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**HMPPS Prison Regime Recovery Planning**

**Progression of Regime Activity -Release on Temporary Licence (ROTL) for Open and Dual site Closed prisons, and Youth Custody Services.**

Encompassing; Exceptional Delivery Model [EDM] 6 & 27 and Government 3 Tier approach to Covid Restrictions in the community.

Must be read in conjunction with EDM 6 & 27, Cohorting guidance, Guidance on travel, ROTL Policy, Covid guidance in force relating to other countries within the UK and the Law. Those institutions holding children will need to consider Safeguarding requirements.

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**Executive Summary**

This framework aims to support governors by introducing a standardised set of principles relating to the further expansion of the ROTL offer from open prisons, and those Closed prisons and YCS sites with designated Open Units this encompasses the expansion of work related ROTL, as well as the reintroduction of ROTL to approved private addresses from establishments in either recovery stage 3 or stage 2 for prisons that are in Tier 1 areas in England or corresponding Alert level within Wales [see page 3 para 7] and where governors have agreed this change with the respective PGD through the RRMP process.

The overarching aim is to adopt a common national approach to ROTL that reflects parity with the restrictions imposed upon the general public and takes account newly the introduced Covid risk tiering system introduced by the Government.

**Headline Considerations**

1. ROTL to a private address is not predicated upon the prison achieving level 2 regime. Governors of level 3 prisons with open units may seek to expand the resettlement focussed ROTL offer.
2. Assumes that establishments are not Covid outbreak sites. If any prison becomes an outbreak site ROTL’s planned will inevitably be subject to local review following advice from Outbreak Control Team (OCT) / Incident Management Team (IMT). ROTL may be curtailed where deemed necessary to do so.
3. The following guidance is intended to be responsive to the varying risk and restrictions experienced within the local community.
4. This guidance reflects Covid 19 restrictions in place on 9th December 2020 in the community. If national or local restrictions escalate after this date any additional restrictions must be followed.
5. Governors proposing to expand ROTL may need to reconsider the current RRMP to reflect the increase in provision proposed.
6. RDR/ROR/CRL to any private address will be from a prison in a Tier 1 [T1] area to an address in a T1 area only, applicants must remain in Tier 1 and T2 zones for all activities.
7. Alert levels in Wales are different to the tiered restrictions in England. However, an “equivalent tier” for Wales will be agreed by HLT based on a comparison of the restrictions in force and community incidence in Wales to those in the different Tiers in England. The “equivalent tier” will be reviewed by HLT whenever there is a significant change in the restrictions in England or Wales.
8. Policy requirements for risk management must be met in full. Additionally, home circumstances must list total occupants at the household including any support bubble members where applicable. Applicants will be considered as part of the household to which they are released on ROTL. All household and bubble members must be listed on the licence.
9. Applications may only be received for ROR from within a prison in a T1 area to an address within a T1 area, applications in principle are not permitted.
10. Applicants [for private address ROTL] must understand that any increase of Covid tiering risk level either in the area where the prison is located, or the area of the intended ROTL is planned, will result in the planned ROTL being reviewed.
11. Applicants must understand that any requirement for any person at the proposed address, or themselves to self-isolate will lead to a deferral of any approved dates.
12. Prisoners must select a single address for the purpose of ROTL. In the event of rising risk levels in the proposed home area it will not be acceptable to then submit an alternative address. Prisoners will be expected to wait for the reduction of Covid tiering risk to that area before resubmitting applications for ROTL to a private address.
13. Prisoners may be collected in a private vehicle by family members for the purpose of ROTL, however, unless they are named as part of the household or bubble social distancing and guidance for travel must be observed. Journeys through T2 and T3 areas will be permitted. Only essential stops can be made in any T3 area.
14. Governors may wish to utilise PECS transport for ROTL purposes to further mitigate Covid risk on public transport.
15. Prisoners out on overnight ROTL report as requiring to self-isolate should remain at the approved address. They should remain at the private home until the period of isolation is completed before returning to the prison. This does not prevent activating recall to prison if BAU concerns exist about the continuation of ROTL. Police colleagues must be informed of the potential Covid risk to arresting officers.
16. Governors of Open prisons may wish to provide mutual aid to carry out any checks at any private address where applicants are self-isolating in other regions.
17. Local RDR will be approved to meet at outside venues only. Prisoners **will not** be permitted to gather indoors at any public venue such as restaurants, museums etc.
18. Where ROTL is to take place in other parts of the UK current national guidance in force for that Country must be complied with. Further advice on this matter can be sought from OISG if necessary.
19. Where ROTL is being offered within the YCS setting child focussed language will be used to reflect ethos of YCS and Safeguarding will be central to any risk assessment.
20. Current advice for Cohorting for any form of Resettlement Day Release in T1 and T2 remains unchanged, this includes and RDR or CRL to a private address. Current Cohorting advice for any ROR is that following any overnight release from a prison within a T1 area, to an address is also within a T1 area will not be required to reverse cohort upon return.
21. The national Covid Regulations in England came into force on 3 December make specific provision for prisoners on ROTL. Prisoners will be considered as part of the household named on the licence whilst temporarily released. The Regulations effectively allow for ROR to the household address in a Tier 1 area and for RDR to meet members of that household in a Tier 1 or 2 location outdoors. The prisoner will also be able to mix with members of a household that has formed a support bubble with the household the prisoner is part of. This means that the rule of 6 does not apply when only the household or bubble form a group. If any anyone else joins the group, the Rule of 6 applies. In Wales the rule of 4 applies and must be observed for any ROTL activity within that country.
22. Governors must ensure that the address of the nominated household is included on the ROTL licence together with the names of everyone in that household, plus those in any support bubble. Additionally, Governors must be mindful that the Welsh Government have confirmed that a prisoner released on ROR will be considered as part of the household named on the licence whilst temporarily released. The key requirement for prisoners being released to addresses in Wales is that they would not be permitted to visit any other residential address during their temporary release, and they must adhere to all other Welsh Government regulations in place during the release period.

