill-suited to a modern prison system'. This includes HMP Barlinnie, HMP Castle Huntly, HMP Dumfries, HMP Greenock, HMP Inverness and HMP Perth. Combined these prisons provide accommodation for approximately 35 per cent of Scotland's current prison population. As at March 2023, around a third of prisoners were in cells of double occupancy, many of them in HMP Barlinnie which is relied upon to accommodate significant rises in population.
- Plans for a replacement prison for HMP Barlinnie, HMP Glasgow, are being progressed. A full business case is expected to be considered by Scottish ministers before the end of 2023. The total cost of the project is expected to be significantly higher than an earlier cost estimate of £387.6 million in October 2019. This is attributed to inflationary pressures and an updated

design to reflect 'Net-Zero' commitments and changing requirements post-Covid to safely manage the prison population.

Background

4. SPS is an executive agency of the Scottish Government. It is responsible for those who are committed to care by the Courts and is accountable to the Scottish Parliament for its functions in accordance with The Prisons and Young Offenders Institutions (Scotland) Rules 2011.

5. SPS directly operates 15 prisons across Scotland ([Appendix 1](#)). A further two, HMP Addiewell and HMP Kilmarnock, are run under Private Finance Initiative (PFI) contracts. The PFI contract for HMP Kilmarnock will end on 17 March 2024, when the prison will return to public ownership under the operation of SPS.

6. SPS is also responsible for managing the SCCPES contract on behalf of the Justice Multi Agency Liaison Group (MALG). This group includes SPS, the Scottish Courts and Tribunals Service (SCTS), the Crown Office and Procurator Fiscal Service (COPFS) and Police Scotland.

7. SPS continues to manage significant risks that impact on the operational sustainability of the service. This includes increasing prisoner numbers; increasing complexities of the prison population (for example, adequate separation of prisoner groups and increasing numbers of older prisoners); a challenging financial environment; and managing a large estate which includes establishments that are no longer fit for a modern prison system.

8. As an executive agency, SPS is funded by the Scottish Government. In 2022/23 SPS spent £499 million including £70.9 million on capital expenditure. Of the resource expenditure, a total of £221.7 million was spent on staff costs covering a staffing establishment of 4,562.

The Scottish Court Custody and Prisoner Escorting Service contract was awarded to GEOAmey PECS Ltd in March 2018

9. In March 2018, Scottish ministers awarded the SCCPES contract to GEOAmey PECS Ltd (GEOAmey). GEOAmey was the sole bidder. The contract commenced in January 2019 and is for a period of eight years with the option to extend by a further four years. The estimated value of the contract at the time of award was between £238 million and £250 million over the initial eight-year term.

10. GEOAmey is a joint venture between GEO Group and Amey, with each parent company a 50 per cent shareholder. GEO Group operates a number of correctional and rehabilitation services in the USA. Amey is a UK public services provider working across areas such as transportation and the management of complex facilities.

11. GEOAmeY provides prisoner escort services on behalf of the Ministry of Justice in England and Wales. The contractual terms in England are different to Scotland, as the SCCPES contract includes a number of additional requirements.

12. In Scotland, the contract provides for the safe and secure transfer of prisoners between specified locations such as prisons, courts, police custody units and healthcare facilities. It also includes additional services such as funeral escorts; bed watch activity when those in custody are detained for medical treatment; and transfers to Police Scotland interviews and identification parades.

Delivery of the SCCPES contract is critical to the effective operation of the criminal justice system in Scotland

13. The SCCPES contract is managed by SPS on behalf of the MALG. Justice partners across Scotland are reliant on the contract to ensure the effective delivery of services including policing, court proceedings, prosecution services and prison operations.

14. There are several risks associated with the contract if the supplier fails to deliver the required levels of service. These include the impact on prisoner welfare; the reputational risk to SPS and other justice partners; and the ability to deliver effective services and achieve value for money.

15. For example, planned court cases or police identification parades may have to be postponed, prisoner hospital appointments deferred or delays in providing prisoners with special escorted leave for rehabilitation purposes. There is also the opportunity cost associated with using police officers or prison officers to substitute for escorts that have not been delivered under the contract.

The operating environment has changed since the SCCPES contract was awarded to GEOAmeY

16. Since the contract award, the Covid-19 pandemic, subsequent lockdown and other external factors changed many aspects of the contract's operating environment. For example, during the Covid-19 pandemic (between April 2020 and June 2021) financial support totalling £6.3 million was given by SPS to GEOAmeY to ensure normal contractual delivery by avoiding staff being furloughed. At the same time, the introduction of temporary virtual courts and social distancing measures changed the nature and type of work required.

17. Since Covid-19 restrictions were lifted, higher prisoner numbers have seen increased volumes of prison-to-prison transfers and greater volumes of hospital appointments and bed-watches. There has also been changing demands on prisoner court transfer numbers requiring the use of smaller fleet vehicles but using the same number of escort staff.

18. As the contract is volume-led, these changes to demand levels, or the type of escort support required, has a direct impact on the service levels required of GEOAmeY and therefore the level of payments made to them.

GEOAmeY has been unable to achieve the staffing levels required to effectively deliver the contract

19. In its initial projections, GEOAmeY estimated that it would need to employ around 670 to 700 full-time equivalent (FTE) prison custody officers (PCOs) to successfully deliver its contractual obligations. These levels were achieved over the first two years of the contract to 2021 but have not been reached since.

20. SPS reported that a challenging labour market significantly increased staffing costs for GEOAmeY compared to those anticipated when the contract was signed. GEOAmeY also reported to SPS that changes in service requirement post-Covid have made the contract financially unsustainable. This was particularly in relation to the changes in demand profile and new initiatives to address the backlog of court cases arising during the pandemic.

21. In its 2022/23 Annual Report and Accounts, SPS reported that while court volumes increased, other contractual elements remained at significantly lower levels than pre-Covid.

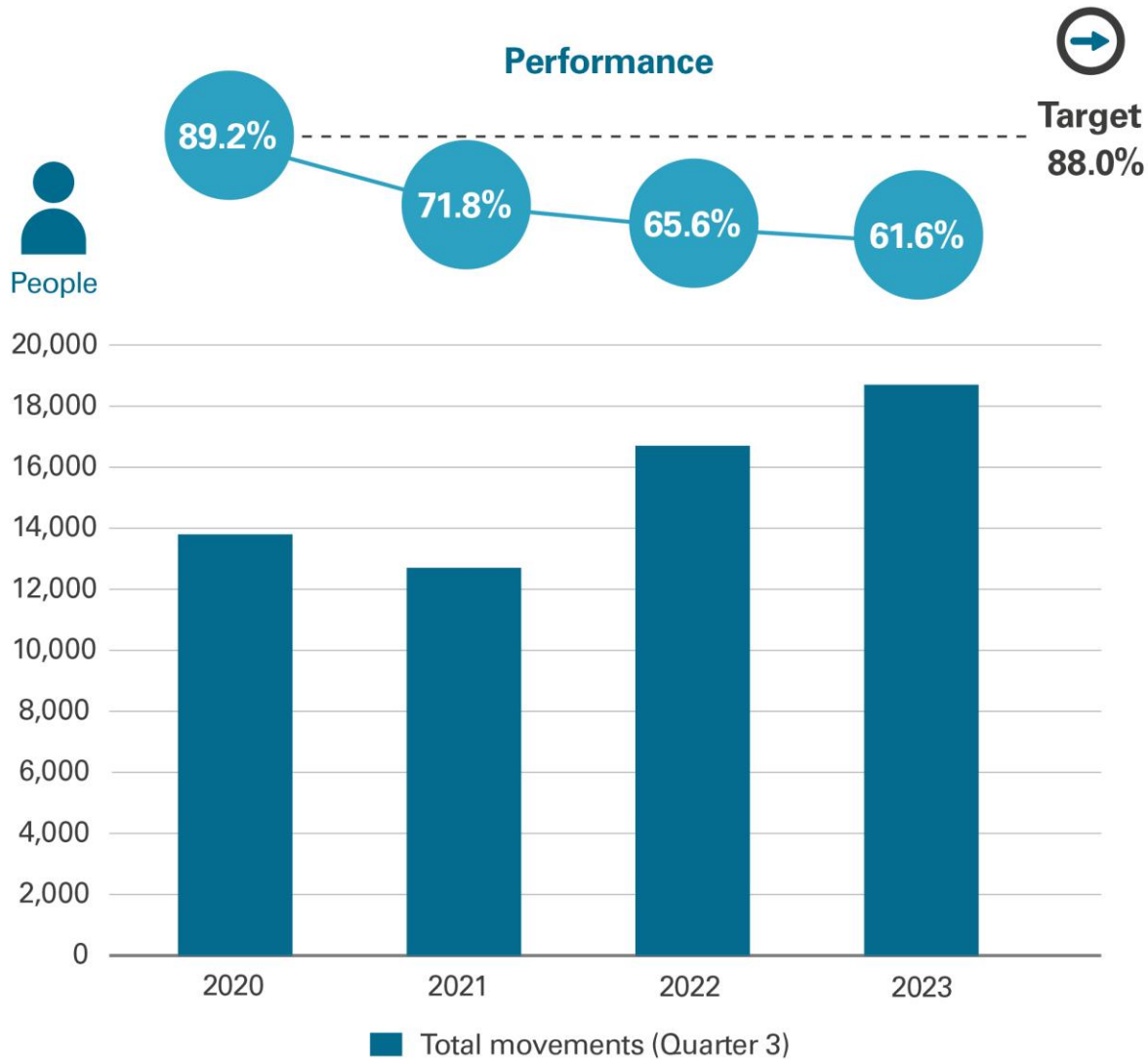
22. As a result, in October 2023, GEOAmeY's staffing levels had dropped to around 520 full-time equivalents, a decrease of between 20 and 25 per cent on required levels. SPS advised that comparatively low pay for PCOs was the primary reason for the decline in GEOAmeY staffing levels and their ability to recruit replacements.

