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| HMPPS Stage 1 Model |
| Future Regime Design (FRD) ProjectHMPPS Prison Reform Priso |
| July 2021 |

# Introduction

**1.1 Stage 1 defined**

Stage 1 is the last point of the national framework governing COVID-19 recovery in prisons and the young peoples’ secure estate (collectively referred to in this document as ‘sites’). The COVID threat will remain for a considerable period and it is conceivable that sites may need to return to Stage 2 or beyond during a significant outbreak. However, by retaining a baseline level of COVID controls at Stage 1 as part of the model, sites will have a COVID resilient approach and will not automatically have to return to previous Stages in the event of an outbreak.

Stage 1 is defined as follows:

**A regime state developed locally by the site that delivers a safe, meaningful and decent regime providing fair and consistent access to a fuller range of activities than was possible at earlier stages of the national framework. A Stage 1 regime will deliver the best-possible local balance between safety and sufficiency of regime as a foundation for the further regime reform that will follow or as a continuation of ongoing reforms in the YCS.**

Stage 1 regimes will be approved by PGDs and overseen by Executive Directors. Gold will not approve regimes but will verify that the prison is suitable to reach the last stage of the National Framework. This formal Gold endorsement is required as part of the National Framework ensuring national consistency.

Each site’s Stage 1 regime is not necessarily their end-state regime. Sites need to exit the National Framework as soon as it is safe to do so. This may limit the scale of reforms/changes that sites can incorporate into their initial Stage 1 model. Achieving Stage 1 is the first step towards a reformed regime building in learning from COVID (except in the YCS estate where reform is continuing not starting). Sites will make further changes having achieved Stage 1.

Progressing from Stage 2 to Stage 1 will enable more prisoners and young people to participate in activities as social distancing and other COVID restrictions are reduced. Regimes at Stage 1 must achieve a locally defined balance between **safety** and **sufficiency**. Safety means a regime that grips local safety and security risks (violence, disorder, conveyance, self-harm, bullying, debt, anti-social behaviour etc.) Sufficiency means a regime that delivers sufficient quality and hours of regime, value for money and safeguards commercial contracts).

Sites face a number of pressures at Stage 1 and regimes will need to balance a number of priorities which may place competing demands on sites including delivering core business effectively; managing and reducing COVID backlogs; remaining sufficiently resilient to contain further COVID-19 outbreaks and taking a step towards further regime reform. As these pressures will exert influence to differing degrees at each site it is critical that the design of Stage 1 is **a local operational judgement** made by the establishment Governor/Director and approved through the operational line by the PGD and ED. This is the basis of the Stage 1 model explained below.

The Stage 1 model applies to all sites that are covered by the National Framework, this includes sites within the YCS estate and Privately Managed Prisons (PMP). Aspects of the model will not apply to some sectors. Elements of the Stage 1 model which do not apply or apply differently to YCS or PMP sites are identified within the text.

Exceptional Delivery Models (EDMs) are no longer applicable at Stage 1.

**1.2 Stage 1 enabling regime reform**

Stage 1 represents a gateway to reform in the prison estate and a continuation of reform in YCS sites. It performs the following functions for future reform:

* It sets a **safe foundation** for reform by requiring each site to consider the safest way to deliver activities, movements and periods on residential units based on COVID learning.
* It imbeds the concept of **functional** **regime** **frameworks** that will define expectations for each prison/site type and is a step towards a function-based delivery model for the estate.
	1. **Components of the Stage 1 model**

The Stage 1 model consists of three layers as shown in the visual below



The **National Core** articulates the resource position and national policy requirements applicable to all sites. This includes **regime red flags**. These are trigger points for central scrutiny, support and step-in where performance, monitored weekly falls below expected levels.

The **Functional layer** is a first step towards a “function based model” of regime delivery across the estate. It sets a small number of regime requirements for each type of site. This establishes a structure we will build on. The ambition is to create a system of sequenced regimes that deliver the “right activity to the right person in the right place at the right time”. Sites need to work towards the regime requirements relevant to their prison type having reached Stage 1, not before. The **Functional layer for PMPs** refers to their contractual requirements which will include regime expectations for each prison type.

The **Local Layer** is the local operational process to construct Stage 1 regimes and reflects the local discretion of the Governor/Director. **The Regime Review Tool (RRT)** sets design principles which alongside the local risk context must be considered to make a local Stage 1 regime. As well as setting design principles, RRT also outlines a high-level design process that sites need to follow. In PMPs regime must deliver pre-COVID (2020) contract requirements & performance indicators within the core model and any subsequent notices of change, however Directors have local discretion to innovate whilst safeguarding efficiency and reasonable standards.

* 1. **Key responsibilities**

The Governor/Director of the site is responsible for the **local operational judgement** as to what their Stage 1 regime contains. This will be outlined in the Regime Summary document. Together with the Assurance Statement, this will then be submitted to the PGD/COO who will approve, including the **safety and sufficiency judgement** ensuring the regime achieves the right balance between these two core requirements. Where this is satisfied, they will endorse the site’s Stage 1 Regime Summary and Regime Management Plan (or equivalent documentation in PMPs). This will be overseen by the Executive Director. All approved Stage 1 plans will be submitted to Gold for verification ensuring system coherence and consistency. As stated elsewhere, prison regime models must operate within the establishment’s existing budget.

# The National Requirements

The national layer applies to all sites and safeguards reasonable standards and consistency.

