



Home Office

**The Home Office response to the
Independent Chief Inspector of Borders
and Immigration's report:**

An inspection of Contingency Asylum Accommodation:

**HMIP report on Penally Camp and Napier
Barracks**

(November 2020 – March 2021)

The Home Office thanks the Independent Chief Inspector of Borders and Immigration (ICIBI) and Her Majesty's Inspectorate of Prisons (HMIP) for this report.

The HMIP report on Napier and Penally was commissioned by the ICIBI and was intended for publication as an annex to the overall inspection report on Contingency Asylum Accommodation, which was formally announced in January 2021. The HMIP report was initially shared with the department for information in March 2021, before usual factual accuracy checks had been completed; then provided to the High Court in relation to ongoing litigation. In usual circumstances factual accuracy checks would take place before a report was sent to the Home Secretary so this was completed out of sequence. It is important to note Home Office staff were not invited to contribute to the inspection process in the usual way to offer context and the department's position, as the report was developed. The ICIBI's decision to conclude this part of the inspection separately to the wider inspection allows the Department to lay before Parliament the updated HMIP report, and to make a statement on improvements made.

Whilst there are no specific recommendations in the report, the Department considers it appropriate to make a statement in response to the ICIBI and HMIP's findings.

The Home Office ceased use of Penally Training Camp on 21 March 2021. Napier Barracks continues to be used to accommodate asylum seekers and there has been a significant amount of work at Napier to make improvements to the site, including addressing the issues that were raised in the report.

1. Leadership and Management – The report found that there were shortfalls in the management of both sites on the part of both Clearsprings and the Home Office. It also concluded that the Home Office gave Clearsprings less than two weeks to make each site operational and did not adequately consult with local stakeholders. It stated that Public Health England (PHE) had advised the Home Office that opening multi-occupancy dormitory-style accommodation at Napier was not supported by current guidance. It said that concerns had been raised by Crown Premises Fire Safety Inspectorate's (CPFSI) about fire safety at Napier that had not been fully addressed.

1.1. We accept that the two sites were set up at pace. The sites were identified on 7 September 2020 and contact was made with the accommodation provider at that time, with notification on 9 September 2020 that we would like the sites operational within two to three weeks. There followed a sequence of daily calls between the Home Office and the accommodation provider to mobilise the site. It is important to set out the context in which the sites were set up. As a result of the global Covid pandemic the Home Office was unable to move people from asylum accommodation. This, together with sustained asylum intake including from small boats, resulted in a rapid increase in the use of contingency accommodation. In order to ensure there was sufficient accommodation capacity for the Home Office to fulfil its statutory obligations it was important that additional capacity was brought on swiftly.

1.2. While PHE advice is clear about the preference for single occupancy rooms with en-suite facilities, it also recognised this was not always possible. PHE set out considerations for when congregate residential settings were used, including on maintaining social distancing and on infection control measures. At all times during the pandemic, we believed we took reasonable steps to give effect to the advice from the health authorities. Significant improvements have been made to the site on Covid safety:

- On 23 June, all residents of Napier were offered vaccinations and 101 people took advantage of the free transport to the vaccination centre.

- Service users arrive at Napier individually and take a lateral flow test on arrival and thereafter currently two times a week, as do staff. In addition, visitors are requested to take the test.
- In March, following ministerial agreement, the maximum capacity was reduced to 337 service users on the basis that it allowed us to keep two blocks empty: one for users with COVID-19 symptoms and the other for users with positive test results. This is consistent with Public Health England (PHE) advice on cohorting, where single en-suite accommodation is unavailable. The maximum capacity for the site has now dropped to 308. This is part of our response to the recommendations in the CPFSI report to mitigate fire risks, but also helps mitigate Covid-19 risks and allows for storage of cleaning equipment and space for drink making facilities.
- Joint management tools developed in partnership with PHE, Clearsprings and the main subcontractor are in use, such as an outbreak management plan and risk assessment. There are also regular desktop exercises run to maintain operational readiness.
- There is extensive Covid-19 signage in 10 languages, staggered access by block, to some communal areas, and social distancing in others such as the prayer rooms. Test and Trace for Non-Governmental Organisations (NGO) activities has been developed.
- The windows in the communal buildings are kept open, and service users are encouraged to open windows in their dormitories, with signage in different languages encouraging the same.
- Service users are provided with personal cleaning kits and there is additional hand sanitiser around the site. This is in addition to the cleaning regime which includes touch point cleaning.
- Football, basketball and volleyball take place onsite, in the outside areas, which is permitted under current PHE guidance.

