**FRSM Use by prisoners – 21/01/21**

Dear Executive Directors, Prison Group Directors, Governors/Directors,

Please note the following briefing on the issue of FRSMs to prisoners. This guidance currently applies to prisons in England only.

We have  recently seen a number of instances where clinical leads within OCTs have recommended that the prison issues FRSM face masks to prisoners for use during live outbreaks as a temporary upgrade on face coverings. The rationale behind this recommendation has varied and included localised concerns around the effectiveness of face coverings, a surge in community cases around the prison and the perceived impact of the new variant.

The Department of Health and Social Care (DHSC) oversees the control and deployment of clinical grade PPE including FRSMs on behalf of HM Government; the devolved Government in Wales has slightly different arrangements and are not covered by DHSC regulations. DHSC have been clear that they do not support FRSM face mask use by prisoners. DHSC have only approved the deployment of FRSMs in prisons under the suite of pre-agreed Safe Operating Procedures (SOP). These currently cover high risk activities such as cleaning a COVID case’s cell, escort to a hospital and movement of symptomatic individuals. DHSC will not agree to any further SOPs at this point.

Unfortunately, this means that whilst clinicians on OCTs in England can recommend increasing FRSMs as an outbreak control in England, HMPPS does not have this within our gift to support this without DHSC endorsement.  HMPPS draws down stock from central DHSC supplies based on forecasted staff usage at present.

We have engaged with PHE colleagues via the network of regional Health and Justice Leads and asked clinical leads on OCTs to be made aware of this position. We cannot prevent them from making the recommendation but they will be made aware of this context in future. Governors and Directors in England are also asked to make clinical leads on OCTs aware of this if a recommendation for issuing FRSMs to prisoners is tabled at a local meeting.

The position in Wales is different as PHW has indicated they support the wider use of FRSMs by prisoners and this is being explored. We will continue to engage with PHE and PHW on this matter to try to achieve an aligned position. In the meantime, establishments in England are advised that we cannot accept these recommendations as this is not supported  by DHSC which holds primacy in this area.

Further guidance or an updated Face Mask/Face Covering policy will be used once these issues have been finalised.

Please direct any questions on this to COVID19.Regimes&OpsGuidance@justice.gov.uk