**2.1. National requirements**

The national layer contains six national requirements. Some must be incorporated into the design of Stage 1 before progression, others can be achieved upon reaching Stage 1 status. Those that are required for progression are labelled **“progression requirements”**: those that can be achieved within Stage 1 are labelled **“deliverable upon reaching stage 1”**

1. **Adhering to Stage 1 resource model:** (progression requirement). Sites are required to ensure that their Stage 1 regime is delivered within their existing budget and with existing resources. PMPs are similarly required to deliver Stage 1 within their established contract price.
2. **Deploying COVID controls set by the Stage 1 Safe Operating Procedure (SOP)** (progression requirement). The COVID threat will endure beyond an exit from the national framework. In line with Government guidance sites must “learn to live with COVID” as it will potentially endure for years. This national threat cannot automatically bar sites from progression. However sites must maintain a COVID-alert approach. This means building the COVID controls outlined in the Stage 1 SOP into their Stage 1 model before progression. The SOP is provided as an annex to this document.
3. **Adhering to green delivery expectations and delivering above red flag levels** (progression requirement and then deliverable/monitored at stage 1). Sites must factor in relevant green delivery requirements to their Stage 1 model. Green requirements set levels of Time in the Open Air (TiOA), Time out of Cell (TooC) and access to showers that sites must achieve. Once at Stage 1, sites will be measured against these. If sites fall below these to the red flag levels, this will trigger a review by the PGD to determine whether support/intervention is necessary. An **exceptional circumstances mechanism** exists for a small number of prisons that temporarily cannot deliver green expectations due to pre-COVID or current delivery challenges (see below). In all other areas of regime not included in the green expectations, pre-existing PSI, PSO and Prison Rule requirements must be delivered. Sites wont revert back to stage 2 for failing to hit green expectations, reversion will be for COVID related reasons only and not performance.
4. **Ensuring Diversity and Inclusion requirements are met** (progression requirement) Sites are required to review and refresh their Equality Assessments (EA) pertinent to their regime and ensure that their new Stage 1 model creates no negative impact on any groups or individuals. Sites are required to ensure that Stage 1 regimes are fair, decent and accessible to all and that any perceived pre-COVID inequality in regime access and potential impacts on particular groups are both addressed.
5. **Linking Offender Management & Regime delivery:** (deliverable upon reaching Stage 1) Sites are required to formally link their Offender Management in Custody (OMiC) resourcing and local Offender Management Unit (OMU) activity to regime delivery. This means that sites should ensure that regime participation contributes towards sentence planning requirements and other OM outcomes. In the YCS sites will continue to embed the Framework for Integrated Care (Secure Stairs).
6. **Prioritising key work sessions (where deployed) and linking them to regime decisions:** (deliverable upon reaching Stage 1). Sites where key workers are deployed need to ensure their activity is prioritised and where possible ring-fenced or that cross-deployment is minimised. Sites also need to ensure that key work sessions are linked to regime participation and progression decisions. A national model to structure this requirement will follow, however as a first step sites need to engage key workers in regime decisions. We recommend that key workers are used to encourage participation, discuss needs and interests and suggest suitable activities. Key workers should record these discussions and refer individuals to staff responsible for allocations to activities. In the YCS sites will continue to embed CuSP (Custody Support Planning for children).

**2.2 Green delivery expectations and red flags**

The national core contains green delivery expectations and red flags. Sites must ensure they are **delivering green expectations and above red flag levels.** Green delivery expectations are standards in a small number of high-profile regime areas – access to showers, time in the open air and time out of cell. In all other areas of regime delivery, the pre-COVID PSI and PSO expectations remain; however for listed areas new temporary standards have been set for Stage 1 to set a higher level than was required by pre-COVID policies.

These expectations are set differently for each functional group. Separate expectations have been developed for YCS and women’s prisons in recognition of the different requirements and risks in those cohorts. All expectations have been designed by Governors/Directors representing their functional group. Sites at Stage 1 are expected to deliver green expectations consistently. Performance against green delivery expectations will be monitored weekly via existing **COVID Regime returns**. PGDs will monitor performance and determine whether intervention is required. Sites will not revert to stage 2 based on red flag performance, only for COVID-related reasons.

For operational reasons, sites may temporarily dip below the green level for a short period. Sites in this position will not automatically trigger support or intervention. If the PGD is content this is a temporary state that will be swiftly addressed, support or escalation will not be required. Due to pre-COVID or current operational challenges, a small number of prisons may not be immediately able to deliver green expectations. This should not impede their progress to Stage 1 where it is COVID safe. Under an **exceptional circumstances provision**, the PGD (with agreement from the ED) can temporarily approve a prison to operate a Stage 1 model that does not deliver all green expectations immediately. These prisons will be held at an amber state temporarily. This provision can only be applied where a prison meets part of the expectations and has a clear plan for achieving the remainder. The PGD must keep this under review and escalate any cases of prisons that cannot reach green expectations after a protracted period.

Below amber state is a set of red flags – these are levels of delivery that are unacceptable. Stage 1 sites should exceed red flags at all times. The red flag is a trigger point – a warning that intervention is required. If a site hits a red flag and remains there for a protracted period or the PGD is not confident that performance will improve, the PGD will provide support from within their Group. If Group-level support cannot improve delivery, the PGD will refer the site for central support via the ED. This will be achieved via existing infrastructure. For resourcing support the site will be referred to the Operational Stability and Resourcing Panel (OSRP). For general performance issues, the PGD will refer the prison to the Data Working Group (DWG). Red flags will not apply to PMPs, whose performance will be overseen through existing contracts.

Green delivery expectations are not the same as **green state Regime Management Plans (RMP).** An RMP articulates the regime elements that will be delivered with different resourcing. The green delivery expectations articulate a level of delivery in three particular areas, with a small number of additional expectations in YCS and Womens sites. However there is a link between RMP and green expectations. Sites at Stage 1 are expected to operate to their local green or amber green RMP (except PMP sites who will operate to contractual expectations). Green delivery expectations need to be delivered within these green RMP levels.

Tables below and overleaf show the green delivery expectations and red flags for each type of site:

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| **Prison Type** | **\*Green state\*****Delivery expectation (per prisoner, measured as average) Green state is the expected level of delivery on each element.**  | **\*Amber State\*** **Prison has dipped below green state by failing to hit delivery expectation(s). This will not trigger intervention** | **\*Red State\*** **Red flags are the trigger point for intervention and will be raised where a prison regularly or consistently fails to hit delivery expectations. The decision for intervention will be made by the PGD** |
| **Reception** | Access to:* Daily showers
* More than 2 hours TOOC per day
* TOOC includes: More than 30 mins in open air per day
 | Exceptional circumstances (EC) mechanism:PGDs(with ED approval) can endorse progression to Stage 1 without their model achieving all Green Delivery expectations provided:-Some expectations are delivered consistently-The overall regime achieves Safety and Sufficiency balance-There is a time-bound plan in place to achieve all green expectationsThis applies only to showers, TIOA & TOOC.All other regime elements must meet PSI/PSO expectations. The EC mechanism recognises the pre-COVID & current challenges at a small number of prisons, e.g. Reception | Not receiving:* Showers every 48 hours
* 2 hours TOOC per day
* 30 mins TIOA within TOOC period

