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| HMPPS Prison Regime Recovery Planning –  Exceptional Delivery Model (EDM) 6  ROTL for external work placements  Agreed Published Version 1.0 |
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| **3 July 2020** |

**ROTL for external work placements**

**Introduction**

**Exceptional Delivery Models (EDMs)**

A suite of EDMs are being published as part of the guidance for prisons to guide them through construction of local RRMPs. This EDM is a brief guide on the high-level principles that must be incorporated into a local plan for each element of regime delivery. It is essential that the plan for reinstating an element of the regime does more than simply reintroduce the local procedures that pre-dated COVID measures. Each local plan must incorporate social distancing and cohorting measures, medical considerations, PPE and hygiene requirements (including regular hand-washing), as well as security and safety considerations. Each EDM will also guide establishments on the most procedurally just way to stand up each regime element under continuing COVID restrictions.

Each establishment must create a plan for every element of regime that is relevant to their category and function based on the guidance in its respective EDM. Mirroring the approach taken during the development of ERMPs, establishments have local autonomy to determine the formal and contents of each plan or procedure they produce from the EDMs but the RRP they complete summarising their local recovery proposal will be based on a template provided.

This EDM has been developed jointly by policy and operational colleagues in conjunction with specific stakeholders relevant to each area. Each EDM breaks each regime element into a series of processes or areas. Under each one there are a set of baseline requirements which must be met by each establishment. Every baseline requirement has an importance weighting from one (lowest) to three (highest) attributed to it, to assist prisons in planning and sequencing activity required. Baselines are split into those that are mandatory and those that are desirable. Each baseline also has a “level of autonomy” attached. This describes the level of freedom an establishment has over the design of the product/output required to satisfy each baseline.

**Regime Recovery Management Plans- RRMP**

Prisons are required to develop local Regime Recovery Management Plans (RRMP) based on a suite of national guidance documents called Exceptional Delivery Models (EDM). Establishments are being provided with high level guidance outlining the parameters they must work within but have autonomy to build their own bespoke plans based on what works locally. Establishments will submit their RRMP together with a readiness assessment to their respective Prison Group Director (PGD). Further details are contained within the published National Framework on Regimes & Services.

**The EDM in relation to ROTL for external work placements is provided overleaf. This advice will be updated as Government guidance evolves and any changes to HMPPS regimes are made over-all.**

**Governors must follow guidance from COVID-Gold as it emerges, with regards to cohorting and activities.**

**Exceptional Delivery Regime model: ROTL for external work placements**

ROTL has largely been paused in prisons in line with previous Government advice stating that only ‘essential workers’ should attend workplaces. This was to reduce the likelihood of the introduction and spread of COVID-19 within prisons.

In response to the latest Government advice, many businesses are starting to reopen. Employers are likely to want staff who were working for them on ROTL to return. Where this can be facilitated in a safe manner, prisons should aim to reintroduce ROTL in a phased way. This guidance is to provide a framework in which to gradually reintroduce workplace ROTL and will be updated as required. The phased approach should be aligned with the stages outlined in the [National Framework for Prison Regimes and Services](https://www.gov.uk/government/publications/covid-19-national-framework-for-prison-regimes-and-services). When developing the recommended documentation and procedures outlined in this guidance, input from relevant stakeholders should be decided and coordinated at a local level. Staffing arrangements to support planning and delivery should also be coordinated locally. The additional sources of information listed and the annex to this document should be used to inform activities outlined in the actions grid.

Often individuals have worked extremely hard and gone through a range of assessments to take up a work placement. Therefore, it is important that the intention to adopt a phased approach is communicated before ROTL resumes, and prisoners understand they are unlikely to all return to work immediately.

Why ROTL is important

The regime of open prisons particularly is predicated on workplace ROTL. A phased return to operating workplace ROTL will contribute to the stability of an establishment, especially as prisoners become aware of the gradual easing of lockdown restrictions for businesses and the community.