The failure to effectively deliver the contract is impacting on services across justice partners

23. Despite early teething problems, by the end of 2019 the contract was being delivered to acceptable levels. Since mid-2021, GEOAmeY has failed to deliver the requirements of the SCCPES contract in several key areas. This includes court arrivals, court returns and non-court appointments.

24. The performance indicator on court arrivals measures the timely arrival of those in custody to court. Any late arrival can delay planned proceedings in Scottish courts. As shown in [Exhibit 1 \(page 8\)](#), the percentage of court arrivals being delivered on time decreased from 89.2 per cent in quarter 3 of 2020, to under 61.6 per cent in quarter 3 of 2023. This is against a target of 88.0 per cent.

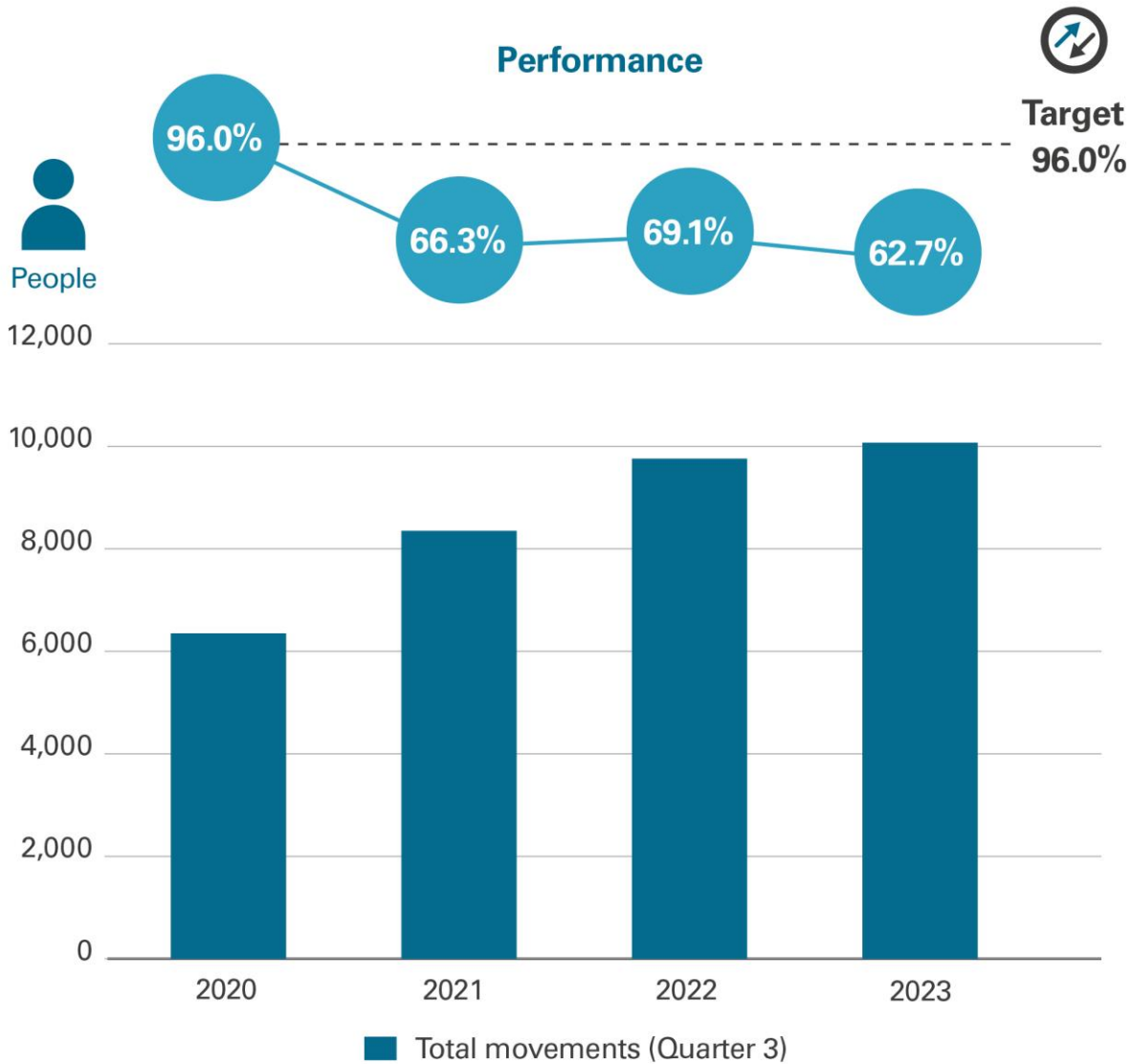
Exhibit 1
Number and percentage of court arrivals



Source: SCCPES Quarterly Business Review (QBR) reports

25. The performance indicator on court returns measures the timely departure of a prisoner from court premises to a place of custody. [Exhibit 2 \(page 9\)](#) shows that GEOAmeys performance has decreased from 96 per cent in quarter 3 of 2020 to 62.7 per cent in quarter 3 of 2023. This is against a target of 96 per cent.