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| **Resettlement** | Access to :* Daily showers
* More than 3 hours TOOC per day
* TOOC includes: More than 30 mins in open air per day
 | Not receiving:* Showers every 24 hours
* 3 hours TOOC per day
* 30 mins TIOA within TOOC period
 |
| **Training** | Access to:* Daily showers
* More than 3 hours TOOC per day
* TOOC includes: More than 30 mins in open air per day
 | Not receiving:* Showers every 24 hours
* 3 hours TOOC per day
* 30 mins TIOA within TOOC period
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| **Open** | Access to:* Daily showers
* More than 15 hours PA per week
* More than 2 hours time in the open air per day
 | Not receiving:* Daily showers
* 15 hours purposeful activity per week
* 2 hours time in the open air per day
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As stated all prison types may temporarily dip below green in one particular area and not trigger support if the PGD is content they will return to green swiftly. These prisons will temporarily operate at Amber. This temporary dip is not the same as the Exceptional Circumstances (EC) mechanism. The EC mechanism is for a small number of prisons. It is a mechanism to be used when designing a Stage 1 regime if the prison cannot currently deliver aspects of the green expectations. Approval can be given for prisons to start Stage 1 at Amber, temporarily not delivering selected green expectations. The prison will advance to green delivery at the earliest opportunity.

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| **Prison Type** | **\*Green state\*****Delivery expectation (per prisoner, measured as average) Green state is the expected level of delivery on each element.**  | **\*Amber State\*** **Prison has dipped below green state by failing to hit delivery expectation(s). This will not trigger intervention** | **\*Red State\*** **Red flags are the trigger point for intervention and will be raised where a prison regularly or consistently fails to hit delivery expectations. The decision for intervention will be made by the PGD** |
| **YCS** | Access to at least:* Daily showers
* An average of 5 hrs time out of room in YOIs & STC per day
* 15 hrs or more education/learning (YOI) and 25hrs (STC) per child per week
* Of time out of room, 30 mins in open air
* 2hrs or more per week of PE(additional to education)
 |  | Less than:* Daily showers
* An average of 5 hrs time out of room in YOIs & STC per day
* 15 hrs or more education/learning (YOI) and 25hrs (STC) per child per week
* Of time out of room, 30 mins in open air
* 2hrs or more per week of PE(additional to education)
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| **Women** | Access to:* Daily showers
* More than 3 hours TOOC
* More than 30 mins time in open air
* More than 1 session of PA per day in the prison community
 | Not receiving:* Showers daily
* 3 hours TOOC
* 30 mins TIOA within TOOC
* 1 session of PA per day
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| **Link to RMP** | **Alongside delivery green expectations in particular areas (showers, TOOC etc.) prisons will operate at Green or Amber Green RMP** |  | **Prisons will trigger response when dropping to Red regime state RMP** |

Sites need to deliver the green expectations relevant to their primary function. Those sites with a mixed function should still deliver the expectations set for their core role. However if sites have prisoners from a secondary cohort (e.g. a Reception prison with 50/50 split of remand and resettlement prisoners), the site is encouraged to deliver the expectations relevant to each cohort if they can. If they cannot deliver this consistently, sites must deliver requirements relevant to their core function consistently. Delivery expectations need to be delivered per prisoner but are measured as an average across the prison.

Green states described throughout the model aim to provide consistent and clear expectations:

Sites deliver **green state expectations** in key areas (showers, TIOA and TOOC)

Sites operate at their local **green state Regime Management Plan (RMP)**

PGDs will endorse regimes that achieve the **green state balance** of safety and sufficiency.

# Functional layer

Function-specific considerations are a step towards the HMPPS vision of **function-based regime delivery** across the estate. HMPPS has developed a future regime vision called **Time Well Spent** (TWS). Crucial to this are sites delivering regimes tailored to their function(s) and population(s). Closely linked to the HMPPS Reconfiguration strategy, the aim of regime reform is to achieve a national state where sites deliver sequenced regimes based on their core function. Collectively this will ensure sites deliver “the right regime to the right person at the right place and the right time”. The equivalent YCS vision is ‘integrating care for children, promoting positive identity’. This will continue to drive forward pre-existing reforms and refocus them based on COVID learning.

Crucial to this vision is formalising the link between a site’s function and regime requirements and separating services that each type delivers. Sites have historically been encouraged to provide as many prisoners as possible to regime activities based on local facilities, rather than delivering the right activities tailored to the needs of their population and the site’s core function. In future we want Reception sites to focus on safe settlement, assessment and immediate needs to get individuals **‘regime ready’**. Training and Resettlement sites can then focus on providing the right quality and quantity of meaningful activities to meet the needs of the sentenced population.

Systemic change to achieve the future vision cannot happen immediately or at Stage 1. Sites must reach Stage 1 at the earliest safe opportunity and this limits the scale of reform that can be achieved by Stage 1. However, a first step towards this vision can be taken at Stage 1 and this is vital in order to seize the opportunity presented by the exit from national restrictions and to ensure that enough momentum is achieved for the future vision to be deliverable in the longer term.

Stage 1 therefore includes a suite of **seven functional frameworks** consisting of a table of **regime considerations** for each prison type. As with the national green delivery expectations and red flags, the components of each framework have been co-designed with Governors and Directors. The functional regime considerations are not mandated at this stage as their purpose is not to significantly reform delivery within each function at this early stage; rather they are designed to imbed a concept and a framework structure – bespoke frameworks for each prison type that fit together to form a new sequenced national model of regime delivery. The detail within each framework will be constructed collaboratively with Governors and Directors over the life of the reform programme that builds from Stage 1.

A table of regime considerations has been created for each prison function (**Reception, Training, Resettlement, Open**) and specialist parts of the estate (**YCS**, **Womens**). Sites at Stage 1 will be encouraged to work towards the functional regime requirements specific to their function(s) to help imbed functional-based regimes. However, sites do not need to deliver these considerations in order to progress to Stage 1. We recognise that sites will require a reasonable lead in time to achieve the considerations relevant to their function.