Prisoners are likely to be interested in returning to work for reasons including where their income has contributed towards debt management (for example, housing arrears, mortgages, utility bills, store cards, credit cards, overdrafts, repayment plans for car purchases); court fines; legal fees; money is sent to family (including to children who are financial dependents); and to build up savings for broader resettlement purposes.

The ability to take up a ROTL placement whilst in prison enables individuals to receive training, have valuable work experience and build a relationship with an employer. Many employers are willing to use ROTL placements as an opportunity to see the work of individuals first-hand, with the potential of this leading to a job offer on release. International evidence supports this, showing employment based temporary release can effectively enhance employment prospects upon discharge. Gradually reintroducing workplace ROTL will be important in maintaining hard-earnt relationships between the prison, individuals and employers. Employers are more likely to continue to provide placements in the future if prisons show willingness to adapt to the circumstances, as far as possible.

The benefits of ROTL are such that in May 2019 the Government revised the rules on ROTL to allow more prisoners to become eligible for ROTL, earlier in their sentence. Workplace ROTL contributes to positive community resettlement and improving family ties. It is associated with a statistically significant reduction in rates of proven reoffending and frequency of reoffences.

Prison industries

Prison industries workshops within establishments in the open estate will be able to reopen once workplace ROTL begins. Refer to the separate Industries EDM for further guidance.

**Guide to weightings/prioritisation (mandatory tasks only)**

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| Value | Description |  |
| 3 | Highest– action required as a precursor to other tasks | |
| 2 | Medium – action required as part of wider work | |
| 1 | Lowest – action required once others have been completed | |

**Guide to autonomy levels (mandatory tasks only)**

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| --- | --- | --- |
| Value | Description |  |
| Total | Establishment has total autonomy to determine the design of the product that satisfies the baseline | |
| Partial | Establishment has partial autonomy – the ability to choose from pre-determined delivery options (which are specified) | |
| Limited | Establishment has limited autonomy and must deliver the product as stipulated | |

