**Briefing - Mixing in activities areas including education (23.07.21)**

The national Stage 1 model will be published next week and we recognise that many prisons are already planning their stage 1 regimes. As part of this planning process sites will be reviewing group sizes, movements and mixing to determine what level of COVID-19 controls are translated into safety and security measures for longer term use. A number of prisons have recently queried the HMPPS position on mixing between prisoners in activities, particularly education and faith activities. This briefing clarifies the position on mixing in activities – both to inform prisons designing stage 1 models and to inform the approach being taken currently at stages 3 and 2.

In this context **Mixing** simply means “proximity contact for any period of time between prisoners who are from different regime groups in an activity or area”. As part of a suite of countermeasures introduced during the height of restriction, HMPPS initially introduced a concept of **no mixing between prisoners “who would not normally meet”** drawing upon the equivalent restrictions in the community. HMPPS has never mandated the size of regime groups or the way in which they should be used locally and we have seen significant variation in the size and deployment of regime groups and controls on mixing.  These controls have been essential to reduce transmission but have also yielded significant reductions in incidents of violence, debt, bullying, disorder and incidents at height. These measures have clear value during and beyond the pandemic.

Going forward we need to translate the original mixing principle into a longer term safety and security countermeasure. This must strike the right balance between enabling sufficient regime to still happen but exert sufficient control to ensure safety and security. Stage 1 includes a set of 15 national principles for the design of prison regimes which include a new national principle on mixing. This changes the original principle of no mixing into a new model of **managing mixing**:

**Sites should manage mixing between prisoners but only where clear security or safety risks exist. Sites do not need to automatically end mixing between units which can continue where safe based on local risk assessments. Sites must continue to deliver communal activities (healthcare, visits or corporate worship) to meet statutory requirements and ensure any changes to delivery are achievable with existing resources. Managers and contractors responsible for these areas must be involved in planning.**

Prisons still need to provide sufficient access to regime including visits sessions, education and communal worship. Some prisons plans at stage 2 and for stage 1 include eliminating mixing between different wings in these activities. Prisons need to ensure that any mixing restrictions are proportionate to the risk and are not in place universally, irrespective of need. We cannot disadvantage particular groups by imposing measures that (for instance) mean a prisoner cannot attend an education course or receive a visit on different days due to their wing location. In making plans for mixing at stages 3,2 or 1 prisons need to get the right balance between **safety and sufficiency** of regime and introduce measures to manage mixing, not eliminate it. Prisons need to only reduce mixing where a clear risk exists and this is supported by local risk assessment and provides sufficient alternative access to all activities, without disadvantaging individuals or groups.

Some establishments have taken the decision to allow mixed cohorts into industry workshops and education classrooms, these have created activities regime groups that are separated from wing regime groups. This can be done and can be sufficiently safe particularly where the prisoners are consistently together for activities, are properly risk assessed to attend and are still not together in excessive numbers. Prisons that have eliminated or reduced mixing are finding it challenging to deliver sufficient regime - education spaces are being left unfilled as prison staff and providers find it difficult to fill courses from a reduced pool of potential learners.  This leads to wasted capacity and regime issues with officers being split between small numbers in education (classes of 1 or 2 in some sites) and increased numbers on the Wing. Further information is provided in the Stage 1 model but this interim briefing is provided on this topic in response to queries from establishments and to ensure that we maximise the contracts we have in place to deliver key elements of purposeful activity such as education.

Please direct any further queries on this to [@COVID19.Regimes&OpsGuidance1](mailto:COVID19.RegimesOpsGuidance1@justice.gov.uk) in the first instance.