We recognise that sites hold multiple secondary functions as well as their core role and hold different prisoner cohorts. In the longer term model, sites with secondary functions (such as a Reception prison with a mix of remand and sentenced prisoners) will be supported to deliver separated, bespoke regimes for each population/cohort rather than to automatically allocate all prisoners to the same activities and regime elements. In the shorter term at Stage 1, we ask sites to give due consideration to the frameworks applicable to each of their functions and to build the considerations for each population into tailored regimes for that group having reached Stage 1.

The HMPPS **Models of Operational Delivery (MOD)** are referred to in most functional frameworks below. There is a close link between MODs and functional expectations. At Stage 1, sites merely need to consider MODs and functional expectations and deliver changes they can achieve. In the longer term we will combine MODs and functional expectations to form regime policy frameworks that fit together to form a national regime model. Frameworks for the delivery of YCS reform are already in place. Delivery will now be reviewed and refocused in the light of the YCS Child First Transformational Delivery Model.

Tables below are the **functional frameworks** for each establishment type at Stage 1:

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| Reception prison functional framework |  |
| Reception prisons at Stage 1 are encouraged to:1. Undertake a review to gauge the size of remand & sentenced populations (if applicable)
2. Undertake a needs assessment to identify the regime requirements of each group/cohort
3. Develop a locally designed regime for each population based on identified needs.

In the longer-term prisons are encouraged to prioritise the following:* **Settlement period:** Expanding induction, prisons should add a tailored settlement package as a foundation to regime participation ensuring prisoners are “regime ready” on progression e.g. providing modules that enable health stabilisation, adaption to life in prison etc
* **Assessment and identification of immediate needs:** Prisons are encouraged to develop a model that assesses the individual regime needs of each prisoner as well as traditional assessments for sentence planning, education induction etc. Each prisoner should have immediate needs identified and catered for as a result of the assessment.
* **Local menu of activities:** The establishment is encouraged to develop a local menu of purposeful activities that are separated into activities tailored to remand prisoners that deliver safe settlement/regime readiness and activities for sentenced prisoners that deliver tailored resettlement activities for their identified needs.
* **Prioritise and structure key work sessions:** Ensure that each prisoner is allocated a key worker and that key work is prioritised and ring-fenced wherever possible. Sessions should focus on settlement and identification of needs, then setting regime targets linked to OM activity. Sessions should be constructive and supportive, encouraging individuals to engage with regime and make appropriate choices.
* **Allocate a Prison Offender Manager:** Prisons are encouraged to ensure that POMs are allocated and that relevant OM activities such as screening for interventions and work with prisoner key workers, reviews of ongoing risk and links between sentence management and regime progression are established.
* **Bespoke packages for non-engaged prisoners:** Prisons are encouraged to develop a bespoke package of support for prisoners who are not-engaged, self-isolating or opting to not engage in regime opportunities. Prisons are encouraged to adopt a **principle of equivalence** so that non-engaged prisoners still receive equivalent access to activities, even if on-unit or in-cell as those participating in other regime elements.
* **Grow Structured On-Wing Activity (SOWA)** prisonsare encouraged to increase/introduce informal staff and peer led activity to enrich periods on residential units with more informal/extra-curricular activities. These can focus on life-skills, health promotion, hobbies and interests as well as more formal activities such as key work and faith activities.
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| Resettlement prison functional framework |  |
| Resettlement prisons at Stage 1 are encouraged to:1. Undertake a local review to determine the size of their resettlement & training populations (if applicable)
2. Undertake a needs assessment to identify the regime requirements of each group/cohort
3. Develop a locally designed regime for each population based on identified needs.

In the longer-term prisons are encouraged to prioritise the following:* **Local menu of activities:** The establishment is encouraged to develop a local menu of purposeful activities separated into regimes for each prisoner cohort and tailored to individual regime objectives to promote personal achievement. Regime activities need to feed into Offender Management activity and sentence progression decisions.
* **Build on settlement foundation and assessments:** In the longer termthe national regime model will include structured progression from Reception to Resettlement. Each prisoner will have an individual assessment of regime needs created at the Reception Prison to guide and inform the Resettlement phase – enabling Resettlement prisons to build onto the foundation work and deliver the resettlement activity tailored to the sentence plan and the regime assessment. In the interim establishments are encouraged to liaise with feeder prisons and agree how information gathered during settlement period can guide resettlement as much as possible.
* **Prioritise resettlement activities:** Deliver interventions, activities that address offending behaviour and sentence planning and progression. Link OM to regime decisions and where possible build up an equivalent picture of regime participation and achievements to those created for traditional sentence management and progression activities so that regime participation and sentence management are fed into release and progression planning.
* **Prioritise and structure key work sessions:** Ensure that each prisoner is allocated a key worker and that key work is prioritised and ring-fenced wherever possible. Sessions should focus on identification of and setting regime targets and resettlement linked to OM activity. Sessions should be constructive and supportive, encouraging individuals to engage with regime and make appropriate choices.
* **Allocate a Prison Offender Manager:** Prisons are encouraged to ensure that POMs are allocated and that relevant OM activities such as screening for interventions and work with prisoner key workers, reviews of ongoing risk and links between sentence management and regime progression are established.
* **Grow Structured On-Wing Activity (SOWA)** prisonsare encouraged to increase/introduce informal staff and peer led activity to enrich periods on residential units with more informal/extra-curricular activities. These can focus on life-skills, health promotion, hobbies and interests as well as more formal activities such as key work and faith activities.
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| Training prison functional framework |  |
| Training prisons at Stage 1 are encouraged to:1. Undertake a local review to determine the size of the Training and Resettlement populations (if applicable)2. Undertake a needs assessment to identify the regime requirements of each group/cohort3. Develop a locally designed regime for each population based on identified needs  In the longer-term prisons are encouraged to prioritise the following:* **Local menu of activities:** The establishment is encouraged to develop a local menu of purposeful activities separated into regimes for each prisoner cohort and tailored to individual regime objectives to promote personal achievement. Regime activities need to feed into Offender Management activity and sentence progression decisions.
* **Build on settlement foundation and assessments:** In the longer termthe national regime model will include structured progression to training prisons. Each prisoner will have an individual assessment of regime needs created at the Reception Prison to guide and inform the next phase – enabling Training prisons to build onto the foundation work and deliver the training activity tailored to the sentence plan and the regime assessment. In the interim establishments are encouraged to liaise with feeder prisons and agree how information gathered during settlement period can guide training and resettlement as much as possible.
* **Prioritise training activities:** Deliver employment, activities that address offending behaviour and preparation for progression and/or release where relevant, e.g. enable through the gate support and partnership engagement to meet resettlement needs. Utilize OMiC and effective partnership engagement to meet individual progression needs towards resettlement
* **Prioritise and structure key work sessions**: Ensure that each prisoner is allocated a key worker and that key work is prioritised and ring fenced wherever possible. Key work sessions should focus on resettlement and setting regime targets. Sessions should be constructive and supportive, encouraging individuals to engage with regime, their sentence plan and make appropriate choices.
* **Allocate a Prison Offender Manager:** Prisons are encouraged to ensure that POMs are allocated and that relevant OM activities such as screening for interventions and work with prisoner key workers, reviews of ongoing risk and links between sentence management and regime progression are established.
* **Grow Structured On-Wing Activity (SOWA)** prisonsare encouraged to increase/introduce informal staff and peer led activity to enrich periods on residential units with more informal/extra-curricular activities. These can focus on life-skills, health promotion, hobbies and interests as well as more formal activities such as key work and faith activities.
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| Open prison functional framework |  |
| Open prisons at Stage 1 are encouraged to:1. Undertake a needs assessment to identify the regime requirements of each group/cohort
2. Develop a locally designed regime that meets the needs of each prisoner cohort

