**Covid-19 Custodial Recovery Guidance**

**Cover Note**

**Purpose**

With the recovery phase underway the following guidance aims to give Governors / Directors a framework to guide planning and prioritisation of local recovery activity.

This document outlines further details on the national priorities for recovery that will be central in local recovery planning and considerations for establishments when moving to Stage 2.

Stage 2 will build upon delivery of the Stage 3 EDMs as a baseline and enable Governor’s to deliver more activity, within Covid secure guidelines that are appropriate to their particular prison and local needs. Stage 2 provides for more Governor freedom in designing local regimes and it will require Governors to continue to make local choices, supported and overseen by PGDs, about how to balance delivery of greater regime with continued infection controls, alongside actions to address backlogs in key areas such as staff training and interventions within available resources. It is neither feasible nor appropriate to seek to manage all these operational details through prescriptive direction from the centre, but rather by establishing a framework of priorities and guidance within which establishments will operate.

It is recognised that the operational and resourcing position is challenging and there are choices to be made on how each prison achieves the appropriate balance in delivering against the recovery priorities based on local circumstances and pressures, whilst ensuring appropriate Covid controls remain in place. The constraints and competing demands at Stage 2 will mean establishments will not be able to deliver everything we would ideally want to, and some backlogs may remain over the medium term. Governors will need to continue to use their defensible decision log to record these local decisions. In order for us to support planning and further understand resourcing challenges, we will be seeking early feedback from Governors on their initial assumptions for Stage 2 staffing requirements.

Stage 2 provides an opportunity for the gradual expansion of regime but will not, and should not, be a return to business as usual. Stage 2 represents an opportunity to introduce and incorporate some of the key learnings from the pandemic and build a basis for longer term reform.

Further guidance will be provided in the coming weeks on the process for progression and the approvals process for Stage 2.

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Vision for Recovery:

*Our ambition for the recovery period is to build back our delivery in a safer, fairer and better way and address the impact of the pandemic on those who work and live in prisons and the Children and Young People Secure Estate. This includes regimes in prisons and youth secure sites that better support the welfare and progression of those in our care and build towards a reformed prison system.*

**Introduction**

This document should be read as supplementary to the National Framework. It forms part of our efforts to recover from the impacts of the pandemic on those who live and work in our establishments, lay the foundations for future reforms and deliver the HMPPS business strategy in the longer-term. It is important to recognise, however, that the pace of regime recovery will differ across the estate and the trajectory may not always be linear; therefore establishments will need to remain agile in their approach, ensuring continued resilience and a readiness to reimpose restrictions and return to Stage 3 or 4 of the National Framework if necessary.

A key part of recovery will be identifying local backlogs and, to the extent judged appropriate to local circumstances, working towards clearing these in order to enable delivery against the recovery priorities and ensure establishments are in a better position for future progression towards Stage 1 and longer-term reform. In some cases, clearing all backlogs will not be possible and establishments will need to consider the appropriate balance to strike locally between progress with these backlogs and the other competing priorities.

This document and the priorities set out below apply to the whole recovery phase, including both Stage 3 and 2 of the National Framework, though we anticipate the majority of recovery activity will take place at Stage 2. PGDs will play an important role in the progression to Stage 2, providing support and challenges to Governors as they develop their local recovery plans and ensuring these align to the national recovery priorities.

Stage 3

Establishments will already have, and many are already operating by, their RRMP and LOPs for the delivery of regimes and activities at Stage 3. At Stage 3, EDMs should remain the priority for delivery, although Governors should start to consider their Stage 2 plans, so they are consistent. This guidance is not designed to change existing LOPs at Stage 3 but to support the planning for any further delivery beyond existing LOPs and in preparations for Stage 2. Where further delivery is achievable, either in volume of delivery or other activity to address backlogs within Local Recovery Plans, Governors/Directors should be guided by the priorities set out below.

Stage 2

At Stage 2, the EDMs will continue to remain the baseline. Governors can go further and should aim to deliver as much as possible of the priorities below whilst maintaining Covid-19 controls and remaining in line with community restrictions. Regime Management Plans and LOPs at Stage 2 should be informed by the recovery priorities and guidance within this framework. Establishments should continue to use a localised approach, balancing regime delivery with the need to address key backlogs.