**At a glance - Key Elements for ROTL to any private address**

1. Prisons permitting RDR and ROR to a private address both prison and venue of proposed must be in an area designated as T1 at the point the ROTL commences.
2. Pickups in private transport are permitted, and travel through T2 & T3 areas is allowed, but no unnecessary stops should be made in T3 areas. Compliance with Covid guidance on travel must be observed.
3. Those travelling on Public transport must take journeys with the least changes. PECS transport may be available through arrangement.
4. Applicants must generally have a progressive history for RDR before accessing ROR and must not normally be permitted 4 nights 5 days at first ROR.
5. Risk Assessment process must be met in full, including any Victims Charter, MAPPA, Police checks; COM will need to list all members of the household and any support bubble when commencing on home circumstances, and all approved ROTL must be linked to meaningful resettlement objectives or legitimate compassionate purposes. Applicants may only specify one household to assess for visits to take place, either for day or overnight release, they must also supply names and addresses of drivers for picking up. Where the driver is not part of the household, social distancing must be observed.
6. Social distancing rules must be observed in relation to contact with anyone outside the named household and bubble.
7. Approved ROTL plans must be reviewed if there is in an increase in Covid tier level in either the area where the prison is located or the proposed venue prior to the ROTL commencing. This may result in considering a new activity plan or cancelling the planned ROTL.
8. If Covid tiering risk changes occur during the ROTL it is accepted that the original date and/or time for return from ROTL can be honoured and the journey deemed necessary.
9. Any requirement to self-isolate must be undertaken at the address approved unless the national guidance for prisons determines otherwise.
10. There must be no presumption of entitlement to ROTL or deviation from policy or risk management processes.
11. Cohorting advice remains unchanged, this now includes ROR/ CRL overnight [T1 to T1 or equivalent Welsh Alert areas only].
12. NPS home checks will continue to be by telephone at this time.