In the longer-term prisons are encouraged to prioritise the following:* **Local menu of activities:** The establishment is encouraged to develop a local menu of purposeful activities separated into regimes for each prisoner cohort and tailored to individual regime objectives to promote personal achievement. Regime activities need to feed into Offender Management activity and sentence planning decisions.
* **Build on resettlement/training phase and reviews:** In the longer termthe national regime model will include structured regime at each stage that sequence activities from settlement to Open prisons. Each prisoner will have an individual assessment of regime needs created at the Reception Prison to guide and inform the resettlement phase – enabling resettlement and open prisons to build onto the foundation work and deliver activity tailored to the sentence plan and the regime assessment. In the interim establishments are encouraged to liaise with feeder prisons and agree how information gathered during the resettlement period can guide activity in the open prisons where possible.
* **Prioritise resettlement activities:** Deliver employment, ROTL, activities that address offending behaviour in alignment with the sentence plan and pre-release processes. Enable through the gate support and partnership engagement to meet resettlement needs.
* **Allocate a Prison Offender Manager:** Prisons are encouraged to ensure that POMs are allocated and that relevant OM activities are established including Release on Temporary Licence (ROTL) assessments, Home Detention Curfew (HDC) and preparation for release into the community (including handover from POM to Community Offender Manager). They should review progress, set objectives, provide support and supervision.
* **Grow Structured On-Wing Activity (SOWA)** prisonsare encouraged to increase/introduce informal staff and peer led activity to enrich periods on residential units with more informal/extra-curricular activities. These can focus on life-skills, health promotion, hobbies and interests as well as more formal activities such as key work and faith activities.
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Open prisons most likely will not look significantly different at Stage 1 compared to pre-COVID regimes and can revert to pre-COVID delivery where it remains safe and purposeful. Prisons in the Open estate are still part of the future regime vision of sequenced frameworks. Open prisons are therefore required to follow the principles of Stage 1 and future reform. The functional frameworks for Open prisons and Womens establishments will not draw on a MOD as one has not been developed for these sectors, so alternative information sources will be used. Frameworks for the delivery of YCS reform are already in place. Delivery will now be reviewed and refocused in the light of the YCS Child First Transformational Delivery Model. There is no separate framework for PMP sites. HMPPS will work with providers to ensure that the expectations relevant to each PMPs function are achieved within the parameters of their existing contracts.

Frameworks for Women’s and YCS sites have been designed by each sector and contain bespoke elements in recognition of different challenges and risks issues within these specialist sectors:

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| Women’s prison functional framework |  |
| Women’s prisons are multi-functional, covering Reception, training and resettlement functions. All are designated as resettlement prisons but also perform secondary and tertiary roles. As such all prisons at Stage 1 will:1. Undertake a needs assessment to identify the regime requirements of their population
2. Develop a locally designed regime based on the needs of their population

The regime in women’s prisons will also work towards imbedding: **Settlement period:** Expanding early day’s provision, prisons will prioritise safety and seek to resolve immediate needs, stabilise physical and mental health including substance misuse, maintain links with community and provide support to maintain family ties, particularly with dependent children. This is equally important in those prisons without a local function as transitions are evidenced to significantly increase risk of self-harm.**Prisoner assessment and individual timetable**: Within the settlement period each prisoner will receive an individualised assessment of their regime needs by a designated member of staff. A personalised plan will be produced setting regime objectives and activity outcomes. A personalised timetable will then be produced. **Ensure that the OMiC complexity of need assessment is completed** for sentenced women and that they are correctly allocated a Prison Offender Manager and a key worker (if eligible based on assessment of need). They will undertake relevant offender management activities, provide constructive and supportive dedicated time, encouraging individuals to engage with regime and their sentence plan and prepare them for resettlement into the community.**Local menu of activities:** The establishment will develop a local menu of purposeful activities and interventions that meet the different needs of women on remand, short and longer sentences, with a continued focus on reintegration back into the community, including building skills and links to employment. Enable through the gate support and partnership engagement to meet resettlement needs, noting that for many individuals on remand or short sentences this will need to take place during the settlement period. **Regime offer:** Regimes will recognise the importance of access to services (e.g. health, psychology, substance misuse, etc) as equal to education/workshops and should allow women to choose activities that will enable future aspirations and career choices. Regimes will allow for personal headspace and access to informal peer support, fostering a sense of community and normalising environment, and will facilitate women’s engagement/contribution to the prison. All women’s prisons will provide evening activities and access to ROTL. Regime curtailments will be closely monitored by the PGD. Open prisons will be expected to provide greater levels of access to the open air, activities and ROTL.**Support access to families and children:** Access to families support provision will be enabled and prioritised. Purple Visits must have evening and weekend sessions, providing additionality to family contact above social visits. Family days will be a regular and embedded part of the regime. Sites will provide access to Childcare Resettlement Leave.**Ensure that each prisoner is allocated a key worker** (delivered by a POM for more complex cases) and that key work sessions focus on settlement, identification of needs and supporting progression. Sessions should be constructive and supportive, encouraging individuals to engage with regime, sentence plan requirements and make appropriate choices. |

