



HM Prison &
Probation Service

National Allocation Protocol v 3.1

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Reconfiguration Project

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Statement of purpose

This protocol provides the Prison Service with instructions and guidance on allocations of adult male and young offenders (18– 20) from a reception prison to the next-stage prisons including the Long Term and High Security Estate (LT&HSE), category C and D prisons for adult male prisoners and the closed and open estate for Young Offenders (aged 18 years and over). The LT&HSE, category C (training), category D and YOI open prisons referred to in this protocol are a national resource and should be used as such.

This protocol applies to male offenders aged 18 years and over.

This protocol will be reviewed as reconfiguration of the estate progresses.

Guidance set out in this document may be superseded by instructions issued through the Prisons Directorate during operational emergencies and implementation of business continuity plans e.g., dealing with communicable diseases such as COVID-19.

DESIRED OUTCOMES

This National Allocation Protocol has been designed to:

- support the roll out of the National Offender Flows.
- assist in the initial allocation of adult male offenders from a reception prison into the first-stage prisons (LT&HSE and category C and D establishments)
- assist in the initial allocation of Young Offenders from a reception prison to the closed or open estate
- provide guidance for required moves and onward transfers to the next-stage prison, including expected transfer times
- provide guidance on any prisoners accepted into a reception prison from other establishment types

The principal outcomes this National Allocation Protocol will deliver are:

- improved prisoner management to ensure offenders are allocated to the most appropriate prison
- prisoners are transferred to aid their progression through their sentence and reduce the depth of imprisonment, and
- provide understanding of the allocation of all prisoners through the custodial estate.

MANDATORY ACTIONS

This protocol includes mandatory actions relating to:

- timescales for transfer
- types of prisoner who can resettle from a reception prison, and
- the use of holds within a reception prison.

This protocol does not override any security, safety or serious health considerations.

Version	Changes
Version 2.01	22 September 2020
Version 3.1	July 2021

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Introduction

This is Version 3 of the Interim National Allocation Protocol. It supersedes Version 2 which should be disregarded.

The revised version includes updates related to:

- Probation reform and changes to probation regions
- The updated security categorisation policy framework

Additionally, there are lines relating to progressive transfers and progression regimes.

This protocol has been written in liaison with other key policy areas, ensuring alignment with the offender management in custody (OMiC) model, parole process, categorisation policy and other areas it impacts upon. Feedback on the previous versions of the protocol have been applied. This protocol runs alongside the latest version of the compartmentalisation strategy.

What is the National Allocation Protocol?

The National Allocation Protocol provides instructions and guidance on allocations of both adult males and young offenders (18–20) from a reception Prison to the next-stage prison and from training prisons to resettlement. It aims to improve prisoner management to ensure offenders are allocated to the most appropriate prison.

All staff working in Offender Management Units in prisons should complete the offender flows awareness training which is available on the MyLearning training platform.

Who should use the National Allocation Protocol?

All prisons in the Adult Male and Young Offender estate should adopt the NAP. It will not be possible to deliver the right services to the right cohort of prisoners if this approach is not adopted across the estate.

All Offender Management Unit (OMU) staff should familiarise themselves with this protocol in line with operating the new offender flows.

One of the main changes in the reconfiguration of the prison estate is the reduction in the number of cohorts of prisoners managed by each prison.

Previously allocation was assessed according to sentence length. In the reconfigured estate, however, the focus is directed to the length of the custodial element of the individual's sentence. The emphasis is now on long term planning. Resettlement provision should be considered at the start of the sentence and not at later stages.

The timescales are explained further in the National Allocation Protocol sections. The role of the Population Management Unit (PMU) and its processes have not changed. When referring to transfers managed by PMU in this protocol, this relates to the process they oversee when transfers take place between establishments. PMU has a national picture of the capacity of prisons and due to this, makes overarching decisions on the availability of space within any given day. This process will continue.

The National Allocation Protocol must be followed to ensure the optimum flow of offenders through the whole custodial system. Prisons should operate in line with their population specification and must not impose local population restrictions without agreement with PMU. PMU may require acceptance of prisoners who are deemed best fit at times of population pressure and to enable some reception prisons to serve the courts effectively.

Other key points to note:

- The initial days after sentencing will not change and current processes and assessments remain in place. Prisoners will still be assessed by Healthcare. The basic custody screening tool (BCST), sentence calculation and all other relevant paperwork and needs assessments should be completed.
- However, if a prisoner is serving more than 28 days in custody (and has more than 28 days' time left to serve at the point of transfer), he will be required to transfer to the next-stage prison.
- Most prisons will have more than one function, such as reception and resettlement, or training and resettlement. Therefore, a move to a new cohort does not always require a move to a new prison (see section 15 about the resettlement function carried out by reception prisons).
- Resettlement and training prisons will receive prisoners earlier in their sentence. This means that additional assessments including OASys, recall and parole input will be completed by the training and resettlement estate. Adoption of this protocol will complement the OMiC case management model, ensuring that men are moved to the right type of prison for where the OMiC resource is allocated.
- Standard recall prisoners serving more than 28 days to sentence expiry date (SED) will be transferred out to the most appropriate prison unless they have matters pending in the magistrates' courts. Standard recall prisoners can be transferred with agreement of PPCS, however, if an oral hearing is scheduled transfers would not normally be authorised, the prisons would also need to agree who will complete reports and keep PPCS/PB updated. It will be the responsibility of the receiving prison to manage the Parole process, where applicable. In some cases, however, reception prisons will hold responsibility for parole. Prisons MUST make sure that the Public Protection Casework Section (PPCS) is kept informed of all ISP transfers. This is the responsibility of both the sending prison and the receiving prison.

- The requirement to complete OASys assessments at reception prisons will reduce over time in line with the OMiC model and will be completed by the training and resettlement prisons. However, some OASys completion will still be required by reception prisons. Reception prisons will also continue to complete OASys as part of their resettlement function. OASys completion will not be part of the initial transfer criteria.
- The ambition is that there will be limited direct transfers back into reception prisons unless part of the exception criteria (see section 5 of this protocol), through the court process, as directed by PMU or for Cat C resettlement.

Escalation route for prisons not adhering to the National Allocation Protocol

Transfer issues should be escalated within the operational line. The escalation route is outlined in section 17.

Section 1 - Overview

The Reconfiguration Project is transforming the adult male prison estate into three specific functions: reception, training and resettlement. This protocol gives guidance on the processes, timescales and individual considerations when assessing allocations to the next-stage prison.

All prisoners entering a reception prison after sentencing will undergo screening and categorisation (if required) to ensure a safe transfer to the next stage cohort/prison.

- i. This protocol applies to all male prisoners aged 18 years or over, convicted and sentenced to a term of imprisonment.
- ii. This protocol gives instructions on the allocation and transfer of adult male prisoners who are categorised as B, C or D and their transfer into the category C or D prison estate or the category B long-term and high security estate (LT&HSE)
- iii. This protocol gives instructions on the allocation and transfer of all young offenders (men) (aged 18–20) who are assessed after sentence as either open or closed.
- iv. This protocol does not cover category A adult male prisoners or restricted status for Young Offenders.
- v. The introduction of this protocol will have an impact on the allocation of category B offenders progressing into the LT&HSE (including category B trainer prisons). More category B prisoners will have access to training facilities, and category C offenders currently held in category B conditions will increasingly be transferred to a lower security category establishment. This will ensure that more prisoners are held in security conditions proportionate to their security risk. Prisoners transferring from a reception prison into the LT&HSE will not be prioritised above transfers from any other establishment.
- vi. Prisons with more than one function will provide a regime suitable for each cohort enabling more prisoners to access a regime suited to their needs.
- vii. When allocating and transferring prisoners to other establishments, consideration should be given to sentence plan objectives, including offending behaviour programmes, substance misuse treatment programmes and any other necessary interventions. All holds therefore should be reviewed regularly to meet the prisoner's progression needs.
- viii. All establishments will work together in a fair and equitable manner to ensure that the needs of adult male prisoners and young offenders in the estate are met. Only in exceptional circumstances can holds be applied to meet specific security, safety or serious health considerations.

- ix. Governors of all establishments must ensure that staff working in offender management units (OMUs) or with responsibility for, or involvement in the categorisation/allocation process have access to this protocol and that it will be applied.
- x. A copy of this protocol must be made available to prisoners, HMIP and members of the IMB on request.
- xi. All training and open places referred to in the protocol are national resources and should be treated as such.
- xii. Next-stage prisons referred to in this protocol, may not mean a move to a new prison and may only mean a change of cohort within the same prison as some prisons will have more than one function.
- xiii. All newly sentenced prisoners entering a reception prison should be categorised in line with the current categorisation policy and allocated to the most appropriate prison in line with their security category and the National Offender Flows.
- xiv. All prisoners transferring to another prison for any reason must first be assessed as clinically safe for transfer by a healthcare professional.
- xv. The role of the population management unit (PMU) and its processes will not change. This protocol refers to the process they oversee when transfers take place between establishments. PMU has a national picture of the capacity of prisons and makes overarching decisions on the availability of space on any given day. This process is not affected by this protocol.

Section 2 – Initial categorisation of sentenced prisoners

2.1 Categorisation and recategorisation

All newly sentenced adult male prisoners entering a reception prison must be categorised in line with the current categorisation policy.

All adult male prisoners eligible for recategorisation must be assessed in line with the current categorisation policy. Please see the Security Categorisation Policy Framework (Implementation date 21/02/2020) for further guidance.