**Annex C EDM 27.1.1 UPDATE- ROTL Activity Matrix Prisons Male and Female and YCS sites**

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| **Type of licence** | **Activity**  | **Level 2 or 3**  |
| **Resettlement Overnight Release -****ROR** | Release to a private address Approved Premises | Yes – Open, YCS, and Female dual sites onlyin circumstances prescribed in this update.When local RRMP assessment is approved by the relevant PGDYes – In principle -Open, YCS, and Female dual sites only. |
| **Childcare Resettlement -Licence****CRL**  | Release overnight to a private address | Yes - Open, YCS, and Female dual sites onlyin circumstances prescribed in the update. |
|  | Release for Day release to none private address  | Yes – Open, YCS, and Female dual sites only |
| **Resettlement Day Release – RDR** | To a private address to maintain Family Ties | Yes - in circumstances prescribed in this update |
|  | To community to maintain family ties | Yes – Open, YCS, and Female dual sites Only |
|  | Accompanied Adjustment days (ISP supervised RDR activity) or where the Governor feels that a supervised adjustment day is necessary to build confidences.  | Yes – Open, YCS, and Female dual sitesOnly |
| **RDR /SPL Activities** To be applied as per policy framework | Short duration unaccompanied  | Yes – Open, YCS, and Female dual sitesOnly |
|  | Work at 3rd Sector and all Volunteer Placements | Yes – Open, YCS, and Female dual sitesOnly |
|  | External Work Parties -all types  | Yes – Open, YCS, and Female dual sitesOnly |
|  | All paid work activities | Yes – Open, YCS, and Female dual sitesOnly |
|  | External prison work parties - such Grounds Maintenance, Visits or Mess orderly’s  | Yes – Open, YCS, and Female dual sites Closed prisons only - must be outside of main perimeter but within the confines of the prison external boundary.  |
|  | External Education | Yes – Open, YCS, and Female dual sitesOnly |
|  | External Training | Yes – Open, YCS, and Female dual sitesOnly |
|  | MOT / Service and Repair personal car Approved outworkers only | Yes – Open, YCS, and Female dual sites Only |
|  | Funerals – Close family member | Yes – Open, YCS, and female dual sitesOnly |
|  | Visit to dying Relative – Private Address | Yes Open, YCS, and Female dual sites unaccompanied ROTL only |
|  | Visit dying relative Care home/ Hospice or Hospital. | Yes – Open, YCS, and female dual sitesOnly Subject to guidance and controls in place at proposed venue |
|  | Birth of Child – Private Address | Yes Open, YCS, and Female dual sites unaccompanied ROTL only |
|  | Birth of Child – Hospital  | Yes – Open, YCS, and Female dual sitesOnlySubject to guidance and controls in place at proposed venue |
|  | Attend Medical Appts | Yes – Open, YCS, and Female dual sitesOnly |
|  | Attend Hospital with close family member such as partner or own child (including scan appts for own child) | Yes – Open, YCS, and Female dual sitesOnly Subject to guidance and controls in place at proposed venue |
|  | Driving lessons or test including provisional licence theory test | Yes -Open, YCS, and Female dual sites only |
|  | Other interviews | Yes -Open, YCS, and Female dual sites only |
|  | Attend Court | Yes -Open, YCS, and Female dual sites only |
|  | Attend CA/AA/GA/NA | No  |
|  | Religious/ Chaplaincy events  | Yes - Open, YCS, and Female dual sites onlyWhere internal provision cannot be facilitated only |
|  | Prison me no Way and public Seminars | No  |
|  | Offending behaviour Programmes / DofE | No  |
|  | Well-being walks | No  |
|  | Weddings and Christenings – immediate family only - community service only  | Yes -Open, YCS, and Female dual sites only |
|  | Parents evenings | No |
|  | Any activity deemed comparable to those listed above that the Governor or Deputy Governor approves, following discussion with the relevant PGD | Yes – Open, YCS, and Female dual sitesOnly |