1.3. The department is supporting Clearsprings to ensure they prioritise work on fire risk management. Significant work has been undertaken and we are ensuring fire safety reviews are built into ongoing tasks. Clearsprings are rectifying any defects and have put on additional staff as a fire risk mitigation whilst the work is being completed.

1.4. Since the report was produced the Home Office has appointed a Senior Civil Servant to oversee the operation at Napier and drive forward improvements to the site; a Home Office team now work on Napier oversight full time. Clearsprings Ready Homes has appointed a director to oversee operations at Napier and a full-time site manager is also in place.

2. Safety – The report concluded that many of the residents felt depressed and hopeless at their circumstances. There were serious safeguarding concerns at Napier, with a third of residents citing mental health problems and another third stating they had felt suicidal. During the Covid outbreak residents were told they may be arrested if they left the camp. At times service users were threatened by protesters outside the camps. There was concern about an isolation block which they deemed unsuitable for habitation.

2.1. Our system of onsite monitoring has significantly improved with publication of the suitability criteria. Onsite staff have safeguarding training and ligature training and there are now Migrant Help advisers on site who are also trained in identifying safeguarding needs.

There are telephone mental health assessments, and NGOs (Non-Government Organisations) actively engage with service users to raise their knowledge of the suitability criteria. When a safeguarding issue emerges, there is evidence that both Clearsprings and the main subcontractor act swiftly. Where there is an immediate threat to life all staff onsite have been instructed to call the emergency services.

The suitability criteria identify those deemed unsuitable for dormitory style accommodation. This includes women, minors, victims of modern slavery or torture and those with physical or mental health issues. The full suitability criteria for former MoD sites are published on GOV.UK ([Allocation of accommodation policy \(publishing.service.gov.uk\)](https://www.gov.uk/government/policies/allocation-of-accommodation-policy))

2.2 The “isolation block” referred to in the HMIP report did not form part of the department’s accommodation provision and has been decommissioned.

2.3. In relation to the Covid-19 regulations, the same regulations apply to asylum seekers as the general population. The Home Office is clear that service users accommodated at Napier are not detained but are expected to comply with Covid regulations in place at the time. The Home Office worked closely with PHE officials to bring the outbreak that occurred in January 2021 under control and followed their advice on who needed to self-isolate, and for what period. Service users were regularly reminded of the Covid regulations, particularly those relating to people who are Covid positive or a close contact of someone who is Covid positive. The High Court has found that some of that communication should have included more information on the exemptions to self-isolation. We accept that finding and will ensure that all future communications include the full information.

2.4. The department is concerned about reports that asylum seekers had been intimidated. The wellbeing of asylum seekers is taken extremely seriously, and all necessary and legal steps are taken to protect people in our care. It is unacceptable for asylum seekers to be intimidated. The police will rightly deal with criminal and extremist activity, whether online or in person. This is closely monitored to enable the appropriate action to be taken. The Home Office works closely with Kent Police (and, previously, Dyfed Powys Police), and our provider has reported any incidents they are aware of. Since inspectors visited, additional security has been deployed for the safety of the residents. Police forces have dynamic plans prepared to reflect the changing intelligence picture, with resources in place to manage any further protest. We are working closely with the provider to ensure that the accommodation and services available at Napier remain adequate and enable us to meet the statutory obligations to house those asylum seekers who would otherwise be destitute.

3. Respect – The report found that residents were treated with respect by staff onsite. It concluded that the accommodation was unsuitable for long term use and that the numbers living at the camp when it was full made social distancing impossible. Uncertainty about length of stay and the progress of residents’ asylum claims was a source of distress. There was Wi-Fi and access to phones for those without them. The voluntary sector provided clothing and some activities.