Information can be obtained on the following link

<https://www.gov.uk/government/publications/security-categorisation-policy-framework>

Recategorisation:

It is sometimes necessary to increase or decrease the security category of a prisoner. All decisions to recategorise a prisoner should be:

- Evidence based
- In accordance with the guidelines
- Defensible
- Clearly recorded

Following the confirmation of a recategorisation to a higher security category (than the current establishment is able to accept), the relevant team should consult with PMU to identify where appropriate space is available in the estate. A key principle of the flows is that prisons should not impose local acceptance criteria.

In cases where a man's security categorisation has been decreased, the individual should be transferred to an appropriate establishment/cohort as soon as is practicable. This may not mean a change of prison but may be a change of cohort within the same prison.

In the event of any difficulties relating to recategorisation transfer, the usual escalation process should be followed.

2.2 Allocation and offender flows

Allocations must be in line with the current National Offender Flows. Please see current Offender Flows on the HMPPS intranet.

The National Offender Flows demonstrates the custodial route of a prisoner from point of sentence and arrival into a reception prison to onward allocation into the training or resettlement estate. For the purpose of this protocol, the pathway of a male prisoner is dependent on the following factors:

- age
- security category
- time left to serve (in respect of custodial element)
- conviction for a sexual offence
- of interest to the Home Office

When allocating category C prisoners who are in the resettlement phase of their sentence, their home probation service region must be taken into consideration, where appropriate, as closest-to-home principles should apply. It is acknowledged that some prisoners might be resettling somewhere different from their home area due to public protection or other safety concerns.

All prisons with a reception and/or a resettlement function have at least one probation region allocated to their establishment.

A prisoner's home probation area is based on their home address, or the address to which their release has been approved. A guide to the probation service regions is available at Annex A attached to this document.

When allocating and/or transferring a prisoner to a training prison with a resettlement function, consideration should be given to the probation service region which the prison serves. Priority should be given, but not restricted to, those from the resettlement function's probation service region. This will help to reduce unnecessary transfers.

All prisons with two or more cohorts within the same prison e.g., trainer and resettlement cohorts or reception and resettlement cohort, the prisons cohort proportions may fluctuate in line with population demand changes.

Prison Allocation Guide

The below information gives guidance on the allocation of male prisoners to the correct prison function, depending on their security category and time left to serve.

One of the main changes reconfiguration introduced into the prison estate is the cohort of prisoners identified for each prison. Previously, this was focused on the length of sentence and only in the latter part of their sentence, when assessing prisoners for resettlement, was the time left to serve taken into consideration. In the reconfigured estate, however, the focus throughout an individual's sentence is on how much time is remaining prior to release. The timescales are explained below.

Annex B – Allocation Checklist. The allocation checklist appended to this document will help guide you through the initial points that should be considered prior to allocation into the resettlement and training estates. Although this does not identify all the information you should take into consideration prior to a transfer, it does highlight the main steps that should be followed prior to allocation.

All prisoners moving into either a training or resettlement prison (including the LT&HSE), will have a minimum of 29 days' time left to serve at the point of transfer from a reception prison.

Allocation Guide for Young Offenders (18–20)

- Closed estate – YOI closed

- Open estate – resettlement – national resource

Young Offenders in dual-designated prisons will move through the reception, training and resettlement estate in the same time frame given below for adult male prisoners.

When allocating young offenders into a Cat C training cohort (those who have more than 16 months' time left to serve at the point of transfer), consideration for transfer into YO only prisons should be made first e.g., HMYOI Deerbolt, HMYOI Aylesbury etc.

Dual-designated prisons with a resettlement function can resettle Young Offenders.

Allocation Guide for adult male prisoners

- Category B – Long Term and High Security Estate (LT&HSE) are a national resource; therefore, no probation service region criteria apply. Cat A prisoners are assigned to the most appropriate dispersal by LT&HSE.
 - Minimum – 29 days' time left to serve at the point of transfer
 - Maximum – no maximum time left to serve applies
- Category C - Training Prison (national resource; therefore, no probation service region criteria apply)
 - Minimum – more than 16 months' left to serve at the point of transfer
 - Maximum – no maximum time left to serve applies
- Category C (Resettlement prison on transfer from a reception prison)
 - Minimum – 29 days' time left to serve at the point of transfer
 - Maximum – 16 months' time left to serve at the point of transfer
- Category C (Resettlement prison on transfer from a training prison. Prisoners transferring from training into resettlement must have spent at least 6 months in the training prison) (This is known as a required move)
 - Minimum – 10 months' time left to serve at the point of transfer
 - Maximum – 24 months' time left to serve at the point of transfer
- Category D - Open Prison (Resettlement – national resource, allocation to cat D should be as close to home as possible but is not Probation Region dependent).
 - Minimum – 29 days' time left to serve at the point of transfer
 - Maximum – 36 months' time left to serve.

All training and open prisons referred to in this protocol are a national resource and should be used as such.

Required Moves - Prisoners with between 10 and 24 months time left to serve in a cat C training establishment, and who have served at least six months there, are eligible to transfer to a cat C resettlement prison. Cat C prisoners in the training estate with less than 10 months time left to serve should already have progressed to a resettlement prison unless otherwise directed by the POM/COM or due to operational needs.