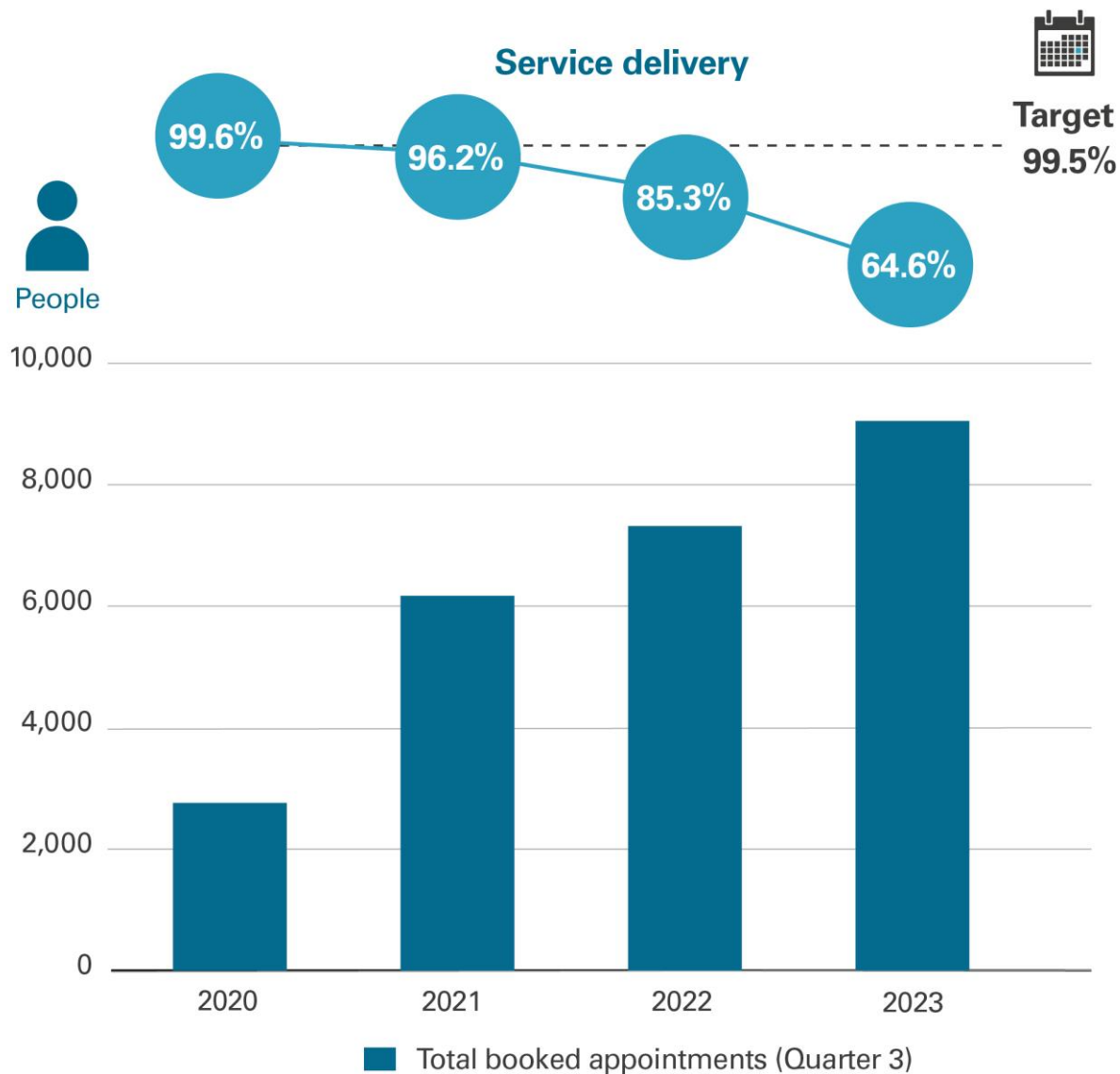
Exhibit 2
Number and percentage of court returns



Source: SCCPES Quarterly Business Review (QBR) reports

26. Non-court appointments include the movement of individuals to children’s hearings; funeral escorts; hospital and other healthcare appointments; special escorted leave; and identification parades. [Exhibit 3 \(page 10\)](#) shows that GEOAmey’s performance in this area has declined from 99.6 per cent in quarter 3 of 2020, to 64.6 per cent of movements being completed on time in quarter 3 of 2023. This is against a target of 99.5 per cent.

Exhibit 3
Number and percentage of non-court appointments



Source: SCCPES Quarterly Business Review (QBR) reports

27. The failure to effectively service the contract is having a considerable impact on service delivery across the justice sector. For example:

- At SCTS, scheduled court sessions have been postponed and planned changes to jury court operations, including the development of virtual custody courts, have been delayed.
- Police Scotland has had to cancel identification parades and in some instances police officers have been taken off other duties to provide cover.
- At SPS, hospital appointments for those in custody have been missed. Where prison officers have been asked to undertake these transfers, this

has removed front line resource from prisons. SPS estimates that around 20 FTE of its own staff are required per day to substitute for prisoner transfers that cannot take place under the contract.

- There have been instances where those in custody have missed community leave days. This can result in delays to prisoners moving on to the next stage of their sentence if they are unable to demonstrate key requirements at parole hearings.

28. There is also an impact on the National Health Service (NHS) with planned hospital appointments requiring to be postponed or cancelled if the relevant prisoner is not transferred to the facility on time.

SPS has issued GEOAmeY with five separate 'Improvement Notices' and applied service credits totalling £4 million

29. SPS, on behalf of justice partners, can serve Improvement Notices on GEOAmeY in relation to any specific failures to comply with obligations under the contract. These notices require GEOAmeY to either immediately undertake remedial measures or to submit a time bound action plan to address the issues identified. Since December 2021, SPS has issued five 'Improvement Notices' to GEOAmeY.

- In December 2021, an Improvement Notice was issued in relation to hospital appointments. Performance subsequently improved to compliant levels and the notice was lifted in April 2022.
- In May 2022, an Improvement Notice was issued relating to contractual data accuracy and verification. This stated that GEOAmeY had 'not been able to meet or consistently perform its contractual service requirements' in relation to information systems and monitoring, inspection and security risk assessments. The notice advised that the lack of consistency 'to record, store and provide accurate data...has had a detrimental effect on SPS's ability to verify GEOAmeY PECS Ltd achieving the required Performance Measures'. It also highlighted significant issues in relation to the accuracy of verified data to assure SPS that billing information is correct.
- In December 2022, a further Improvement Notice was issued in relation to hospital appointments. During the period August to October 2022, a total of 705 hospital appointments were recorded as GEOAmeY failures. Of these, 561 were cancelled by the escort due to resourcing issues. Eighty-six appointments did go ahead late, but the impact on the prisoner or the NHS of these delayed appointments is unknown.

- In February 2023, an Improvement Notice was issued in relation to Video Identification Parade Electronic Recording (VIPER) appointments, more commonly known as police identification parades. Between September 2022 and January 2023, 368 planned failures were recorded where prisoners had not been escorted to planned VIPER appointments. The Improvement Notice highlighted that a number of court cases had to be postponed as a result of these failures, and on at least one occasion charges had to be dropped with the individual being released from custody. This would have required Solemn proceedings to continue due to the nature of the charges. Solemn procedures involve the most serious criminal cases and may lead to a trial before a judge in the High Court or a Sheriff in one of the sheriff courts. GEOAmey has challenged the substance of these claims.
- In June 2023, an Improvement Notice was issued in relation to court cell and court docks delivery. The notice states that many aspects of the contractual requirement 'are no longer being met or delivered, resulting in significant issues for SCTS, COPFS, Judges, Sheriffs and other partners within Criminal Justice'. It also highlights specific failures in relation to staffing, delivery and security at many court sites. This is resulting in Solemn cases being delayed due to GEOAmey's inability to support court business.

30. SPS has also issued a number of service credits where performance has failed. These are credits applied to payments where the specified service level has not been met. Between 2019/20 and 2022/23, service credits totalling over £4 million had been applied with further credits expected for performance failures during 2023/24.

31. SPS has advised that service credits were not intended for a scenario where the contractor failed to deliver over a sustained period. They were designed to provide focus on specific issues, with the aim of encouraging resolutions to be identified and implemented within a short timeframe.

SPS and justice partners have taken additional steps to support GEOAmey and to avoid contract failure

32. SPS has taken a number of actions designed to support GEOAmey and its delivery of the contract and to prevent overall contract failure. These included:

- In August 2022, SPS implemented a moratorium where it would not impose certain service credits. This was to reduce the potential financial burden and allow GEOAmey to refocus on improving key areas of the contract. Further changes were made during 2023 to reduce the impact of performance measures and the number of applicable service credits.
- SPS requested that the NHS change the scheduling of hospital appointments prior to 9.30am to help avoid scheduling clashes with court appearances, where typically a prisoner is required to attend at least 30 minutes (Sheriff Court) or 45 minutes (High Court) before the day's proceedings commence. GEOAmey advised that while SPS attempted to

provide support in this area, the majority of appointments are still at the same time that court deliveries are scheduled.

- In conjunction with SCTS, the number of PCOs required at Solemn cases has been temporarily reduced from two to one. This is unless specific circumstances require more than one officer in attendance.
- In October 2023, revised payment rates were agreed aimed at supporting GEOAmeY in the retention and recruitment of its staff. This should allow GEOAmeY to increase hourly rates for staff by around 17 per cent and above comparable market rates. It is expected to take around six months for this to have a positive impact. SPS has advised that in making such adjustments, the additional cost of supporting the SCCPES contract will be £1.8 million in 2023/24, and £2.2 million per annum thereafter.