**Proposed ROTL provision for Open prisons within T1 area – Medium Risk**

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| **ROTL TYPE** | **T1 prison into T1 area** |  | **T1 prison into T2 area** |  | **T1 prison intoT3 area** |  |
| **Resettlement Day Release -RDR work & Voluntary Placements** | Yes | Covid compliant transport arrangements for site apply.Must maintain Social distancing rules where appropriate and possible Must comply with all other restrictions in force within the Country in which the ROTL activity is taking placeSites must be satisfied with Covid rules within the workplace and MOU in place. | Yes  | As per T1 | Yes - Restricted | Paid work placements and voluntary placements that remain open or those prisoners engaged in Further Education and where the site remains open for lectures. No trips out for library.Must maintain Social distancing rules where appropriate and possible Must comply with all other restrictions in force within the Country in which the ROTL activity is taking placeCovid Corridor / Secure transport is assessed as appropriate.  |
| **Resettlement Day Release-****RDR -Resettlement Purposes****&****Child Care Resettlement Leave - CRL****Local Areas Only** | Yes | Must remain within areas designated in the approved activity plan. Meetings with bubble members are permitted at indoors and outdoors venues other than private dwellings their gardensPolicy maxima of RDR’s should not generally be exceededMust maintain Social distancing rules where appropriate and possibleMust not socialise in a group of more than 6 [currently] unless all members of the group are in the family bubble. Note rule of 4 applies to ROTL activity taking place in WalesMust comply with all other restrictions in force. Supply nominated address for household alignment, including list of occupants and any extended bubble members.Where the person picking up prisoners is from outside of the household or extended family bubble social distancing and travel guidance must be observed Must not meet or be collected by anyone from a T3 area.Must not visit a T3 area. | Yes  | Must not visit any private address or meet in any garden of any home.Prisoners will be included as part of the family bubble to enable normal social contact with family membersMust not meet anyone in any indoors social setting [such as a restaurant or Museum] Must comply with all other restrictions in force at the time within the Country in which the ROTL activity is taking placeMust maintain Social distancing rules where appropriate and possible to soMust not socialise in a group of more than 6 [currently] unless all members of the group are in the family bubble. Note rule of 4 applies to ROTL activity taking place in WalesMust comply with all other restrictions in force.Must not meet any person or be collected by a person from a T3 area.Must not visit a T3 area. | No | Not permitted. |
| **Resettlement Day Release –****RDR -Resettlement Purposes** **Resettlement Overnight Release -ROR-Resettlement purposes****&****Child Care Resettlement Leave - CRL****To Private Address** | Yes | Must have established history of RDR local / work ROTLCRL eligibility [if applicable] must be evidenced.Single address permitted and must be approved through risk assessment to include approved drivers including addresses.For the purpose of approved ROTL to a private address, prisoners will be deemed part of the household and any extended bubble if one is in place for the duration of the ROTL. Must not socialise in a group of more than 6 [currently] unless all members of the group are in the family bubble. Note rule of 4 applies to ROTL activity taking place in WalesWhere the person picking up prisoners is from outside of the household or extended family bubble social distancing and travel guidance must be observed Must maintain social distancing rules in accordance with community guidance where possible.Must not meet with persons who reside in T2 areas either at the T1 approved address or visit others in their garden or inside venue in T2 areas  Must not meet with persons inside or outside from a T3 areaROTL must not take place if anyone at that household has been told to isolate by Track and Trace Service, believes that they are symptomatic or are non-symptomatic but have tested positive for Covid recently.May travel through T3 areas stopping only where necessary.If area risk tier changes are made during the ROTL the ROTL will continue until planned conclusion. Any revision will apply following return to the prison.In the event of requiring to self- isolate this is expected to take place at the approved address. If BAU concerns prevail recall process may be applied – Police must be advised of potential Covid risk at the address  | No | Not permitted.In the event of tiering changing existing approved applications for Home RDR/CRL may be reviewed and amended to RDR / CRL Local if notifications and risk assessment can be amended and appropriate notifications can be completed within normal timescalesRefer to RDR/ CRL local.  | No | Not permitted. |
| **Resettlement Overnight Release to Approved Premises [AP]** | Yes - in principle | NB – AP’s are running at significantly reduced capacity in order to manage Covid risks. Those with multi-occupancy rooms have been reduced to single occupancy spaces. NPS EDM requires AP Managers to prioritise cases and have set in place a referral process. At this time ROTL applications are not being progressed as those with greatest need take priority, namely those persons facing immediate release from prison.Once NPS guidance for ROR to an AP includes ROTL applications it is anticipated that prisons will begin to make immediate referrals rather than await any further central permissions to do so. | No | Not permitted | No | Not permitted. |
| **Special Purpose Leave – SPL** | Yes | EDM 27 1.1 - Annex C update outlines approved activities at this time. Must remain within areas designated in the approved activity plan.Unaccompanied ROTL to visit dying close relative at a private address subject to risk assessment that considers Covid restrictions at proposed venue, and whether any householder at the venue is non-symptomatic but has tested positive for Covid, is symptomatic or is self-isolating as a result of contact with someone who has become symptomatic or instructed to do so by Track and Trace Service.Rules and current guidance at the time for Hospitals and Care homes will be applied on a case by case basis.May attend funeral or Wedding subject to Covid rules. Attend service only, no other family gatherings or formal celebration. May attend religious service where internal provision cannot be provided.SPL should not generally include release overnight to a private address. Where this is approved it must be clear in the risk assessment why this was necessary Where the person picking up prisoners is from outside of the household or extended family bubble social distancing and travel guidance must be observed Must maintain Social distancing rules and national rules in force at the time for that areaMust comply with all other restrictions in force within the Country in which the ROTL activity is taking placePick up is not permitted by someone from within a T3 area | Yes | As per Tier 1  | Yes | In extenuation and exceptional circumstances only, such as* Birth of own child
* Visiting a dying relative
* Medical appointment