2.3 Transfer

Prisoners who have been categorised at a reception prison either initially or through recategorisation, and who have more than 28 days left to serve at the point of transfer, will be subject to transfer.

Prisoners with further matters pending should be transferred in line with section 2.4 of this protocol.

All reception prisons will include resettlement as part of their cohort and prison function proportions may fluctuate in line with population changes. The resettlement cohort will consist of those men who have less than 16 months' time left to serve and who are from the relevant probation region.

In some cases, men will serve their entire sentence in one establishment, having entered as part of the reception cohort and moving directly to the resettlement function.

However, men in the resettlement cohort could be transferred to an appropriate alternative resettlement prison to ensure sufficient reception places are available to serve the courts. Heads of OMU should regularly monitor the population to ensure categorisation and recategorisation are being undertaken in line with current policy and that men are not being held incorrectly.

It is vital that reception prisons maintain their service to the courts. Regular reviews of hold markers should be undertaken, as this can mitigate the need for lockouts and subsequent redirections.

Transfers to a prison that sits outside the allocated flows may take place due to operational necessity and may also be requested at short notice. These transfers will be directed by PMU.

Transfers may also be made due to individual needs, such as MCoSOs (men convicted of sexual offences) requiring specific offending behaviour interventions, or those prisoners requiring access to Therapeutic Communities, or other offending behaviour programmes.

All prisoners returning to a prison from a Secure Hospital must have their categorisation reviewed in line with the current policy. See section 7 of this protocol.

When assessing prisoners consideration must be given to the protected characteristics as set out in the Equality Act 2010. These are: age; disability; gender reassignment; marriage and civil partnership; race; religion or belief; sex; and sexual orientation. Consideration should also be given to maintaining family ties, Welsh language, health and vulnerability.

All transfers must be managed through PMU and are subject to change due to population pressures and availability of suitable spaces. Transfers to other establishments not highlighted in this protocol may be necessary.

All prisoners moving to another prison for any reason must be assessed as clinically safe for transfer by a healthcare professional before transfer.

Decisions to transfer should be clearly recorded including the reasons for the transfer and any related evidence.

2.4 Sentenced or licence recall with further matters pending

Prisoners in a reception prison who are sentenced and have further matters in the magistrates' courts are not expected to transfer before these matters are concluded by way of further sentence, dismissal or committal to the crown court. However, standard recalled prisoners awaiting trial on further charges at the crown court can, in some cases, transfer to the next stage prison whilst awaiting their next court appearance, however, cases must be assessed on an individual basis.

Once the further matters have been dealt with by the magistrates' court, and a plea and trial preparation hearing has been held (if committed to crown court), the OMU must confirm that no further court appearances are scheduled. The OMU must update all relevant records including, if necessary and appropriate, reviewing the categorisation and allocation, to enable the prisoner to transfer to the next-stage prison. Prisons must not transfer anyone with a further court appearance within 28 days of the transfer date.

If a serving prisoner is returned to a reception prison following a further court appearance (and they originally came from a training or resettlement prison on that day), they must be transferred back to the sending prison*. However, if a further court date is scheduled at the magistrates' court or crown court (following the above guideline in this section) the prisoner should remain at the reception prison and attend the scheduled hearing before being returned to the sending prison* (*or most appropriate prison for their category and time left to serve as this may have changed depending on the outcome at court).

Indeterminate sentence prisoners (ISPs) returning to custody on Licence Recall (with further charges) are not expected to transfer until the further charges have been dealt with by the courts (please refer to guidance above if they are awaiting trial at the Crown Court). Parole status should also be taken into consideration prior to any transfer. Please see section 6 for more information.

Transfers are possible while determinate and indeterminate sentence prisoners are in a parole review, however, they should only be pursued if it is considered to be in the best interests of their progression and does not interfere significantly with the parole process. Please refer to the generic parole process framework for further information. Any transfer taking place during a parole review must be in liaison and agreement with the Public Protection Casework Section (PPCS).

Following a recall to custody due to new criminal matters, the prisoner's risk and category should be re-assessed to determine the most appropriate next move. In some cases, it may be appropriate for the individual to remain in a reception prison until the new matters have been concluded.

If a prisoner needs transferring to reception prison serving a court where new criminal matters are being heard, the prisoner should not be transferred to this new location more than seven days ahead of the start of the proceedings unless there are operational requirements or if directed by the courts. All transfers should be made in full consultation with PMU. All prisoners transferring to another prison for any reason must first be assessed as clinically safe for transfer by a healthcare professional.

2.5 Progressive transfer and progression regime

When planning required moves it is important to consider if the transfer will be progressive or whether the individual requires access to a progression regime.

Progressive transfer

A **progressive transfer** supports a prisoner through their sentence towards their eventual release. This includes moves to access offending behaviour programmes or a transfer from the LT&HSE into the cat C training or resettlement estates to enable prisoners to progress through their sentence towards release.

