**COVID-19 Use of Force guidance update – August 2021**

This guidance updates HMPPS Governors, Directors of Privately Managed Prisons

and those responsible for contracted service delivery, on dispensation arrangements

and HMPPS expectations in relation to use of force (UoF).

Exceptionally, and in response to the outbreak of COVID 19, all UoF training was

suspended and dispensation from the requirement to complete refresher training

was given to all staff who practice Use of Force.

As of January 2021, Use of Force training resumed at local level on a best effort basis. It was suggested that priority be given to refreshing Use of Force Advanced trained staff who are relied upon for Operation Tornado commitment. A SOP covers training delivery for all locally delivered UoF training, as well as guidance on both planned and unplanned use of force incidents.

**Dispensation Arrangements**

Instructor revalidation training was temporarily suspended from January 2019 to allow the roll-out of SPEAR/PAVA/RBH training for Instructors, and in March 2020 all UOF training temporarily suspended due to the COVID-19 pandemic. Use of force training at the two national centres resumed as of July 2021. The priorities for the training schedule have focussed on Use of Force instructor revalidation and advanced refresher courses with the operational considerations reliant on those courses.

It has been agreed that as an exceptional measure:

* Local Instructors are accredited to deliver the basic UOF syllabus provided they have attended either an Initial or revalidation course since January 2018.
* Only staff within this category who have also attended the up-skill course in SPEAR/PAVA/RBH are authorised to deliver these sessions, provided the establishment meets the nationally agreed readiness requirements and have been signed off by the Safety Board.

All instructors MUST attend a revalidation course by March 2022, otherwise their accreditation to teach will expire.

**UoF Instructor pre-selection dispensation**

Those staff that passed their UoF Instructor pre-selection training assessment prior to the COVID-19 pandemic and since January 2018 will be eligible to book onto a UoF Instructor initial training course until March 2023. If the member of staff has not completed their UoF Instructor training by March 2023 they will have to undertake a new UoF Instructor pre-selection training assessment.

**Operation Tornado eligibility**

With staff fitness testing resuming, as of 1st September 2021 to be eligible for Operation Tornado staff must have completed a fitness test to the required standard. It was suggested that priority be given to those Use of Force Advanced trained staff who are relied upon for Operation Tornado commitment.

As of 1st September, the eligibility for supporting Operation Tornado commitment will be:

* To have undertaken local Use of Force basic refresher training within the previous 12 months
* To have completed either a Use of Force Advanced refresher or initial course at a national training centre since November 2018
* To have completed a fitness test to the required standard within the previous 12 months

To support with the focus of the training programme and the operational pressures around the estate, the following information has been agreed:

**Method of Entry eligibility**

As of 1st September, the eligibility for Method of Entry operators will be:

* To have undertaken local Use of Force basic refresher training within the previous 12 months
* To have completed a Use of Force Method of Entry course at a national training centre since January 2017
* As of 1st September, to have completed a fitness test to the required standard within the previous 12 months

With the additional dispensation, it is imperative that the individual member of staff feels confident and competent to use such skills and operate such equipment.

**Working at Height negotiators**

The eligibility for Working at Height negotiators is:

* To have completed a Working at Height negotiators course at a national training centre since January 2018

**PAVA**

As a reminder regarding PAVA it mainly effects the eyes, but it also effects the respiratory system. The PAVA policy states that staff must take the health of a prisoner into consideration before deploying PAVA. The policy states that it must not be used on a prisoner in respiratory distress or showing other signs of immediate symptoms of acute ill health which are likely to be significantly exacerbated by PAVA deployment. This would include any prisoner that is suspected of having COVID-19.

Staff are also reminded that PAVA will only be used when exceptional circumstances apply and in accordance with training. The legitimate use of PAVA will only be considered reasonable as a means of defence when:

1. It is necessary for an officer to defend themselves or a third party from an attack, or an impending attack, where they perceive a threat of immediate serious harm; and
2. There is no other reasonable option open to the member of staff to protect themselves or another person and reduce the risk of immediate serious harm but to employ this defensive technique.

PAVA must not be used during planned interventions or to resolve incidents at height by anyone other than NTRG.

**Role of Healthcare**

If there is a healthcare professional available, they must be contacted to attend a planned intervention or if possible, respond to unplanned incidents. This is even more crucial if the prisoner is suspected of having COVID-19 as any form of restraint may constrict the respiratory system. A healthcare professional should see a prisoner within 24 hours of force being used. We understand that healthcare resources are stretched, however this requirement must be adhered to.

For further information on any information contained in this guidance please contact the UoF queries functional mailbox (UOFQueries@justice.gov.uk)