Must comply with all other restrictions in force within the Country in which the ROTL activity is taking placeMust consider restrictions in force at proposed venue and Covid risk in each case. |
| **ISP adjustment days** | Yes | Both accompanied and unaccompanied adjustment days permitted.  | Yes | Both accompanied and unaccompanied adjustment days permitted. | No | Not permitted. |

**Proposed ROTL provision for Open prisons within T2 area - High Risk**

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| **ROTL TYPE** | **T2 prison into T1 area** |  | **T2 prison into T2 area** |  | **T2 prison intoT3 area** |  |
| **Resettlement Day Release -RDR work & Voluntary Placements** | Yes | Covid compliant transport arrangements for site apply.Sites must be satisfied with Covid rules within the workplace and MOU in place. | Yes  | As per T2 to T1 | Yes - Restricted | Paid work placements and voluntary placements that remain open or those prisoners engaged in Further Education and where the site remains open for lectures. No trips out for library.Must comply with all other restrictions in force within the Country in which the ROTL activity is taking placeCovid Corridor / Secure transport is assessed as appropriate.  |
| **Resettlement Day Release –****RDR -Resettlement Purposes** **&****Child Care Resettlement Leave - CRL****Local Areas Only** | Yes | Must remain within areas designated in the approved activity plan.Policy maxima of RDR’s should not generally be exceededWill be treated as part of the family bubble to enable family contact. Meetings may not take place either inside or within any garden of any private dwelling. Must not meet anyone in any indoors social setting [such as a restaurant or Museum]. Must not socialise in a group of more than 6 [currently] unless all members of the group are in the family bubble. Note rule of 4 applies to ROTL activity taking place in WalesWhere the person picking up prisoners is from outside of the household or extended family bubble social distancing and travel guidance must be observed.Must maintain Social distancing rules. Must comply with all other restrictions in force within the Country in which the ROTL activity is taking placeSupply nominated address for household alignment, including list of occupants noting designated drivers [to be listed as approved drivers].Must not meet anyone from a T3 area.Must not visit a T3 area. | Yes  | As per T2 to T1  | No | Not permitted. |
| **Resettlement Day Release –****RDR -Resettlement Purposes** **Overnight Release – ROR-Resettlement Purposes** **&****Child Care Resettlement Leave - CRL****To Private Address** | No | Not permitted. May be converted to RDR / CRL Local if notifications and risk assessment can be amended.Refer to RDR/ CRL local.  | No | Not Permitted.As per T2 to T1 | No | Not Permitted |
| **Resettlement Overnight Release to Approved Premises [AP]** | No | Not permitted. | No | Not permitted. | No | Not permitted. |