Progression regime

Presently there are four prisons who have a **progression regime** as part of their specifications, these are

- HMP Warren Hill
- HMP Humber
- HMP Buckley Hall
- HMP Erlestoke.

Progression Regimes (PR) have been developed for male Indeterminate Sentence Prisoners (ISPs) who are

- excluded from open conditions
- serving the recall period of their licence in custody, or
- having difficulty progressing through their sentence via the usual routes.

Referrals can be made for any individual serving a custodial sentence, whether determinate or indeterminate, for an offence listed in section 247A(2) of the Criminal Justice Act 2003 who is presumed unsuitable for open conditions. The *Generic Parole Process Policy Framework* sets out more information about restrictions for terrorist and terrorism connected prisoners

Progression regimes can also accommodate parole eligible determinate sentenced prisoners who are within two years of their Parole Eligibility Date (PED); however, ISPs will always have priority for places on the PR.

The purpose of a PR is to re-introduce the responsibilities, tasks and routines associated with daily life in the community, to test prisoners' readiness to respond appropriately to the trust placed in them, and to pursue activities and relations which support rehabilitation.

Section 3 –Restrictions to allocation / transfer

There are no restrictions on sentence length upon allocations or transfers into the Long Term and High Security Estate or into a category C trainer prison from a reception prison, other than those set out in section 2 of this protocol.

There are no length-of-sentence restrictions on young offenders allocated or transferred into the YOI closed estate, other than those set out in section 2 of this protocol.

Prisoners serving a sentence (including consecutive sentences) and who will serve equal to, or less than, 28 days in custody at the point of transfer, or who are fixed term recall, should complete their sentence in a reception prison.

All prisoners in a reception prison who have more than 28 days time left to serve at the point of transfer are required to transfer to a next-stage prison or access a place within the reception prison with an appropriate resettlement regime.

For foreign national offenders (FNO) and FNO of interest to Home Office Immigration Enforcement (HOIE) see section 10 of this protocol.

All prisoners transferring to another prison for any reason must first be assessed as clinically safe for transfer by a healthcare professional.

Section 4 – Allocation after licence recall, including home detention curfew recall

All prisoners subject to licence recall must be categorised in line with the current categorisation policy.

Determinate sentenced licence recall prisoners whose sentence expiry date (SED) is equal to or less than 28 days, will remain in a reception prison.

Determinate sentenced prisoners on a standard recall who have more than 28 days to serve at the point of transfer will be required to transfer to the next-stage prison in line with their categorisation. Category C prisoners will transfer depending on their time left to serve until their SED under the training and resettlement time left to serve transfer rules. See paragraph 2.4 of this protocol for further information on licence recall with further charges.

ISPs on recall will be returned to custody via a reception route in the first instance for re-assessment. In recall situations where there are no new matters and where the COM and POM assess there are no changes to risk or rehabilitation need, the individual should be transferred to the resettlement estate. However, in cases where it is assessed that further interventions are required, the prisoner should be transferred to an establishment appropriate to their needs.

In ISP recall cases where there are new criminal matters pending, once returned to a reception prison the individual will be reassessed and the next stage determined. Any proposed transfers should take into account the timelines for parole reviews and court hearings. See paragraph 2.4 of this protocol for further information on licence recall with further charges.

All prisoners returning to custody on recall must be identified to the public protection casework section (PPCS) by the OMU or appropriate department at a reception prison within 24 hours or the next working day, of a return to custody. This is to support the COM in preparing and submitting a risk report (Part B) for standard recalled offenders which enables all initial documentation to be generated by PPCS and handed to the prisoner before transfer. Prisoners will not transfer unless all relevant paperwork has been completed.

PPCS must also be contacted and informed of all transfers of prisoners who are subject to licence recall within 24 hours of transfer taking place.

PPCS functional mailboxes are recall1@justice.gov.uk for use by prisons in London, South East & Eastern, South West & South Central and Wales and recall2@justice.gov.uk for prisons in the Midlands, North East and North West

Section 5 – Returning prisoners to reception prisons

Prisoners should only return to a reception prison (as part of the reception cohort) under the following **exceptional** circumstances:

- i. They have completed their sentence and are returned to remand status or held on IS91 and have not elected to waive their remand rights and stay in a resettlement prison.
- ii. For accumulated visits that are in line with the current Accumulated Visits Policy (PSI 2011–16 Annex A).
- iii. Under Tornado or other arrangements authorised by Gold Command.
- iv. Significant risk of harm or abscond identified by dynamic risk assessment from open conditions. This move would only take place under exceptional circumstances and is made pending onward movement to category B or C conditions, depending on the outcome of the recategorisation result. This does not remove responsibility from the sending establishment to complete the required documentation and to liaise with PMU to assess the most appropriate transfer establishment.
- v. Return from a secure hospital (see section 7 of this protocol).
- vi. Overnight lodging only as directed by PMU.
- vii. Further court appearances (see section 2 of this protocol).