**Exceptional Delivery Regime model: ROTL for external work placements**

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| **Area/Process** | **Baseline** | **Weighting (1,2,3)** | **Autonomy Level**  **(total, partial, limited)** | **Comments/Sources of information** |
| **Mandatory actions** | | | | |
| **1 Preparation** | **1.1** Create a plan for reinstating outside work in a phased way (including where workplace ROTL is undertaken on prison premises) | **3** | **Total** | PSI governing ROTL policy  [National Framework for Prison Regimes and Services](https://www.gov.uk/government/publications/covid-19-national-framework-for-prison-regimes-and-services)  Annex A – Further guidance |
| **1.2** Develop a local communications strategy for briefing prisoners and staff throughout the process | **2** | **Total** | Annex A – Further guidance |
| **1.3** Design a local process for assessing the effectiveness of each placement’s social distancing and COVID-19 controls to determine suitability for reinstatement | **3** | **Total** | HMPPS Operational Guidance website contains information on social distancing  Welsh Government guidance on social distancing in Wales  Annex A – Further guidance |
| **1.4** Design a sign-off process for approving each placement enabling it to re-commence | **2** | **Total** | Annex A – Further guidance |
| **1.5** Contact employers to discuss reinstating placements | **3** | **Total** | Annex A – Further guidance |
| **1.6** Design a process for monitoring prisoner health during the placement. This should include informing prisoners about how to recognise COVID-19 symptoms and the frequency and depth of formal monitoring | **2** | **Partial** | [NHS COVID-19 symptom information](https://www.nhs.uk/conditions/coronavirus-covid-19/symptoms/)  HMPPS Temperature Checking guidance is a delivery option  Prisoners should be given contact details of who to inform at their workplace and at the prison if they become unwell  Prisoners should be made aware of the symptoms of COVID-19 if they are not already |
| **1.7** Agree monitoring arrangements with each employer to include conditions for suspending placement | **2** | **Total** | Annex A – Further guidance |
| **2 Discharge** | **2.1** Develop an interim model of discharge ensuring social distancing is maintained throughout | **3** | **Total** | PSI governing ROTL policy |
| **2.2** Develop a mechanism for briefing prisoners on COVID controls covering their entire ROTL placement; adapt the method and content of messaging to ensure individuals understand communications | **2** | **Total** | HMPPS Operational Guidance website contains information on SOPs, controls etc.  To include informing prisoners about HMG advice to the public and employers |
| **2.3** Develop local guidance/procedure for travel plan for every placement, taking account of social distancing and COVID restrictions on vehicles | **2** | **Partial** | HMPPS Operational Guidance website contains guidance on use of transport  HMG advice regarding the use of PPE and face coverings on public transport (check England and Wales guidance as they may differ) |
| **2.4** Advice at present is to prioritise existing placements that can be reached using personal transport (bicycle, car) or on foot. However, if prison vehicles and drivers are being used, develop local COVID-19 addendum to policy governing this use (including instructions on the use of PPE and face coverings) | **2** | **Total** | HMPPS Operational Guidance website contains guidance on use of transport |
| **2.5** Develop an approach to issuing prisoner money that takes account of restrictions on use of physical currency | **2** | **Total** | Consider access to contactless debit cards and pre-payment cards |
| **Area/Process** | **Baseline** | **Weighting (1,2,3)** | **Autonomy Level**  **(total, partial, limited)** | **Comments/Sources of information** |
| **3 Monitoring** | **3.1** Carry out monitoring arrangements agreed with employer | **1** | **Total** | X |
| **3.2** Any additional conditions on monitoring to be added to licence conditions | **2** | **Partial** | To be drafted in line with Government guidelines on social distancing |
| **4 Return** | **4.1** Develop a local procedure for return (reversing the discharge process) | **3** | **Total** | HMPPS Temperature Checking guidance is a delivery option. Prisoners should also have access to hand washing on their return.  Ensure access to handwashing and shower facilities are provided and that workwear can be washed |
| **5 Location** | **5.1** Develop a local cohorting strategy outlining how the outworker group will be separated/managed | **3** | **Partial** | HMPPS COVID-19 Cohorting Guidance and Cat D addendum should be consulted |

**Annex A – Further guidance**

The steps below outline best practice and should be tailored to meet local needs, with the input of other relevant stakeholders where necessary.

**1.1 Create a plan for reinstating outside work in a phased way**

* Collate a list of organisations formerly providing ROTL placements - this reduces the need for new assessments to be made of the employer and eligible staff. If you require support regarding employers, contact the [New Futures Network](https://intranet.noms.gsi.gov.uk/support/prison-education/new-futures-network) (NFN) Employment Broker in your region (information also available from PGD). This list should also take account of the businesses that can re-open according to Government guidance.
* From the list of organisations, categorise those that can be reached by personal transport such as bicycle or car; by foot; by shared transport; or by public transport. First contact employers that can be reached without the need for shared or public transport. Placements that can be reached by shared transport should then be prioritised over public transport. The use and provision of PPE and face coverings should be addressed during planning stages.
* Alongside the list of organisations, outline the number of individuals who had previously taken up placements. Consider prioritising contacting organisations offering placements to smaller numbers of individuals, to assist with managing social distancing measures regarding discharge, coordinating transportation and return to the prison.
* Phased reintroduction should be aligned with the stages outlined in the [National Framework for Prison Regimes and Services](https://www.gov.uk/government/publications/covid-19-national-framework-for-prison-regimes-and-services).