| **Special Purpose Leave – SPL** | Yes | EDM 27 1.1 - Annex C update outlines approve activities.Must remain within areas designated in the approved activity plan.Unaccompanied ROTL to visit dying close relative at a private address subject to risk assessment that considers Covid restrictions at proposed venue, and whether any householder at the venue is symptomatic or is self-isolating as a result of contact with someone who has become symptomatic or instructed to do so by Track and Trace Service.Rules for Hospitals and Care homes will be applied on a case by case basis.May attend funeral or Wedding subject to Covid rules. Attend service only, no other family gatherings or formal celebration. Must maintain Social distancing rules.Must not socialise in a group of more than 6 in England and 4 in Wales [currently] outside, including spaces like beaches or parks, other than where specific exemptions apply in lawMay attend religious service where internal provision cannot be provided.SPL should not generally include release overnight to a private address. Where this is approved it must be clear in the risk assessment why this was necessary Must comply with all other restrictions in force within the Country in which the ROTL activity is taking placeConsideration must be given to the potential Covid risk of any person known at the venue to have contracted Covid or self-isolating Pick up is not permitted by someone who resides within a T3 area | Yes | As per T2 to T1 | Yes | In extenuation and exceptional circumstances only, such as;* Birth of own child
* Visiting a dying relative
* Medical appointment

Must consider restrictions in force at proposed venue and Covid risk in each caseMust comply with all other restrictions in force within the Country in which the ROTL activity is taking place |
| **ISP adjustment days** | Yes | Both accompanied and unaccompanied adjustment days permitted  | Yes | Both accompanied and unaccompanied adjustment days permitted | No | Not permitted |

**Proposed ROTL provision for Open prisons within T3 area – Very High Risk**

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| **ROTL TYPE** | **T3 prison into T1 area** |  | **T3 prison into T2 area** |  | **T3 prison intoT3 area** |  |
| **Resettlement Day Release -RDR work & Voluntary Placements** | Yes - Restricted | Paid work placements and voluntary placements that remain open or those prisoners engaged in Further Education and where the site remains open for lectures. No trips out for library.Must comply with all other restrictions in force within the Country in which the ROTL activity is taking placeCovid Corridor / Secure transport is assessed as appropriate. | Yes - Restricted | As per T3 to T1. | Yes - Restricted |  As per T3 to T1 |
| **Resettlement Day Release –****RDR -Resettlement Purposes** **&****Child Care Resettlement Leave - CRL****Local Areas Only** | No | Not permitted. | No | Not Permitted. | No | Not permitted. |
| **Resettlement Day Release –****RDR -Resettlement Purposes** **Resettlement Overnight Release-ROR- Resettlement Purposes****&****Child Care Resettlement Leave - CRL****To Private Address** | No | Not permitted. | No | Not permitted. | No | Not permitted. |
| **Resettlement Overnight Release to Approved Premises [AP]** | No | Not permitted. | No | Not permitted. | No | Not permitted. |
| **Special Purpose Leave – SPL** | Yes - Restricted |  In extenuation and exceptional circumstances only, such as;* Birth of own child
* Visiting a dying relative
* Hospital appointment

Must consider restrictions in force at proposed venue and Covid risk in each case.Must comply with all other restrictions in force within the Country in which the ROTL activity is taking place | Yes – Restricted | As per T3 to T1 | Yes - Restricted | As per T3 to T1 |
| **ISP adjustment days** | No  | Not permitted. | No | Not permitted. | No | Not permitted. |