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| YCS functional framework |  |
| YOIs and the STC will:* Produce **a local offer informed by the ‘integrating care for children, promoting positive identity shift’ vision and which embeds the YCS 5 core principles**. This will include reform activity, recovery workstreams, operational delivery and work to address backlogs.
* Develop an **individualised plan for each child based on a multi-agency case formulation** which is regularly updated and includes supporting children with resettlement or through transitions
* **Deliver a need-led, routine regime (including a flexible education/learning offer), which is individualised and tailored to the specific needs of each child.** The approach will include a) appropriate social time for child, b) preparing each child for resettlement into the community or transition into the adult estate and c) embedding the learning offer in to future provision through the education (learning services) retender
* Continue to **phase in full CuSP** offer as per resources/ project implementation plan, as part of wider delivery of reform up to 2023.
* **Reintroduced full interventions delivery**, including recommencing medium to high intensity groups. All intervention facilitators are reengaged as per Service Delivery Requirement per site
* **Ensure that the voice of the child is listened to** and informs their individual plans
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# Local layer

The **Local Layer** is arguably the most important part of the Stage 1 model. It is the local process to construct Stage 1 regimes based on national tools and parameters. The local layer introduces a new Regime Review Tool (RRT) comprising two elements. A **national design process** ensures that regimes are created and signed off in a consistent and robust way. A set of 15 **design principles** guide the design ensuring regimes consider national guidance and COVID learning.

The Regime Review Tool (RRT) has been created by a working group comprising of Governors/Directors, Trade Union representatives and colleagues from Safety, SOCT, Resourcing, H&S and PSPI. RRT deliberately does not prescribe group sizes or models of delivery for Stage 1 as these must be determined locally based on risk assessments of each area and activity. Instead RRT sets national principles that must be considered alongside the local context when designing local regimes.

The application of those principles is a **local operational decision** based on the local context. Local context includes many factors that determine the local risk profile; including the physical fabric, staffing and population factors, incident levels and resources. Sites must consider these factors and national principles to build the best local regime for Stage 1. This does not need to be a permanent regime model that achieves all aspects of regime reform. Stage 1 is a gateway to future reform commencing (continuing in YCS). It sets a **safe foundation** for future regimes.

The national guidance at Stage 1 does not impose a particular regime design on establishments. Stage 1 also does not mean that all aspects of regime delivery should automatically change from pre-COVID delivery. Where activities and group sizes were safe and purposeful, they can be reintroduced operating the same way. However, sites should re-evaluate group sizes and regime components where clear risks exist and safety benefits can be achieved provided this does not come at a disproportionate cost to the level of purposeful activity they can provide.

In designing their regimes, sites will achieve the best **balance** locally between critical priorities. Regime group sizes must be **safe** but must still ensure **sufficiency** **of quality and quantity of regime** (e.g. that activity groups sizes do not significantly reduce access to purposeful activity or services such as faith and health). Regime group changes must be proportionate to the level of safety risk and must not create a greatly reduced regime just to ensure that no risk exists. The overall aim is to deliver meaningful and purposeful activities in the safest groups possible.

HMIP reported in their thematic review in February 2021 that: “*Prisoners require fulfilling daily lives which include meaningful activity but are also free of the previously high levels of violence”.* This encapsulates the purpose of Stage 1 regimes – to deliver a balance of **safety** and **sufficiency of regime,** ensuring quality and quantityof activities tuned to local population needs, risks and requirements.

Similarly, activities should be safe but also represent **value for money** and efficiency (e.g. activities or movements must not absorb excessive resources to deliver). Finally, regime groups and levels of mixing must be designed in a way that safeguard **commercial contracts** (e.g. do not have a disproportionate impact on education delivery) and deliver statutory/policy requirements. Many policy areas are in scope for the longer-term reform, but we must safeguard delivery in the short term. Sites can agree changes to the delivery of contracts/partnerships within the scope of those contracts where agreed locally with contracted providers and HMPPS commercial leads.

Establishments are naturally accustomed to regime planning and skilled in designing the best model of delivery within their given resources, particularly during COVID restrictions. RRT does not aim to impose new templates or planning methodology on the local design process. RRT also does not set minimum or maximum numbers in activities, define what regimes must include or prescribe other parameters. RRT is a high-level set of national principles that must be considered when making those decisions locally for PGD endorsement.

**5.1 Design process for building stage 1 regimes:**

Sites already have risk assessments, Safe Systems of Work, RMP, LSS and Local Operating Procedures setting out their regimes, including group sizes for activities and movements. RRT is designed to make use of existing documentation and processes and to minimise the requirement for new documents. Sites therefore do not have to create new documents but should only refresh those changed by RRT. The RRT design process is explained in more detail below:

**Summary & RMP sign off by PGD**

 Approval of regime summary document & RMP. PGD will sign off the regime model & verify regime achieves balance between **safety** and **sufficiency** & monitor thereafter.

**Start Point**

**Sites will use latest (e.g. Stage 2) regime model as a base & expand it where appropriate by resetting COVID controls to the maximum level set by Stage 1 SOP**

**Build local**

**Stage 1 model**

**Consider local risk profile & context plus national RRT principles to design the optimal initial Stage 1 model. Produce Stage 1 regime summary & update RMP**

Sign off process

Local Planning

1. **Start point: the most recent regime model and LOPs (Stage 2)**

The natural starting point for designing a Stage 1 regime is the most recently used regime model (Stage 2). Progression from Stage 2 to Stage 1 brings a reduction in COVID controls/restrictions to a level set in the new **Stage 1 SOP**. Therefore sites should review their local regime model and local operating procedures from Stage 2 and reduce the controls to Stage 1 requirements as a first step. We envisage that this will naturally enable more prisoners to attend activities in most areas (as determined by the local assessment) and Stage 1 regimes should therefore offer more access to purposeful activity than at Stage 2, albeit with changes to delivery where required.