33. Looking ahead, SPS's Contract Management Unit (CMU) has been authorised to review the full range of options to ensure that the contract is both viable and sustainable over the remaining term. SPS and other justice partners have worked on contingency planning in the event of contract failure. In the absence of any clear alternative, SPS and its justice partners strong preference is to support GEOAmeY in improving its contract performance.

34. If the contract was to be terminated, GEOAmeY may be due compensation based on defined formulae in the contract. The value of the termination sum would depend on the reason for termination and the timing in relation to the contract. SPS may also be required to assume responsibility for any costs associated with the termination of GEOAmeY staff contracts.

35. The initial eight-year contract term will end in January 2027. Work by SPS and justice partners on retendering the contract is expected to commence in 2024.

SPS is managing an increasing and more diverse prisoner population

36. The Scottish prison population is increasing and becoming more complex. Greater proportions of prisoners are required to be accommodated separately due to a wide range of issues including their legal status (remand or convicted), their sex, age or offending history.

37. SPS has advised that there are also greater numbers of older prisoners, including those who enter custody later in life. At the end of 2022/23, a total of 16.4 per cent of the prison population was aged 51 or over. This included 287 (3.8 per cent) who were aged 61 to 70 and a further 130 (1.7 per cent) who were aged over 70. This impacts on the nature of support required.

38. There are eight over-arching categories of offence for which people are imprisoned in Scotland. These are:

- non-sexual crimes of violence
- sexual offences
- crimes of dishonesty

- damage and reckless behaviour
- crimes against society
- antisocial offences
- miscellaneous offences
- road traffic offences.

39. Prisoners with a history of sexual offending, and those with links to serious and organised crime, present additional challenges in how they are segregated within the prison system.

The prison population is forecast to increase over the next six months to March 2024

40. Between 2013/14 and 2022/23, the average population in Scotland's prisons was 7,653. The highest population during this period occurred in 2019/20 with an average population of 8,198 and a maximum of 8,336 being accommodated within the Scottish prison system. During the Covid-19 pandemic, the population declined, largely due to lower case numbers being processed by the courts. In 2022/23, the average population was 7,426 with a maximum at any one point during this period of 7,583.

41. As at 13 November 2023, the Scottish prison population was 7,948. SPS forecasts show that the population is predicted to increase further to 8,166 by the end of March 2024 ([Exhibit 4, page 15](#)).

42. SPS has advised that as at November 2023 the extended operating capacity that the prison estate can accommodate is 8,475. This is the level at which prisons go above their target operating capacity but can still provide a '[restricted regime](#)'. The target operating capacity, currently 8,007, is agreed between SPS and each establishment. As at 2 November 2023, five prisons were operating above their target operating capacity. As part of its Population Strategy, SPS is currently conducting a review to establish the total number of spaces that could be available for use.

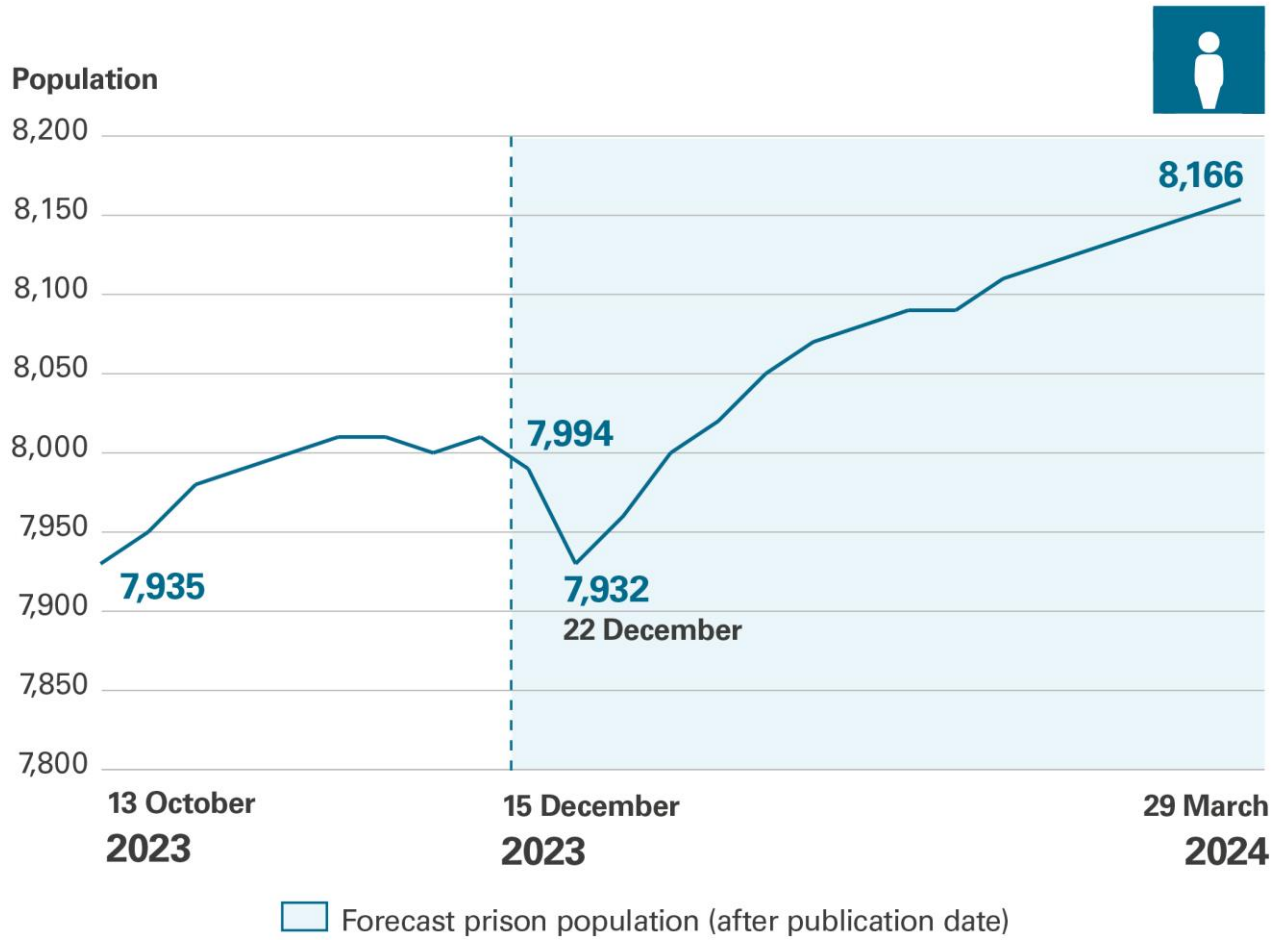
43. Of the total prison population, 73.4 per cent have been sentenced, with 23.4 per cent untried and 3.2 per cent convicted awaiting sentence. There are 165 individuals (2.1 per cent) aged 20 or under, and sentenced males (including male young offenders) account for 70.7 per cent of the population ([Exhibit 5, page 16](#)).

44. SPS has also identified that 45.1 per cent of its population comes from the most deprived areas in Scotland (top 20 per cent). If this is extended, 68.2 per cent of prisoners come from the top 40 per cent of deprived areas in Scotland. Only 3.2 per cent of the prison population is from the least deprived areas (bottom 20 per cent).

Restricted regime

This is when a basic regime is implemented that meets legal requirements (for example time in the open air and access to visits) but may not include all additional activities, such as recreation or work, that are provided under normal circumstances.