Reception prisons will no longer be able to accommodate routine transfers of prisoners who are categorised to a higher security category. Arrangements should be made to move these prisoners to establishments of a higher security category within the training or resettlement estates. Tornado transfers, as directed by the Gold Command structure, will be the exception to this rule.

Prisoners who are returned to a reception prison for reasons outside of the exception criteria above must be allocated to the next appropriate prison.

All prisoners transferring to another prison for any reason must first be assessed as clinically safe for transfer by a healthcare professional.

These exceptional circumstances do not apply when Cat C men are transferring to the resettlement cohort of a reception/resettlement prison. These establishments should, however, only accept men in line with their resettlement criteria and after prioritisation has been given to serving the courts.

Section 6 – Life imprisonment sentence / recall or indeterminate sentence prisoners (ISP) recall

Anyone sentenced to life imprisonment will be initially assessed at a reception prison for categorisation. The initial prison offender manager (POM) will complete the LISP1 within 7 days of sentencing and this information will be sent to PPCS along with a copy of the order for imprisonment, a previous convictions printout and any pre or post sentence reports, as set out in PSI 22/2015. Further processes are the responsibility of the next-stage prison.

Multi Agency Life Risk Assessment Panel (MALRAP)

It is the responsibility of prisons to hold the MALRAP meeting as soon as possible following receipt of the summary of evidence, and no later than 16 weeks after sentencing. The funding for this process is provided to prisons with training functions, which includes both the Cat B LT&HSE and Cat C training prisons. The MALRAP should be convened as early as possible and in the most appropriate location, allowing for attendance of the major contributors – the Police and POM.

Successful transfer of indeterminate sentence prisoners (lifers and sentences of Imprisonment for public protection (IPPs)) is key to the safe progression through their sentence and towards eventual release. Indeterminate sentence prisoners (ISPs) who need to transfer to access appropriate interventions in line with their sentence plan must be allowed to do so. Sending and receiving establishments should communicate to ensure appropriate transfers are organised and receiving establishments should not refuse to accept ISPs for extraneous reasons, or on the basis of their sentence. Where the OCA/OMU are unable to organise a progressive transfer due to refusal of the proposed prison to accept (and it is not easily resolvable), holding prisons must escalate the case within their own management structure and ultimately to the relevant prison group director's staff officer.

ISPs who have been approved by the Secretary of State for transfer to open conditions must transfer to a suitable prison as soon as possible. Open prisons should not undertake their own risk assessments, nor should they expect or ask for a period of 'stable' or 'good' behaviour before a transfer may take place. The parole board/secretary of state has already completed the risk assessment, and therefore, suitability for open conditions has already been decided and is not a decision for open prisons. Following transfer, in circumstances where the receiving open prison later considers that it is no longer able to manage the risks posed by an ISP, it must submit a LISP4 to PPCS outlining the reasons for this assessment, following which, PPCS will consider the ISP's continued suitability for open conditions. Closed prisons may also submit a LISP4 if there are risk-related concerns arising between approval for transfer to open conditions and the move taking place.

In circumstances where there are concerns specific to an individual and their transfer to a particular open establishment (for example, their location at the proposed open prison would breach an exclusion zone or place them in close contact with a victim, etc.), those managing the individual's case including the POM (and COM if assigned), should identify an alternative location.

Recalled ISPs must be allocated and transferred from a reception prison to the next-stage prison before PPCS refer the case to the Parole Board; however, transfers to the open estate must not take place unless authorised by the Parole Board and subsequently Secretary of State approval. Transferring ISPs during a parole review can be disruptive. However, if there is an appropriate reason for the transfer, for example to enable the prisoner to access a specific offending behaviour programme necessary to evidence risk reduction, or for security reasons, then transfers should be facilitated. Please refer to the Policy Framework - Recall, Review and Re-Release of Recalled Prisoners for guidance.

ISPs returning to custody on recall must be identified to PPCS by the OMU or appropriate department at a reception prison within 24 hours or the next working day, of a return to custody. This will enable all initial documentation to be generated by PPCS and handed to the prisoner prior to transfer and will also allow the COM to prepare and submit a risk report (Part B).

ISPs moved under the Tornado protocol will be required to move to a next-stage prison (see section 14 of this protocol for further guidance).

ISPs in their parole window should only be moved to, and accepted by reception prisons in exceptional circumstances, as outlined in PSI 22/2015. If a more appropriate prison place can be found within ten days, the ISP should be moved, and the receiving prison will manage the parole review.

The sending reception prison may have to provide information and make a contribution for the parole board if requested to do so. If the reception prison has not transferred the ISP within this time, they will become responsible for the parole case management.

A reception prison **and** all subsequent receiving prisons **must** inform the PPCS of any transfers into their establishment of any ISP as soon as possible (not more than 4 calendar days).