1. **Build Stage 1 model**

Having adjusted the COVID controls sites need to consider the **national design principles & local context** to build their Stage 1 regime. Within their Stage 1 model sites should consider their regime group sizes for all activities, movements and periods on residential units. Sites must find the right balance between a safe regime and sufficient access to activities and ensure resources are used effectively and fully. Sites can reduce resourcing in one area to fund changes in others and have freedom within their Target Staffing Figure (TSF) to make local changes.

Having built a Stage 1 regime, sites will need to update Local Regime Management Plans (RMP) as required by the new regime plan. Sites will also need to include their residual backlog workload into their RMP and this will allow **Local Recovery Plans** to be closed at this point. Trade Unions must be consulted and evidenced as described in PSI 07/2017 on RMPs:

<https://www.justice.gov.uk/downloads/offenders/psipso/psi-2017/psi-07-2017-regime-management-planning.pdf> .

Sites will also complete a **Stage 1 regime summary** document provided at annex A. The purpose of this brief summary is to provide the PGD with the granular detail on any regime and resourcing changes between pre-COVID and post restriction regimes. This must include the hours de-invested and how they have been reinvested, changes to group sizes, movement processes and regime activities. For Reception prisons this may also include an application under the **exceptional circumstances** procedure to operate temporarily at amber state, below the green delivery expectations. A detailed rationale must be provided with this application which will be considered as part of the Stage 1 assessment by the PGD in conjunction with the ED. This detail will allow the PGD to review Stage 1 proposals and ensure they reach the appropriate balance of sufficiency and safety, deliver value for money and that any application under exceptional circumstances can be considered. The PGD will sign-off Stage 1 regime models and RMPs to formally approve them.

1. **Regime Summary document and RMP Sign off**

The PGD will sign off the Stage 1 summary document having reviewed the outline of regime and the rationale behind it together with the updated RMP. This will then be reflected in the Stage 1 Assurance Statement. The PGD will then forward the Assurance Statement to Gold for verification. Gold will consider national system-level consistency in this review of the PGDs decision. PGDs will ensure that there is sufficient ongoing monitoring and review of regime delivery at Stage 1. There is no expectation that Stage 1 regimes will necessarily endure for the long-term, establishments should adjust their delivery as both community and local risks change. Beyond Stage 1 the Future Regime Design project team will work closely with Governors to design further elements of regime reform during the three-year life of the Prison Reform Programme (the equivalent Reform Programme will continue in YCS sites).

**5.2 Considering the local context:**

The local risk profile and context will vary at each site. As such establishments will determine the information they collate and how it is used to inform the design of their Stage 1 regime alongside the national principles. An indicative set of local resources/sources to inform the local context is provided in the table below together with some additional resources for consideration. To inform the local design, the **HMPPS Evidence Based Practice Team (EBPT)** has compiled a list of effective regime design considerations, including Procedural Justice and Diversity and Inclusion (D&I) guidance. **HMPPS Safety Directorate** has provided a Safety Impact Assessment tool to also assist local planning. The establishment will determine how tools are used and what information is collated locally to inform their stage 1 design.



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| Local considerations (examples of source information) |
| -**Local pre-COVID violence** (P/P and P/S data) and **safety data** (SID, self-harm) and safety tools held locally such as the **Safety Diagnostic Tool.**-**The needs and risks of each cohort** (e.g. remand; IPP; neurodiversity, young adults etc).**- Local COVID learning points** (e.g. local analysis, surveys on learning from COVID experiences).**- Local intelligence picture,** including the levels of debts, bullying, drugs use, levels and nature of adjudications, Segregation Unit population.**-Stakeholder feedback** from staff, contracted partners, public health officials, Trade Unions and prisoners.**- Staff and prisoner factors:** Localised risk scenarios such as a high percentage of frontline staff having not worked on residential areas before COVID restrictions or a particular aspect of the prisoner population. **- Local backlog data** including but not limited to annual Leave and TOIL; role-specific training, e.g. Safer Custody orC&R(MMPR), ACCT training, Key Work(CuSP), RPE training and Listener support, level of accredited staff for key posts- please see Stage 2 framework for key areas of focus on backlogs  |

* 1. **National design principles:**

Sites need to consider national design principles alongside the local context when building their Stage 1 regime. The national principles are not prescriptive, they do not set limits on the size of regime groups or mandate regime components, movements etc. Instead they set parameters for localisation. The PGD will make the judgement to confirm that the local regime has successfully delivered the requirements outlined in the design principles listed below:

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| **Ref.** | **Stage 1 planning principles** |
| **01** | Sites will build a local regime model for Stage 1 that achieves an appropriate local balance between **safety** and **sufficiency** of quality and quantity of regime.The output will be a local regime model, summarised in a brief **Stage 1 regime summary** and updated **RMP** which must both be signed off by the PGD. |
| **02** | Establishments must ensure that the **Stage 1 National Core requirements** are delivered – including:1. That requirements for COVID controls set by the Stage 1 SOP are achieved
2. That regimes consistently deliver Delivery Expectations and are significantly above Red Flags level.
3. That Stage 1 is delivered with existing resource and budgets (and within contract price for PMPs)
4. That sites imbed a formal link between their OM function and resources and regime delivery