At Stage 2, although infection controls will need to be maintained, establishments will be able to operate with larger regime groups. The precise numbers will continue to depend on the physical layout of the establishment and the population in the prison, and the availability of other controls (e.g. testing). Although Stage 2 presents an opportunity for further regime expansion, the need for infection controls will prevent many activities taking place as they did prior to the pandemic. Stage 2 provides an opportunity for the gradual expansion of regime but will not, and should not, be a return to business as usual. Stage 2 represents an opportunity to introduce and incorporate some of the key learnings from the pandemic, and build a basis for longer term reform.

In the coming weeks, we will issue further guidance on the process and associated documents (e.g. RRMP and Local Recovery Plan) for establishments to progress to Regime Stage 2. This process will continue to reflect existing guidance/protocols in which establishments provide evidence of meaningful engagement with recognised Trade Unions and develop key documentation, which will be supported and overseen by PGDs.

**Essential COVID Mitigations**

Throughout the recovery period, appropriate Covid-19 controls must be in place to ensure the safety of all staff working in prisons (including probation and CRC), prisoners and children, including as part of any new regime elements being introduced. A Covid-19 Risk Control List produced by Health and Safety colleagues has already been published for Governors/Directors to consider and use based on their Safe Operating Procedures and local risk assessments.

Baseline Covid-19 mitigations should be considered foundational to the operation of regimes. Priority elements include:

* **Adherence to Infection Prevention and Control:** Retaining infection prevention and control measures including hands, face, space. Remaining aware and responsive to further waves and/or variants of Covid-19.
* **Vaccination Delivery:** Ensuring the maximum number of staff, prisoners and eligible children are vaccinated to reduce the rate of transmission.
* **Support for Testing:** Maximising the use of Covid testing programmes, particularly staff testing as the principle control measure beyond the basics of hands, face, space.
* **Risk Planning & Management:** Maintain an up-to-date local outbreak and contingency plan, including plans for the re-introduction of shielding the vulnerable if advised. Retaining and developing the role of Contact tracing leads.

**Overarching Recovery Priorities**

Outlined below is further detail on the national priorities for the recovery period to support local prioritisation and planning. We have placed particular focus on areas of delivery most impacted by the pandemic, including work to combat the effects of prolonged exposure to restrictions and incorporate early reform plans where possible to allow us to set solid foundations for future reform. Under each overarching priority are a set of key considerations that should be used as a guide to inform local prioritisation and recovery planning.

Priorities:

Our organisational recovery priorities reflect where the pandemic has most significantly impacted our staff, prisoners and regime delivery and are the following:

* **Staff confidence, capability and wellbeing**
* **Prisoner and child wellbeing**
* **Sentence progression**
* **Building the pathway to reform**

More detail on these priorities and the key considerations within them are outlined below.

**Staff Confidence, Capability and Wellbeing**

This priority is about promoting the confidence and capability of our workforce after over a year of unprecedented strain. The impact on fatigue, mental health and wellbeing, training and development has been significant, and many staff will be carrying consequences from the pandemic. It aims to build upon existing work to reduce fatigue, support mental health and wellbeing, build confidence and capability while continuing to deliver adequate staffing levels to deliver regimes. This priority also reinforces the importance of safety and stability as part of regime expansion, ensuring we maintain a focus on minimising levels of violence and ensuring our staff feel safe.