Exhibit 4
Forecast prison population to March 2024



Source: Scottish Prison Service data on projected prisoner numbers

Exhibit 5
Analysis of prison population



Population in custody: 7,948



| Untried | Convicted | Sentenced |
|--|-------------------|---|
| Including persons awaiting deportation | Awaiting sentence | Including recalled lifers and civil prisoners |
| 1,862 | 255 | 5,831 |

Women: 309

| Untried | Convicted | Sentenced |
|--|-------------------|---|
| Including persons awaiting deportation | Awaiting sentence | Including recalled lifers and civil prisoners |
| 82 | 18 | 209 |

Men: 7,639

| Untried | Convicted | Sentenced |
|--|-------------------|---|
| Including persons awaiting deportation | Awaiting sentence | Including recalled lifers and civil prisoners |
| 1,780 | 237 | 5,622 |

(Under 16: 0) **Ages 16-17: 4**

| Untried | Convicted | Sentenced |
|--|-------------------|---|
| Including persons awaiting deportation | Awaiting sentence | Including recalled lifers and civil prisoners |
| 2 | 0 | 2 |

Ages 18-20: 161

| Untried | Convicted | Sentenced |
|--|-------------------|---|
| Including persons awaiting deportation | Awaiting sentence | Including recalled lifers and civil prisoners |
| 51 | 21 | 89 |

Ages 21 and over: 7,783

| Untried | Convicted | Sentenced |
|--|-------------------|---|
| Including persons awaiting deportation | Awaiting sentence | Including recalled lifers and civil prisoners |
| 1,809 | 234 | 5,740 |

Population on home detention curfew: 60

| Women | | Men |
|----------|--|-----------|
| 6 | | 54 |

Source: Scottish Prison Service data on prison population numbers

The forecast increase in population will put stress on an ageing prison estate

45. Significant investment is required to create a fit-for-purpose prison estate. Since a major review of its estate in 2002, SPS has carried out extensive redevelopment work to parts of its estate to improve living conditions. Four new prisons were constructed during this time at HMP Addiewell, HMP Low Moss, HMP Grampian and most recently, HMP Stirling, in June 2023. Two new community custody facilities were also opened during 2023 to support female prisoners prior to release, and work has commenced on a replacement for HMP Inverness. Despite this investment, the forecast increases in the prison population will put additional, extensive pressure on the existing estate.

46. His Majesty's Inspectorate of Prisons in Scotland (HMIPS) highlighted in her 2022/23 annual report that 'the ageing infrastructure and general condition of some of Scotland's prison buildings are ill-suited to a modern prison system'. This includes HMP Barlinnie, HMP Castle Huntly, HMP Dumfries, HMP Greenock, HMP Inverness and HMP Perth. Combined these prisons provide accommodation for approximately 35 per cent of Scotland's current prison population.

47. HMIPS also reported that there are still some 'antiquated Victorian prison establishments that breach human rights guidelines on cell size, are expensive to maintain, and do not provide for the changing demographics'. This is evidenced at HMP Greenock where the report highlights 'the number of cells out of commission and failing roof structures...due to water ingress serve to highlight the challenges in maintaining Victorian infrastructures'.

48. In March 2023, an average of 2,368 prisoners (31.5 per cent) occupied double cells across the prison estate in Scotland. Double cells are used across establishments, including at HMP Perth where HMIPS reported in their May 2023 full inspection report that some shared cells were 'well below the minimum standard of space' as prescribed by the Council of Europe Committee for the Prevention of Torture (CPT).

49. Similar criticisms have been raised by HMIPS in relation to shared cells at HMP Barlinnie which also fail to meet the minimum size prescribed by the CPT. These issues were raised in the August 2019 full inspection report by HMIPS, and again in HMIPS' 2022/23 Annual Report on HMP Barlinnie.

50. As Scotland's largest prison, HMP Barlinnie is relied on for 'surge capacity' when prisoner numbers are high across the estate. The ongoing reliance on prisons that are considered no longer fit for purpose, in particular HMP Barlinnie, presents a significant risk to SPS.

The need to replace HMP Barlinnie has been accepted by the Scottish Government

51. HMP Barlinnie has the largest occupancy of any prison operated by SPS. It has a design capacity of 987, but routinely holds over this amount. During 2022/23 the average population was 1,235, and as at 13 November 2023 the population was 1,406.

52. In its 2019 inspection report, HMIPS considered HMP Barlinnie to be 'physically no longer fit-for-purpose to manage the size and complexity of the population it routinely holds'. The cell sizes at HMP Barlinnie do not meet expected standards, and due to overcrowding there is a lack of regime availability and work opportunities within the prison. This means that those in custody are within residential areas without constructive or purposeful activity for much longer than would be desired.

53. There are ongoing maintenance issues at HMP Barlinnie. Power outages have resulted in the loss of kitchen and laundry facilities, while the loss of water resulted in one hall not having functioning toilets. These issues impact on the care that is provided and have the potential to disrupt operations.

54. SPS recognises that these factors will impact on the mental and physical health of prisoners, making rehabilitation more challenging. It has also acknowledged that the condition of the prison increases the potential for a judicial review or litigation linked to human rights and equalities issues.

55. The need to replace HMP Barlinnie has been accepted within the Scottish Government's Investment Infrastructure Plan (IIP). It was originally included in the IIP in 2011, again in 2015, and continues to be part of the most recent plan published in 2021.

The cost of the new HMP Glasgow has not been confirmed, but is expected to be significantly higher than earlier forecasts

56. Plans for a replacement prison for HMP Barlinnie, HMP Glasgow, are being progressed. Approval has been gained for site acquisition and the Pre-Construction Services contract award, with the concept design completed by January 2023. A full business case has been developed and is expected to be considered by Scottish ministers before the end of 2023.

57. The estimated cost of HMP Glasgow increased from £100 million in 2014 to £387.6 million in October 2019. These initial estimates were based on other comparable projects and requirements at the time. The forecast costs are expected to be significantly higher once the design phase is complete and a contract is awarded in Autumn 2024. This is attributed to inflationary pressures, an updated design to reflect 'Net-Zero' commitments and changing requirements post-Covid to safely manage the prison population.

58. Discussions remain ongoing with the Scottish Government regarding the capital funding allocation for the HMP Glasgow project. Timescales for the project remain unclear.


Conclusion

59. The issues raised in my report are of significant concern, not only to SPS but to the wider justice sector. It will be important for SPS and their partners, SCTS, COPFS and Police Scotland to work together with support from the Scottish Government, to consider all options available to ensure the safe and effective delivery of prisoner escorting services both now and in the future.

60. The number of risks and challenges facing the prisons system is considerable and will be exacerbated further with increasing prisoner numbers in an ageing prison estate. These are not issues that can be resolved by SPS alone. Close collaboration between SPS, the Scottish Government and justice partners, in conjunction with improvements to the prison estate, are essential to ensuring that prison services can be maintained in a safe and secure environment.

61. I will continue to monitor the progress made by SPS and its partners in these areas, with a view to further public reporting in the future.

Appendix 1

|  | Design Capacity | Extended Operating Capacity | Target Operating Capacity | Population | | | | |
|---|-----------------|-----------------------------|---------------------------|------------|-------|---------|-------|--------------|
| | | | | 2018/19 | | 2022/23 | | 13/11/2023 |
| | | | | Av. | Max. | Av. | Max. | - |
| Addiewell | 702 | 725 | 725 | 700 | 705 | 720 | 726 | 722 |
| Barlinnie | 987 | 1500 | 1300 | 1,322 | 1,460 | 1,235 | 1,301 | 1,406 |
| Bella Centre* | 16 | 16 | 16 | - | - | 7 | 9 | 12 |
| Castle Huntly (open estate) | 284 | 190 | 184 | 178 | 200 | 120 | 147 | 161 |
| Cornton Vale*** | - | - | - | 88 | 115 | 47 | 66 | - |
| Dumfries | 176 | 195 | 185 | 177 | 195 | 189 | 196 | 189 |
| Edinburgh | 867 | 929 | 900 | 889 | 938 | 862 | 900 | 930 |
| Glenochil | 668 | 750 | 750 | 681 | 743 | 726 | 746 | 736 |
| Grampian | 552 | 474 | 474 | 460 | 450 | 430 | 450 | 443 |
| Greenock | 224 | 252 | 257 | 229 | 240 | 192 | 217 | 227 |
| Inverness | 93 | 120 | 110 | 117 | 139 | 109 | 125 | 114 |
| Kilmarnock | 501 | 596 | 596 | 504 | 580 | 541 | 551 | 580 |
| Lilias Centre* | 24 | 24 | 24 | - | - | 8 | 14 | 14 |
| Low Moss | 784 | 884 | 784 | 773 | 789 | 787 | 849 | 809 |
| Perth | 631 | 700 | 660 | 676 | 724 | 634 | 658 | 651 |
| Polmont | 758 | 482 | 404 | 463 | 522 | 289 | 361 | 326 |
| Shotts | 538 | 538 | 538 | 534 | 545 | 541 | 548 | 538 |
| Stirling** | 100 | 100 | 100 | - | - | - | - | 90 |
| Totals | 7,905 | 8,475 | 8,007 | | | | | 7,948 |

Note. *Opened 2022/23 **Opened 2023/24 ***Closed 2023/24

Source: Scottish Prison Service data

The 2022/23 audit of the Scottish Prison Service



Audit Scotland, 4th Floor, 102 West Port, Edinburgh EH3 9DN
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www.audit-scotland.gov.uk

Annexe B: Written submissions



General Secretary: **Roy Rickhuss CBE**

Date 24th April 2024

Public Audit Committee

Room T3.60

The Scottish Parliament EDINBURGH

EH99 1SP

By Email Only

On Behalf of Community Union.