**1.2 Develop a local communications strategy for briefing prisoners and staff throughout the process**

Suggested messaging for first communication could include:

*The easing of nationwide lockdown is being undertaken in a phased way, to minimise the spread of COVID-19. This is the strategy the prison is adopting to return to the operation of ROTL work placements, amongst other elements of the regime.*

*The approach will take into consideration the appetite of employers who are able to increase staffing levels if they are beginning to operate again, and that of individuals to return to work in the community. This must be balanced alongside the staff levels within prisons that are needed to manage the process safely and effectively. [To include any relevant further explanation of any pressures faced by prison – eg. managing staff resources needed to oversee placements.]*

*[Prison to outline any criteria used to choose employers; including reference to Government guidelines on businesses that can reopen; consideration of social distancing and other health and safety measures related to COVID-19.]*

*Not every employer will be able to resume business as usual immediately. If for any reason an employer cannot take on all ROTL placements offered before COVID-19, it will be for the employer to put forward which staff they wish to take on and at which time. Final decisions will be made following discussion with the Reducing Reoffending and Offender Manager teams within the prison. As well as an assessment of health, individual conduct during the lockdown will determine access to workplace ROTL.*

**1.3 Design a local process for assessing the effectiveness of each placement’s social distancing and COVID-19 controls to determine suitability for reinstatement**

* The size of the organisation could be a factor in determining the safety of individuals - more staff at a site could increase exposure to COVID-19.
* Prisons should have assurance that social distancing and infection control procedures (including hand hygiene) are in place at each placement.
* Where relevant when speaking to employers, find out what PPE will be provided and what individuals should provide (assess if prisons are able to support this).
* Employers should have a plan to communicate social distancing and other safety/hygiene arrangements to prisoners returning to work.
* Ensure prisoners are aware of the expectations in the workplace and how to inform an employer and the prison if the individual is concerned about adherence to policies.

**1.4 Design a sign-off process for approving each placement enabling it to re-commence**

* This should include an assessment determining that individuals are willing and fit for work. Consideration should be given to an individual’s level of medical vulnerability, as assessed by health professionals. Whilst assessment templates can be based on existing Health and Safety and Risk Assessments, these should be tailored to address COVID-19 specific actions.
* It should include an assessment of points covered in 1.1 (distance of employment placement from prison; suitability of work; number of individuals required) and 1.3 (COVID-19 safety arrangements).
* If an employer has asked for more staff than are available, or if someone comes to the end of their custodial sentence and a placement becomes available, individuals who have already been assessed as suitable for ROTL and have not returned to work should be given the opportunity to take up a placement. This should happen following an assessment/interview carried out by the employer. Whilst limitations remain in place for visitors to prisons, a telephone interview with a candidate(s) should be facilitated where possible; or agreement could be reached with an employer to accept CVs instead.

**1.5 Contact employers to discuss reinstating placements**

* Review employer website/communications to check if an organisation is no longer in operation. If no information is available about an employer resuming work, exercise sensitivity in the following: contact employers to find out if they are looking to resume ROTL; how many people they would take on; if the roles to be undertaken differ from previous roles offered (and assess whether they are still suitable for prisoners); timings for return to work and working hours.
* Discuss sign-off measures at 1.4, including on suitability and availability to take up work and health and safety regarding COVID-19.
* There have been recent instances where prisoners have contacted employers directly to volunteer to return to work. Advise employers that prisoners are being discouraged to do this, and that to maintain the safety of the staff and residents in prisons, as well as the community, prisons are adopting a phased approach to ensure social distancing and other safety measures are followed effectively.

**1.7 Agree monitoring arrangements with each employer to include conditions for suspending placement**

* Prisons should ask employers to inform them if any of their staff have been confirmed with COVID-19 and are in self-isolation. Where the risk of contact between these staff members and with individuals taking up ROTL placements is determined as low by the employer and prison, ideally ROTL should continue if assessed as safe to do so.
* Similarly, where several individuals are placed within a business, if one individual contracts COVID-19 this should not automatically mean that all placements are suspended. Consideration should be given to the level of contact between individuals attending workplaces and health assessments.
* If it becomes necessary to suspend a placement, employers should be contacted and spoken to by telephone so that a personal explanation can be given. Suspending the placement may be necessary for the prison but will cause disruption for the employer and maintaining a positive relationship for the future should be considered a priority.
* Prisoners should be provided information about who to contact if they are concerned they or anyone else they work with display COVID-19 symptoms. This should include details at their place of work and within the prison.

Prison industries

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