* **Wellbeing and Mental Health Support:** Ensuring staff are aware of and able to access employee support programmes such as PAM Assist and Occupational Health and encouraging take up of bespoke support such as the EAP and utilisation of the new Workforce Mental Health Impact education offer. Ensuring line managers are best equipped to support staff wellbeing and considering specific support for those who are returning from shielding or have been off due to sickness, and providing staff with the support and confidence to navigate the transition from a period of restricted regimes.
* **Annual Leave and TOIL:** Staffing pressures and additional hours schemes have resulted in an average carry-over of leave across the estate of 3.2 days per person. Reducing this backlog to normal levels and encouraging staff to take their leave (within the parameters of the 21/22 leave carry-over) will be important, however consideration will need to be given to how this is balanced against the delivery of a consistent regime. Levels of TOIL (time off in lieu), and flexitime for non-operational staff, may also be high and will need to be addressed for the same reasons.
* **Important role-specific training:** Addressing essential and role-specific training that has been paused particularly Safer Custody, Offender Management, Security and Keywork/CoSP, Secure Stairs, Guided Reflective Practice and the roll out of Youth Justice Worker Training. Where applicable Governors should consider encouraging the take up of the virtual training offer to increase delivery capacity. Establishments should continue to feedback via TNAs and People Leads on their establishment’s individual needs.
* **Stability & Resilience**: Ensuring that prisons and youth secure sites have the resilience to open regimes through essential operational training levels in C&R, MMPR, PAVA and Negotiator training. Refreshing contingency plans and reviewing any procedural or physical security risks seeking assurance of compliance before expanding the regime envelope further. Having the capacity to respond should a threat to security, order and control arise. That active intelligence processes are in place to identify emerging risks.
* **Safety & Security**: Ensuring that prisons and youth secure sites have in place the necessary foundational elements of safety to actively ensure that those most at risk are cared for and support through ACCT training, Key Work, RPE training and Listener support, and that active processes are in place to manage safety using the diagnostic data. Consideration should be given to safety and security when re-starting activities, including adequate assessments and refresher material and/or guidance is considered to support staff, particularly where normal processes have not been operating for some time (e.g. contraband management as more movement takes place within prisons).
* **Recruitment and Assessment Centres:** Ensuring there is a pipeline of accredited staff for key posts, the need to prioritise the staffing of recruitment and accreditation processes (e.g. Running assessment centres/delivering POELT training) and ensure that workforce planning is clearly identifying needs.
* **Induction and mentoring support:** Support, mentoring and upskilling new officers, particularly those who are early in their service and/or have joined since March 2020 and have not experienced an environment of full regime delivery to support their confidence and skills. Retention will also be critical and mentoring schemes and line management will be important elements to support retention, particularly for newer officers.
* **Leadership and managerial support:** Visible and consistent leadership will remain crucial over the recovery period. Regular check-ins on well-being, and a clear local delivery strategy that is effectively communicated will continue to be important.

Beyond these areas, Governors may have their own plans for supporting staff in other ways and particular aspects of capability. Governors are encouraged to support access to other local and national training for all staff to support local needs.

**Prisoner and child wellbeing**

As regimes ease, providing adequate support to prisoners and the children in our care in their progression, rehabilitation and wider wellbeing is crucial. Key elements include delivery of keywork/CoSP, continued assessment of prisoner needs and bespoke pathway planning for children, access to physical and mental health services, prioritisation of family contact (virtual or in-person), provision of meaningful time (in and out of cell) and supporting positive, rehabilitative communication and relationships between staff and prisoners and children.

* **Safety and Well Being**: Ensuring safe supervision and support, notably to those most at risk through Keywork/CUSP and Safer Custody/pastoral support. Enabling effective advocacy, health provision, mental and physical health support, including opportunities for exercise. Continuing to focus on addressing self-harm using specific interventions and a targeted approach.
* **Healthcare:** Ensuring we work with healthcare partners to address urgent and routine needs of prisoners and children, particularly those that have had appointments cancelled and postponed or where transitions are required. Will also need to address Drug and Alcohol Support needs whereby treatment services and recovery interventions have been paused to ensure continuity of care.
* **Structured, meaningful time (in and out of cell/room):** Ensuring adequate time unlocked, time in the open air and access to domestic facilities in regime groups that are Covid-safe and do not resemble pre-Covid association. Utilising time productively working towards their rehabilitation and reintegrating into prison life alongside other prisoners and children as well as recreating positive relationships with staff. In the Children and Young People Secure Estate the approach remains to continue balancing meaningful, structured time out of room with less structured engagement time, which strengthens relationships between staff and children.
* **Access to families:** Rebuilding connections with loved ones through a combination of video calls as well as face-to-face visits where prison conditions allow.
* **A revised learning offer for children** (Children and Young People Secure Estate): Using research during Covid-19 to provide varied and quality learning packages that encompass a wide range of positive opportunities focused on the child’s needs and interests.
* **Equality and Diversity Monitoring:** Ensuring we are consistent in our equity of regime delivery ensuring equal opportunities across the different cohorts of prisoners. This will include standing back up local governance and assurance processes such as Use of Force Committees and Equality and Diversity monitoring.