3.1. Clearsprings Ready Homes is contractually obliged to maintain the standards set out in the Asylum Accommodation Support Contracts (AASC). We are aware of instances when the sites fell short of the required standards and we made the provider aware of this and action has been, or is being, taken to address that.

3.2. During the pandemic different forms of accommodation in various housing sectors have been occupied for longer than would normally be the case. We are considering how we can improve the site in a way which will support the wellbeing of those living there and have

limited the maximum duration of stay to 60 - 90 days and introduced effective processes to move residents to dispersal accommodation.

3.3. Service users with admissible claims now have their asylum interview conducted by video conference whilst at Napier. To date there have been 91 interviews. Decisions are made once a move to dispersal accommodation has taken place. Again, this is to help reduce uncertainty on the progress of services users' asylum claims. This has had a positive effect on morale at Napier.

3.4 The Department is reassured to know that most residents reported that they were treated with respect by security and service staff.

4. Preparation for leaving the accommodation – The report found that residents received little notice of accommodation moves to or from the barracks. There was little focus on helping residents to prepare for the next steps, but the visiting agencies and charities provided useful practical support for those who were moving on.

4.1. Moves from both sites have generally happened at fairly short notice in response to customer need and/or accommodation becoming available, and it has been most practicable to provide briefing prior to moving followed by full induction on arrival at the alternative accommodation.

4.2 As stated above, the Department has restricted the length of stay for those in Napier to between 60 and 90 days. If a stay is longer than 60 days, users will be moved to dispersal accommodation. If any service user is found not to fit the suitability criteria, they are moved offsite at the earliest opportunity to alternative accommodation. The aim is to better manage the expectations of service users and provide a sense of certainty. Service users are made aware that they will be at Napier no longer than 90 days. The process to relocate begins on day 65 to ensure this is achieved. Now that this process is in place, we aim to give residents more notice of any planned moves.

Other improvements include:

- Re-introduction of sports and recreational activities, for example yoga and therapeutic art
- Introduction of outdoor seating and tables
- Weekly meetings between Home Office officials, Clearsprings, the main subcontractor and residents to identify and act on concerns
- Provision of visiting dentistry on site and continued free travel to medical appointments
- Re-introduction of NGOs on site to provide activities, advice and support. We have also amended our policy "Contingency Asylum Accommodation Napier: NGO Guidance" to incorporate periodic review. NGOs have been sent the revised guidance.
- "Screen from view" perimeter wrap has been installed and barbed wire removed across the site
- Additional furniture, table tennis and pool tables and televisions have been installed in the recreational building, in addition to a library.
- Night-time courtesy patrols, to assist with reducing noise in the accommodation blocks have started.
- Electrical sockets for each sleeping area are in place.
- Individual lights have been provided to enable individuals to control the light around them at night.
- A joint general risk register and issues log along with a business continuity plan and evacuation plan have been developed, which has improved the operation of the site and confidence of the onsite teams.

- Installation of CCTV on the site to enhance security.

Chronology

David Bolt, (now former) Independent Chief Inspector of Borders and Immigration:

- On 25 January 2021 announced an inspection on Gov.Uk and made a public call for evidence regarding Contingency Asylum Accommodation. A formal notification letter was sent to the Department.
- On 8 March 2021 published interim findings on Gov.UK in respect of onsite visits to Napier and Penally)
- On 21 March 2021 wrote to Emma Haddad (Director General for Asylum and Protection) sharing a report produced by HMIP for the ICIBI, in respect of the onsite visits to Napier and Penally

David Neal took up the post of Independent Chief Inspector of Borders and Immigration on 22 March 2021. Since then:

- on 13 April 2021, the Department disclosed the HMIP report to the High Court in relation to ongoing litigation.
- on 28 April 2021, the Home Office submitted a list of factual inaccuracies found within the report to the ICIBI.
- on 26 May 2021, the ICIBI responded to the factual accuracy submission and sent the report to the Home Secretary.
- on 07 June 2021, the ICIBI issued a final version of the HMIP report to the Home Secretary to lay before Parliament and publish.
- the ICIBI continues his inspection of Contingency Asylum Accommodation as indicated on his website.