I write the following statement for the attention of the Public Audit Committee in response to letter sent 3rd April 2024.

Firstly, the difficulties being presented by GEO-Amey, Community (and formerly PSU) have been presenting for the previous 25 years in relation to the Private Estate in Scotland. Refraining from the 'overused' Political arguments that are consistently wheeled out in these matters, quite frankly the Scottish Escort Contract is a commercial contract that if all parties involved apply honesty and integrity, then it is a contract that was designed to fail and apply financial penalties at ease.


Community has always maintained that no matter the Employer, Private and/or Public, the risk to the Operational Solution should never be appeased to that of an ulterior Political and/or Financial agenda, and regrettably this is the case.

For example in Section 22 GEO-Amey without doubt are culpable of contributing to the attrition problem within its organisation, and this was due to a number of internal factors, namely, competitive rates of pay, lack of real experience in local management positions and the 'domino

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effect' of never having the appropriate staffing profile, that ultimately led to other staff leaving the organisation however,

I would pose the reasonable question within this period how many of ex GEO-Amey staff were recruited by the Scottish Prison Service, so the very organisation that is responsible for monopolising the monitoring of the private estate in Scotland (SPS), and duly applying financial penalties across varying Service failures as per the Commercial Contractual Agreement, to which one of these is inclusive of applying a financial penalty to GEO-Amey for not reaching its agreed headcount, then surely this fact is perverse.

How can it be fair and just that one Employer within the Justice Sector in Scotland applies financial detriments to a fellow Employer for not having the requisite staff in the operation, yet that Employer has knowingly recruited ex GEO-Amey employees into its organisation?

It has always remained Community's view that there should be a complete review of the entire Private Justice Sector contracts in Scotland in order to ensure that they move with the ever changing world of the Prisoner fraternity, and further there should be a consideration given to appoint an entirely independent monitor of these commercial contracts whereupon there is no vested or biased interest to applying the financial constraints and restrictions on the Employer.

We absolutely accept that any Private Contractor must align to the restraints of the financial model agreed however, at present, and since the introduction of the Private Estate to Justice Sector in Scotland, this has never been the case, there continues to be ulterior motives by the current monitor of these contracts to apply pressure (just because they can and are not accountable) which is a fundamentally flawed provision.

Finally, while all of the above has been ongoing there is a dedicated staff group, some of whom possess 20 years' service (amongst the longest serving in our country) who are continually

working to a very high standard however, this fact is being lost against the political/commercial agreements that are not fit for purpose.

Ends

Steve Farrell

Regional Secretary

Scotland & Northern Ireland

Community



General Secretary: **Roy Rickhuss CBE**

Annexe B



POA SCOTLAND
The Professional Trades Union for Prison,
Correctional & Secure Psychiatric Workers
BOWDEN HOUSE, COOPERAGE WAY, ALLOA,
CLACKMANNANSHIRE. FK10 3LP



REF:GEN/03/24

18 April 2024

Public Audit Committee
Room T3 60
The Scottish Parliament
EDINBURGH
EH99 1SP

Dear Sirs

RE 2022/23 AUDIT OF THE SCOTTISH PRISON SERVICE

Please find below the written evidence from the Prison Officers' Association Scotland in response to the issues raised in the section 22 report.

Should you require any further information please do not hesitate to contact us.

Yours faithfully
On Behalf of POA Scotland

JOHN CAIRNEY
Chair

2022/23 AUDIT OF THE SCOTTISH PRISON SERVICE
POA Scotland written evidence

The current position needs to be addressed; we are still seeing examples of GEOAmey being unable to fulfil aspects of their contract which is having a direct impact on SPS staff. SPS staff are required to carry out escorts for which there is no compliment to do so and the knock-on impact on this is being felt on the ground. As the recognised trade union for prison officers within the SPS we have continually raised the issues that by staff carrying out these escorts are unable to properly engage with prisoners which has a real time impact as it limits the case work our members should be doing with prisoners which has a knock on impact for prisoners trying to address their offending behaviours and progress through their sentences and prepare for release. This impact should not only be an issue for the POA this should be an issue for everyone who has a vested interest in a safer Scotland going forward. GEOAmey must continue to recruit staff and find the way to retain them. Between HMP Barlinnie and HMP Perth this year there have been over 130 escorts SPS have had to carry out that falls into the GEOAmey contract, this shows the need for them to improve the service provided which will allow for our members to fully carry out their role in working with prisoners.

Whilst statically the issue is improving, the service being provided still falls short of the current contract. As a union, the POAS are vocal that the impact of having to pick up GEOAmey escorts is leaving establishments understaffed and we advise our members to restrict their regimes accordingly in order to improve the H&S of our members, however, and as mentioned above this impacts the way staff should be engaging with prisoners and helping them address their offending behaviours and their out of cell activity time. Officers are not being able to fully engage with prisoners due to the need of picking up GEOAmey escorts.

Going forward the situation needs to improve the SPS, and their partners need to work jointly, see how this issue effects all the agencies, including ending the needless court attendance, and work together to find a solution, this may need to include changes in law however the situation is such, and looking at trends will get progressively worse, that nothing should be taken off the table. There needs to be a smarter way of delivering the escort service, including the use of technology to cut down on the impact felt when a prisoner leaves custody to attend a court case. GEOAmey must deliver the service they are contracted to do and the POAS will continue to challenge contract failings as the impact is always felt by our members.

JOHN CAIRNEY
POA Scotland

18 April 2024

Annexe C: Follow up written information



Redwing Centre
Mosley Road
Trafford Park
M17 1RJ

10th April 2024

Mr R Leonard MSP
Convenor
Public Audit Committee

By email: publicaudit.committee@parliament.scot

Dear Convenor,

Public Audit Committee - 2023/23 Audit of the Scottish Prison Service (SPS)

Thank you for the opportunity for my colleagues and I to attend and provide evidence to the Public Audit Committee on 28th March. I am writing to provide additional information and context to supplement a number of the points addressed during the GEOAmeY evidence session and to confirm the precise details of figures we referred to, in the hope of providing additional clarity.

Pay Rate - Comparator to the Scottish Prison Service

In our written evidence, we stated that “despite the material increase in officer pay across the last 12 months, the pay gap between PCO salaries and that of an SPS officer as at April 2024 is expected to be in excess of 40%”.

We explained in our oral evidence the methodology applied to determine that pay gap. To confirm, we believe that the role of our PCOs is comparable to a blend of the responsibilities of an SPS Band C and SPS Band D officer, a position which was discussed in detail with SPS representatives, but was never formally agreed and they may well have a different view. However, based on our view, we have calculated that the rate for a blended Band C and D SPS officer with 3 years’ service is 43.2% above our PCO salary.

Below is a table which summarises the different salary levels (based on 37-hour contracts) with the percentage gap to our pay also detailed. All salaries/pay rates are based on April/May 2024 levels (with GEOAmeY pay subject to successful ballot):

| Employer/Comparator | Starting Salary | After 3 years |
|---------------------------|------------------|------------------|
| GEOAmeY | £25,493 | - |
| National Living Wage | £22,011 (15.8%) | - |
| Scottish Real Living Wage | £23,088 (10.4%) | - |
| SPS Band C | £28,425 (-11.5%) | £32,200 (-26.3%) |
| SPS Band D | £34,789 (-36.5%) | £40,850 (-60.2%) |
| SPS Blended Band C & D | £31,607 (-24.0%) | £36,510 (-43.2%) |

Pay Rates - SCCPES Contract vs PECS Contract (England & Wales)

We undertook, in our oral evidence, to furnish the committee with more detail on the relative pay rates of our PCOs as between Scotland and England/Wales. We indicated that there was now broadly, pay parity, subject to successful ballots and with the caveat that there are different pay structures under each contract.