**Sentence progression**

This priority is about activity to support prisoners and children to progress through their sentence plan with the right interventions and support for their needs. This will include offender management, progression and preparation for release, including sentence planning assessments, work activity, OBPs and interventions. Recategorisations, transition and resettlement support including finance, accommodation and employment/education support on release will also be important.

* **Rehabilitative activities:** Ensuring prisoners are re-enrolled in education services or employment in a Covid secure manner and not resembling pre-Covid practices, and children receive access to varied and quality education packages centred on their needs to build and enhance their skillset contributing to reducing reoffending. Also important is access to Accredited Programmes (AcPs) to support rehabilitation, the use of YCS approved interventions and the opportunity for indeterminate sentenced prisoners to demonstrate reduced risk of re-offending. Given pressures on AcPs delivery in the community, it is important to minimise transferring delivery to the NPS/CRCs by maximising delivery in custody.
* **Offender Behaviour Programmes:** Addressing the waiting list for courses as well as the referral lists for those awaiting an OBP assessment will be a key priority. It is essential that we consider changing to a targeted approach to maximise delivery to high risk offenders and make use of the new population database to identify demand, ensuring delivery is done in a Covid secure manner. Consideration should be given to the staff resource required and whether any additional resource /or reconfiguration of existing resource can be pursued to speed up this process.
* **OASys Assessments:** Addressing the backlogs in OASys Assessments and supporting POMs in delivering this activity, exploring opportunities such as additional training and remote delivery to increase capacity.
* **Recategorisations and HDCs:** Addressing the backlog, where appropriate, of recategorisation decisions and associated activity to support those decisions including support to enable varied forms of evidence beyond AcPs, especially where the volume of these activities have also been impacted by regime restrictions. Consideration should also be given to outstanding HDC cases, ensuring backlogs are identified and processed.
* **Parole Board Activity:** Ensuring support for completion of parole board dossiers, facilitating access of probation and psychology report writers to complete risk assessments as well as legal visits and prisoner-commissioned report writers. Remaining responsive to the needs and requests of the Parole Board.
* **Framework for Integrated Care** (Children and Young People Secure Estate only): Continuing to embed this trauma informed, multi-agency approach which provides a key focus for recovery and reform activity in the YCS. This includes a robust sentence planning approach and case formulations to help understand and plan for the needs of each child. Integrated Care formulations (‘My Stories’ which help children make sense of their history and experiences) will also be introduced when a child first enters custody.
* **Public Protection:** Reviewing our public protection responsibilities and ensuring key requirements and activities are prioritised and carried out, such as IRMT meetings.

**Pathway to reform**

This priority is about embedding key lessons from Covid in order to lay the foundations for longer-term regime reform and further embed ongoing reform in the Children and Young People Secure Estate. Our future reform agenda has been shaped by lessons learned from Covid, which we must begin embedding through the way we conduct our regime delivery, our continued efforts to sustain the technological advance we have made and by building on the new ways of working we have adopted. Addressing key backlogs is also an important enabler for this, so all sites are in the best possible position to move towards improved regimes over time.

Future Regimes:

As part of building our pathway to reform, we are also actively and collaboratively designing a new model for Stage 1 as part of the Future Regime Design Programme (FRD) which will lay the foundations for long term transformation of prison regimes. Although recovery-focused, Stage 2 will also present an opportunity to start to consider and embed some of the elements for Stage 1 and the pathway to reform. Further information on Stage 1 and the vision for regime reform will be shared in the coming weeks.