Establishments must also ensure that additional **PSI, PSO and policy requirements** are delivered and regime at Stage 1 achieves the establishment’s core business requirements. |
| **03** | Sites with significant pre-COVID safety and/or violence issues should consider changing regime delivery and not revert back to pre-COVID regime where improvements can be made. This includes models of  **movement** / “free-flow”, **on-wing regime** and **group sizes for all activities**. All regime changes for safety benefits must ensure sufficient regime access is still maintained.  |
| **04** | Sites must ensure **value for money and safeguard commercial contracts** – though contracts may be in scope for future reform, sites should work with local contracted providers to ensure delivery of contractual requirements is not inhibited at Stage 1. However, delivery models can be amended within the parameters of existing cost and contracts by local agreement with the PGD, contract management teams and providers.  |
| **05** | As part of regime design, **local regime group sizes** must be reviewed for movements, group activity and period of group unlock on residential units. Sites **do not need to set the same group size** for every activity, they should set sizes according to local risks. Sites must set group sizes proportionate to the level of risk and not automatically reduce or change them where no risk exists. Staff supervision levels should also be set locally and can vary across different areas or activities.  |
| **06** | **Target Staffing Figures (TSF)** will not be amended but sites can change how staff are deployed. Specialist staff (PEIs, Workshop Instructors) & contracted staff will not generally be moved, though local changes can be agreed within cost and parameters of a contract.  Regimes at Stage 1 must be **delivered within existing resources**, though Governors have through local operational judgement the option to de-invest to reinvest elsewhere locally.  |
| **07** | Sites should **manage mixing between prisoners** but only where clear security 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.  |
| **08** | Documents sitting underneath the regime model, RMP and summary document (such as **local risk assessments or SSOW**) will only need to be updated to reflect any changes in delivery. Sites do not need to refresh every risk assessment and procedure at Stage 1.  |
| **09** | The regime design is owned by the Governor and the **PGD will provide oversight and scrutiny**. As the RRT enables **localised operational judgements** we will see variance between sites in the same sector. PGDs will ensure that reasonable regime standards are achieved and that regimes represent VFM. Local stakeholders must be engaged and included in regime design including staff and local contracted providers. **Recognised Trade Unions** must be consulted and records retained for the submission. |
| **10** | Public Sector Prison Industries (PSPI) have created new Recovery Capacity Forecasts setting an **optimal number of prisoners for internal market workshops**. Sites should refer to these when reviewing group sizes for these activities. Sites can still set a local group size as long as a sufficient prisoner workforce is ensured for the local provision of meals and/or to support any national commitment to provide critical items or equipment required for the internal market.  |
| **11** | Sites should offer a mix of as much **Purposeful Activity** and **Structured On Wing Activities (SOWA)** as can be safely delivered whilst meeting the other principles. SOWA are extracurricular, enrichment activities delivered largely on residential units (subject to local physical layout) which may include staff or prisoner led groups, hobbies, games and support groups. Local innovation to improve on-wing and particularly in-cell activity should be promoted. |
| **12** | In parts of the estate (such as Category D sites, Women’s estate and some dispersal prisons) the delivery of regimes **may not need to look different** to pre-COVID which was already risk assessed as purposeful and safe. Sites need not automatically make significant changes such as smaller regime groups where the local risk data (incidents etc.) shows this is not required. Sites can make smaller nuanced changes to the delivery of individual activities or groups and should treat each activity/movement on its merits and risks when considering change. |
| **13** | Sites must provide **bespoke packages of activity/support opportunities for prisoners not engaging in regime**. Sites should ensure that those not unlocked or participating in off-wing activities are receiving an enhanced level of support, including on-wing or in-cell activity. This may include tailored or additional key-work, informal and formal SOWA, additional staff time and support to encourage participation in regime, including off-wing. |
| **14** | Sites should ensure that **access to regimes is fair, inclusive and consistent** and that Stage 1 regimes take steps to even out pre-COVID disparities in access and participation where they exist. Even if overall regime hours reduce for some prisoners, this can be defensible if quality and parity of the regime is improved. Part-time activities or reduced hours participation may be advantageous to improve access for more but are not automatic requirements (e.g. if all can attend full time, we do not need to revert to part time working). |
| **15** | Sites should consider desktop exercises to aid local planning. PGDs and Governors will **evaluate and monitor regime** delivery at Stage 1 to ensure that any unintended consequences such as increases in violence result in appropriate local and group review and action.  |

* 1. **PGD approval and central oversight**

Sites will provide a **Stage 1 regime summary** which outlines regime changes in their proposed Stage 1 model and submit this with their updated RMP for PGD approval. The regime summary must identify any changes/reductions in delivery hours and how these hours will be reinvested to improve overall improvement in delivery outcomes. For a small number of prisons this will also need to include an exceptional circumstances application to temporarily operate at amber state, below the green delivery expectations, if the establishment wishes to make such an application.

The PGD will make a judgement on the safety and sufficiency of the regime proposal and on the additional exceptional circumstances application if submitted. In this context regime sufficiency means more than a reasonable number of hours or consistent access; it also includes quality of the regime offer, value for money and regime outcomes for prisoners. Any reduction in hours and activities must be carefully considered by the PGD and smaller regime groups or changes to purposeful activity must be merited, justified and balanced against any regime depreciation that results from the changes.

Sites do not need to adopt smaller regime groups universally, ban all mixing or reduce access to activities that remain safe and purposeful. Changes are only required where pre-COVID models were unsafe and/or where positive changes can be achieved – e.g. reduction in prisoner access to achieve parity and consistency of regime. The PGD will **endorse the Summary document and the RMP** where assuredthat the green state has been achieved on the safety/sufficiency matrix:



Thereafter the PGD and Governor will discuss the Stage 1 regime regularly and the Governor will ensure the regime summary is reviewed quarterly and updated. Any successful applications from prisons applying to temporarily operate at amber state rather than delivering green expectations, must also be reviewed quarterly. When considering the application, PGDs should review the prison proposals for progressing from amber to green state and escalate the cases of any prisons that have remained at amber for a protracted period.

The Stage 1 model is the first step and a temporary state that will evolve and iterate further as the national and local position changes. The Stage 1 regime will be built on and prisons do not need to have achieved the totality of the HMPPS regime reform vision within their initial Stage 1 model. Prisons must deliver safety and sufficiency and regimes must achieve a safe first step towards reform on progression from the National Framework. A prison should not be held back from progressing if it can safely move on account of a Stage 1 model not achieving significant change. Reform that cannot be achieved in the progression to Stage 1 can be delivered in the longer term as a Stage 1 prison.

Stage 1 will require continuous monitoring and review and an appropriate level of central oversight of local innovation and planning. Stage 1 regime summary documents that have been endorsed by PGDs will therefore be shared with Executive Directors (E.Ds). The E.D’s will provide an **oversight function**, monitoring national trends in regime plans from Stage 1 sites to ensure equitability and consistent standards. EDs would also be able to share learning and highlight good practice across the estate. In turn Gold will validate the process by ensuring consistency at a national system level.

In the event of exposing negative trends (such as consistent reductions in regime hours in pursuance of smaller regime groups which appear disproportionate to local risk), **national parameters will be reviewed and refreshed** to counter and contain the issue. A formal review will be completed by the Future Regime Design team once a ‘reasonable’ cohort of sites has been approved for progression to Stage 1. This will generate a national briefing on Stage 1 regime good practice for those following sites to work to.

**End of model.**