PPCS functional mailboxes for all Recall-related matters are: recall1@justice.gov.uk for prisons in London, South East & Eastern, South West & South Central and Wales and recall2@justice.gov.uk for prisons in the Midlands, North East and North West.

For further information, please see the generic parole process policy framework available on the HMPPS intranet

Section 7 – Returns from high or medium secure hospitals

Patients returning to prison from inpatient mental health services will return to the reception prison nearest to the hospital in which they have been detained. There will be some specific cases where this does not occur; for example, patients who were previously category A prisoners must be returned to a category A prison. Prisoners who meet Long Term High Security Estate (LTHSE) criteria will be remitted to the most suitable LTHSE prison. In all cases this will not necessarily be the same prison from which they were admitted. If for any reason, the nearest reception prison is unable to accept the patient, it is the responsibility of the governing governor of that prison or the relevant prison group director to source an alternative prison willing to accept the patient.

The expectation is that the reception prison will have been involved in a meeting under section 117 of the Mental Health Act 1983 prior to the patient being returned to prison custody.

The individual's security category must be reviewed within 10 working days of remittance and include an assessment of prison security and related files returned by the hospital and the hospital's own security and intelligence files relating to the individual's time in their care. The individual's core record will need to be obtained from the discharging prison.

Any category A prisoner returning to prison custody from special hospital must be reported into the category A team at headquarters.

Section 8 – Civil prisoners (including contempt of court)

This protocol does not make any changes to the current processes for civil prisoners including those who are held in contempt of court.

The treatment of civil prisoners is set out in PSO 4600 *Unconvicted, Unsentenced and Civil Prisoners*.

Section 9 – Appeal against sentence or conviction

All prisoners who are sentenced and who are appealing either sentence or conviction will not be held in a reception prison and are required to transfer in line with this protocol.

Section 10 – Foreign National offenders (FNO) and FNO of interest to the Home Office

Foreign national offenders (FNOs) must be risk assessed, categorised and allocated in line with PSI 37/2014 and PSI 01/2015 guidance. Prisoners should not be allocated to open conditions without reference to the Criminal Casework Team, Immigration Enforcement who will advise on any known factors relevant to risk of abscond.

All sentenced adult male prisoners who are identified as being of interest or subject to immigration proceedings by Immigration Enforcement in the Home Office (HOIE), with more than 3 months but less than 30 months time left to serve to Conditional Release Date and who are categorised C, are expected to be considered for allocation to one of the prisons listed in Annex A (PSI 01/2015) at the earliest opportunity.

FNOs of interest to HOIE with less than 3 months remaining to automatic/conditional release date are not expected to be transferred to an FNO-only hub unless agreed by the sending and receiving prisons on a case-by-case basis.

Category C FNOs of interest to HOIE with more than 30 months to serve at the point of transfer, or any category B prisoners who are subject to immigration proceedings, are expected to be transferred into the most appropriate training prison in line with the national offender flows on completion of their categorisation assessment in line with all other prisoners.

Prisoners with specific offending behaviour/risk-reduction or medical requirements that cannot be met at an FNO-only prison or FNO hub should initially be allocated (in agreement with their POM) to an appropriate establishment that can meet those needs. In such circumstances, prisoners will receive treatment and services in line with HMPPS process and policy. Allocation decisions must be made on a case-by-case basis. Consideration must be given when assessing prisoners with relevant protected characteristics as set out in the Equality Act 2010 and outlined in section 2.3.

Any FNO who is allocated to (or already serving at) an FNO-only hub establishment but is subsequently identified as no longer of interest to the Home Office, must be considered for allocation in line with their security category, offending behaviour and correct resettlement probation service region for release, dependent on time left to serve.

Sentenced prisoners will not be accepted into a reception prison unless they meet the exception criteria in section 5 of this protocol.

There is no change to the arrangements for managing immigration detainees, that is, those who have completed the custodial part of their sentence and are detained solely under immigration powers (typically having been served an IS91 by Home Office Immigration Enforcement). The expectation is that detainees will be transferred to an immigration removal centre, reception prison or remain in their current training

establishment if they sign annex C of PSI 52/2011 *Immigration, Repatriation and Removal Services*.

The new policy framework for Immigration Detainees is due to be published in Autumn 2021.

Section 11 – Category D / open conditions returns

Adult male category D or young offenders returning from open conditions into closed conditions, are not expected return to a reception prison unless they are absconders or have not complied with the conditions of release on temporary licence (ROTL) and are returning through the court process.

Any adult male prisoner or young offender in open conditions (including ISPs) returning to closed conditions should be transferred to an establishment appropriate to their new categorisation. Liaison with PMU is essential as this will identify accommodation availability and support transport arrangements.

If a dynamic risk assessment has been completed by a prison in open conditions and there is significant risk of abscond or harm identified resulting in a recategorisation to a higher category, the initial transfer location must be into the training or resettlement closed estate (where applicable). However, if, after seeking advice from PMU, population pressures restrict this move, a transfer into a reception prison may be appropriate. Transfer from a reception prison to the most appropriate next-stage prison is required. All transfers must be directed by PMU.