For completeness, a comparison of the pay rates for both major GEOAmeY contracts, subject to successful ballots, are as follows:

| | Scotland | England and Wales |
|--|--------------------------|--------------------------------|
| Effective Date of Pay Review | 1 st May 2024 | 1 st September 2024 |
| PCO Starter Rate (Up to 18 months Service) | n/a | £12.50 |
| PCO Rate | £13.25 | £13.50 |

Operational Communication

During our evidence to the committee, Mr Redmond discussed the levels of communication at a local operational level. GEOAmeY would like to reiterate our commitment to addressing this within our teams and taking the required steps to ensure communications are improved across all Scottish sites.

Points of Clarification

1. In answering questions from Mr Simpson (10:55), Mr Huntley advised that on another contract, we have experienced challenges on headcount numbers (albeit not to the extent on SCCPES) and that, notwithstanding, we have continued to deliver a high level of service despite higher level of volumes. Mr Huntley referred to an increase of 120% in volume. A more precise description would have been “120% of pre-Covid volumes” or “20% above pre-Covid volumes”.
2. We referred, in our evidence, to the challenges of the “120-minute operating window” for court arrivals. The exact impact of the operating window on any day may vary due to the mix of which prisons (with different operating times) are moving custodies to which courts (with different contractual arrival times e.g. most Sheriff Courts 09:30, High Courts 09:15, Dundee Sheriff Court 09:00). The committee should also be aware that the operating window has reduced by c. 30 minutes since the start of the contract, due to a change in prison operating times triggered by post-COVID19 activities. This reduction in operating window has impacted our service to courts and is an example of a change in the operating environment experienced by GEOAmeY.

We appreciate your consideration of our written evidence, oral evidence and the supplementary information contained within this correspondence, as part of your analysis of the Auditor General’s report. Finally, we wish to restate our commitment to playing our role in the multi-agency solution required to deliver these services effectively, to all partners and users of the Scottish Judicial system.

Yours sincerely,

David Jones
Managing Director



Wendy Sinclair-Gieben
HM Chief Inspector of Prisons for Scotland

Saughton House
Broomhouse Drive
Edinburgh
EH11 3XD

Via Email

Teresa Medhurst
Chief Executive
Scottish Prison Service

6 February 2024

Dear Teresa,

Prisoner Transport – Ongoing Concerns

HMIPS is a member of the Scottish Health in Custody (SHiC) Oversight Board (OB) where the attached paper was discussed at the meeting of 18 December 2023.

The paper details the rate at which planned healthcare appointments, external to the prison, are being missed as a consequence of failure to provide transport. The volume, recent increase, and differences in performance between establishments were all matters giving rise to concern as was the statement that the data may not reflect the full extent of the problem.

The right to health and other health-related human rights are legally binding commitments enshrined in international and UK human rights instruments. Every human being has the right to the highest attainable standard of physical and mental health.

In Scotland, the principle of equivalence is also applied to prison healthcare to reflect the equivalence to healthcare in the community. Providing for the health needs of people in custody is core to a human rights approach to custody.

The recent Audit Scotland report [The 2022/23 audit of the Scottish Prison Service \(audit-scotland.gov.uk\)](https://www.audit-scotland.gov.uk) stated that the delivery of the SCCPES contract is critical to the effective operation of the criminal justice system in Scotland. However, it is the impact on prisons that concerned the SHiC OB and HMIPS.



This is not the first time that HMIPS has raised serious concerns about the prisoner transport provision since its inception, but despite being repeatedly reassured that steps were being taken to address the issue; the statistics in the attached paper indicate that the situation is not improving and that 'access to health' standards are being routinely breached.

HMIPS is fully aware that significant efforts, by all agencies including the transport provider, to resolve the issue continue, and in particular that with the assistance of the Scottish Government SPS has provided GEOAmev with additional funding to boost the pay of front-line staff by 17.5% and hopefully thereby improve recruitment and retention rates. We recognise too that some of the statistics in the paper refer to a period before this additional funding had been made available and that it will take time for the impact of the pay uplift to work fully through the system. Nevertheless, the stark fact that missed appointments were such a significant proportion of all appointments, and for example, on one site more appointments were missed than fulfilled, is deeply troubling.

There is an urgent need to consider what further measures and alternative options can be taken to minimise the negative impact on the people who are affected by this failure.

In addition to the recommendations put forward in the paper I would therefore like to add the following:

- I now seek assurance that SPS, as the duty holder, has defined contingencies in place across each site and has ensured that failures in the transport arrangements do not impact on delivery of healthcare as a clear priority. Contingencies should be fully described, scoped, promulgated, and considered for all establishments to address the shortcomings of the transport provider – it is inequitable if there are solutions on some sites that are not made available across all prisons.
- The reasons for the differences between sites should be fully explored by SPS and the NHS to establish whether there are measures taken by the prison or the health provider to ameliorate negative outcomes that can assist other sites.
- The letter to Medical Directors seeking that those affected do not lose their place in waiting lists should be escalated and written assurance sought from the NHS providers to each establishment, given that missed appointments are not attributable to the patient.



Given the level of concern I would appreciate a written briefing, that I can share, on the steps being taken to improve the situation, both in the immediate term and in the longer term including information on when you expect to be able to assess the impact of the pay uplift for front-line GEOAmeY staff on recruitment and retention rates.

I will be copying this letter to GEOAmeY and to my IPM Advisory Group.

Yours sincerely,

Wendy Sinclair-Gieben,
HM Chief Inspector of Prisons for Scotland,
Chair, UK National Preventive Mechanism

Copy to Lisa Taylor, Scottish Prison Service
 Sharanne Findlay, Scottish Prison Service
 Cat Dalrymple, Director of Justice, Scottish Government
 Dr Craig Sayers, NPrCN
 Kathrine Mackie, Chair of the IPM Advisory Group

HEADQUARTERS
One Lochside
1 Lochside Avenue
Edinburgh





Teresa Medhurst
Chief Executive

Wendy Sinclair-Gieben
HM Chief Inspector of Prisons in Scotland
Saughton House
Broomhouse Drive
Edinburgh
EH11 3XD

07 March 24

Dear Ms Sinclair-Gieben,

PRISONER TRANSPORT – ONGOING CONCERNS

Thank you for your correspondence dated 6 February 2024 regarding the issues raised at the Scottish Health in Custody (SHiC) Oversight Board (OB) meeting on 18 December 2023.

It is clear from the information provided at that meeting that GEOAmeY, the contracted Service Provider (SP) were not complying with the terms of the Scottish Court Custody and Prisoner Escort Service (SCCPES) contract. It is also clear that many individuals within our care are not receiving the appropriate level of care in relation to attending Health Care appointments at Hospital.

The SPS has, for a significant period, tracked the performance of GEOAmeY in relation to this issue and has issued two separate contractual Improvement Notices (IN), to the Service Provider in the last 2 ½ years. The first IN was issued in December 2021, where it had an immediate effect of improving service delivery and performance to a level of service that was 98% compliant, therefore it was removed in April 2022. The table in the SHiC presentation, details the impact of the IN reducing the failed appointments over the period in question.

To note, that period in question (Nov 21 to April 22) was also during the COVID19 outbreak, where high levels of absence were highlighted, with upto 12% of their available deployable staff group (up to 70 Prison Custody Officer's (PCO)) absent through self-isolation or illness. Performance in relation to hospital appointments improved significantly over this period, due to increasing recruitment levels offsetting absence.

Subsequently, during a period of national employee shortages and with many retail and service companies providing above inflation wage rises for hourly paid staff, GEOAmeY lost a number of staff to other service groups as well other Justice partners. They were unable to recruit enough staff to offset their reducing staffing levels, as such staffing levels continued to fall throughout the rest of 2022.

In December 2022, the SPS issued GEOAmeY with another IN as hospital appointment performance had again fallen to such a suboptimal level that action had to be taken. The same table in the SHiC

presentation demonstrates that the contractual IN applied had an initial impact on GEOAmeY performance improvement. In addition, SPS agreed to suspend the use of virtual custodies from Police Custody Units (PCU) where GEOAmeY staff had been deployed in a non-contractual deployment to support the reduction in spread of COVID19 in a court setting. The GeoAmeY staff were immediately deployed into two areas, hospital appointments and supporting court delivery, which had started to show signs of staffing shortages.

However, staffing levels by March 2023 had reduced to such a level, circa 100 PCO Full time Employment (FTE) under Targeted Operating Model (TOM), that service failure was widespread across the country and across multiple areas of the contract, again referred to in the SHiC report.

During this extended period, SPS, on behalf of the Scottish Minister and Justice partners were in negotiations with GEOAmeY to recalibrate the contract to provide them with options to improve service across all elements of the contract.

The failure of Court Services and the accused attendance at court had taken priority due to the significant risk to Justice. This resulted in GEOAmeY staff being moved from other elements of the contract to maintain a functioning court service. Especially in key areas such as Edinburgh and Glasgow.

As you can see from the staffing graph below, staffing levels reached a position of circa 515 staff during September 2023. Approximately 150 under their TOM, and a vacancy rate of 25%. This position was unsustainable and was putting the SCCPES contract at severe risk of failure. Contingency planning had taken place throughout 2023 with all Justice partners; Police Scotland, COPFS and SCTS in the event of partial or full contract failure, beyond the ongoing support provided by SPS and Police Scotland.

Due to the increased levels of failures, SPS asked for and reached agreement with GEOAmeY to provide a daily list of unfulfilled appointments up to 24 hours in advance to allow establishments and Justice partners to try to fulfil those bookings, that they are not able to carry out.

This includes: -

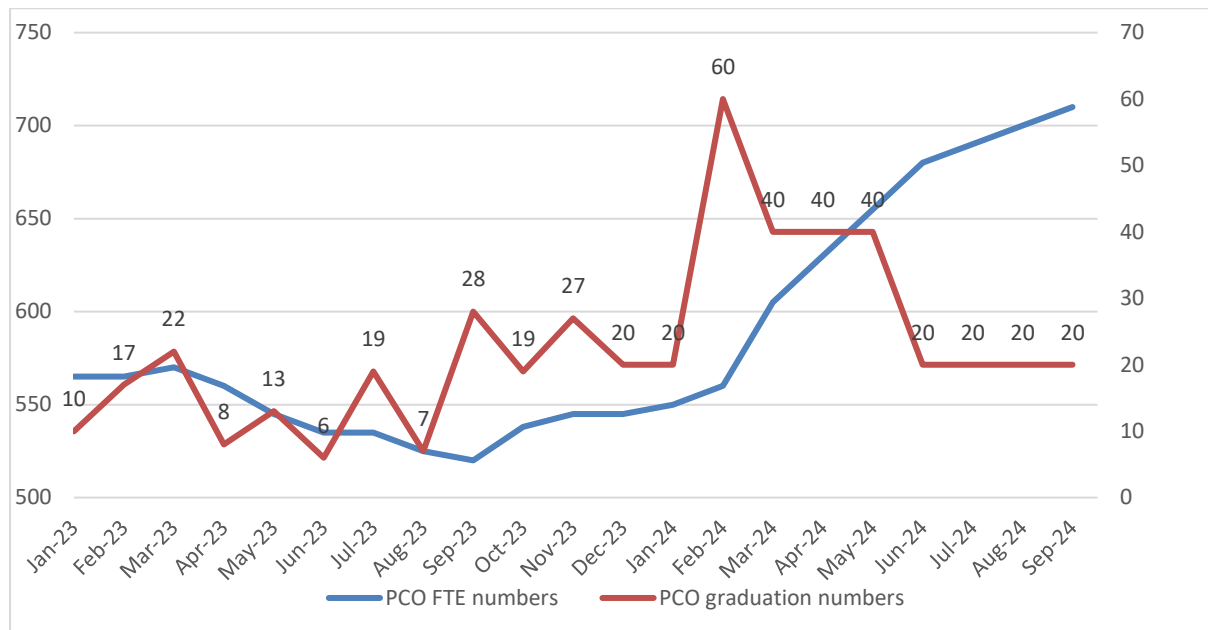
- SPS Staffing hospital detains (Bedwatches) for those held in custody (above the threshold agreed with GEOAmeY)
- SPS escorting of those in our care to critical hospital appointments that have been identified that are critical, where GEOAmeY are unable to fulfil, such as MRI's, cancer treatments etc. This also includes the hiring of private ambulances if nonstandard vehicles in required.
- Police Scotland escorting of custodies to ViPERS
- Escorting, by SPS staff, to other non-court appointments, such as funerals, Childrens Hearings etc.

In addition to this contractual planning and attempting to mitigate the risk of service failure, establishments have been given authority to use Ex-Gratia to facilitate additional staff above the normal staffing levels. This resource is be utilised to carry out prison escorts and complete appointments that are deemed crucial and critical to health, wellbeing and care for those individuals affected, or to support Progression matters for those in Top End accommodation.

As you stated in your letter, the data provided in the report is up to the period of end of September 23, when contractual performance was at its lowest, this is in line with the lowest PCO staffing

levels shown in the staffing graph provided.

Staffing Graph Jan 23 to Sept 24



Since this low point, the following changes have occurred: -

- Re-calibrated SCCPES contract agreed, signed and implemented from 1 October 23
- Increase in funding of SCCPES contract in excess of £2m per year until expiry in Jan 27,
- Implementation of 17% increase in hourly rate of PCO rate to £12.50 per hour.
- Contractual Improvement Plan agreed to evidence increase in staffing levels, linked to improved service and performance, which is contractual and subject to Financial Service Credits if targets not met,
- Temporary change in payment mechanism from volume-based payments to Passthrough costs to stabilise income and expenditure levels for SPS and GEOAmeY.
- Increase in recruitment and reduction in attrition, supporting increase in staffing levels to a level not reached in 12 months (circa 560 FTE in Feb 24) **(staffing graph above)**

Analysis of the table above, shows a positive recruitment trend, with expectation that staffing levels will reach the required TOM of 670 during the summer period of 2024. There are initial green shoots of improvement since December 2023, with improved service delivery across many of the contractual metrics, but significant progress is still required.

There are currently some 50 PCO's in ITC training. Following their graduation, they will be operationally deployed at the end of Feb 24/beginning of Mar 24. This will provide a welcome increase to the GeoAmeY staffing levels. We are hopeful that this will lead to significant improvements in service delivery and meet the increased demands from Justice Partners. This in turn will support SPS population priorities, as well as supporting those with health care needs within Scottish Prisons.

Following this package of support from the SPS, we would expect to see a sustained improvement in service and performance over the coming months. Once GeoAmeY have evidenced continual successful delivery in the key areas such as Escorting for Hospital Appointments, ViPERS and achieving contractual performance with Court Delivery, we will then carry out a review of

performance and agree any removal of Improvement Notices (IN's) in due course.

In relation to the further recommendations raised, I can confirm contingencies are in place for establishments to facilitate urgent and critical health appointments, in discussion with local NHS colleagues, once the information from GEOAmev is received the day prior to the appointment taking place (establishments have approval for authorising over-time, if required to support further escorts from SPS staff).

Due to health appointments failures significantly reducing since the start of February 24, with limited/no planned failures because of the increase in staffing from GEOAmev significantly improving the service across most contractual areas, SPS and NHS have not fully explored the reasoning at this stage, however, will continue to monitor the current position.

Director General for Health and Social Care has written to the NHS board of Directors in relation to measures to mitigate impacts of transport cancellations on healthcare appointments for individuals in custody. This includes a request that NHS Boards do not remove or reprioritise patients on waiting lists. SPS will continue to work in partnership with Scottish Health in Custody Oversight Board (SHIC) and NHS to ensure the changes implemented are monitored.

I can assure you that the SPS will robustly manage and review the performance of GEOAmev within the SCCPES contract in the coming months. We will be seeking a significant improvement across all areas of the Contract to support our Justice Partners and to reduce the impact for those in our care.

Yours sincerely

TERESA MEDHURST
Chief Executive