The role of PMU and its processes will not change. Reference to transfers managed by PMU in this protocol refer to the process they oversee when transfers take place between establishments. PMU has a national picture of the capacity of prisons and due to this makes overarching decisions on the availability of space within any given day. This process will continue.

Section 12 – Prisoners on hold

It is the responsibility of the Heads of OMU in reception prisons to monitor regularly the prisoners on hold at their establishment ensuring there are no inappropriate holds in place, such as healthcare appointments that could be catered for elsewhere, as these may affect overall capacity to function as a reception prison.

Prisoners on hold in the training and resettlement estates should also be regularly reviewed to ensure they remain appropriate and necessary.

Section 13 – Overnight lodging or repatriation

Prisoners who are either sentenced or remanded and are travelling within the prison estate will be allowed to lodge overnight at a reception prison if directed by PMU.

Some reception prisons will continue to provide a service for repatriation and/or extradition. This will be specifically highlighted as a specialist function for those prisons and will form part of their population specification.

All sentenced prisoners entering a reception prison for repatriation purposes from other countries must be categorised and allocated in line with section 2 of this protocol.

Section 14 – Mutual Aid: Operation Tornado

Transfers into a reception prison under Mutual Aid: Operation Tornado (PSI 09/2014 and AI 06/2014) due to an incident and directed or approved by Gold Command, HMPPS group director or equivalent, will be subject to onward transfer. All relevant assessments including must be completed prior to any onward transfer.

Consideration must be made when assessing prisoners for transfer if further information is required pending any potential police investigation. Although this will not stop onward transfers taking place, security and categorisation assessments should be reviewed.

ISPs moved into a reception prison from another establishment while in the parole window will only be accepted by a reception prison under exceptional circumstances and if necessary. See section 5 of this protocol.

A reception prison **and** all subsequent next-stage prisons **must** inform the PPCS of any transfers into their establishment of any ISP as soon as possible (not more than four calendar days).

Section 15 - Reception prisons

All reception prisons will also have a secondary Cat C resettlement function (some also include a tertiary function of trainer Cat C). The resettlement cohort will consist of those men who have 16 months or less time left to serve and are from the correct PS Region (the trainer cohort will be Cat C and for those prisoners who have more than 16 months' time left to serve).

It is vital that reception prisons maintain their service to the courts. This may mean that men in the resettlement cohort could be transferred to an appropriate alternative

resettlement prison to ensure sufficient reception places are available to serve the courts. Heads of OMU should monitor the population to ensure there are no inappropriate holds in place.

All prisons with two or more cohorts within the same prison e.g., trainer and resettlement cohorts or reception and resettlement cohort, the prisons cohort proportions may fluctuate in line with population demand changes.

Resettlement places should be assessed and allocated on the correct PS Region and 'closest-to-home' basis.

The exceptional circumstances outlined in section 5 do not apply when men are transferring to the resettlement cohort of a reception/resettlement prison or to a reception/training/resettlement prison. These establishments should, however, only accept men in line with their resettlement criteria and must also prioritise the services they provide to the courts. A full list of probation regions and their letters (as they appear on the NOMIS system) are included in the attached Annex A document.

All prisons with a reception and/or a resettlement function have at least one probation region allocated to their establishment.

Section 16 – Young offenders (18-20)

The principles of this protocol apply to young offenders and adult male prisoners. However, there are some obvious differences that, although addressed in the main block of this protocol, are also highlighted in this section.

Key sentence and release dates for young offenders must be calculated, given to them in writing or explained orally within 5 working days of their reception following sentence. Where applicable, the provisions under a DTO (detention and training order) for early/late release must also be explained.

Young offenders in a reception cohort of a reception/resettlement prison who will serve more than 28 days but 16 months or less at the point of transfer, and who have been categorised as requiring closed conditions, are required to transfer to a next-stage prison or access a place within the resettlement cohort of the same prison where there is capacity to do so.

Young offenders with more than 16 months time left to serve at the point of transfer are required to transfer to an appropriate training cohort. Further guidance is set out in Section 2.2 of this protocol.

When transferring a young offender to the resettlement cohort of a reception/resettlement prison, the receiving establishment should only accept men in line with their resettlement criteria and after prioritisation has been given to serving the courts.

Dual-designated prisons with a resettlement function will resettle young offenders unless stated otherwise in their population specification.

Section 17 – Escalation route for prisons not adhering to the National Allocation Protocol

Transfer issues should be escalated within the operational line. The below escalation route applies to public sector prisons, privately managed prisons and the Long Term and High Security Estate.

The governors/directors of the sending/receiving establishments should seek to resolve transfer issues in the first instance.

If agreement cannot be reached at a local level, objections and/or issues should be escalated to the relevant prison group directors for resolution.

Involvement at executive director or equivalent level may be deemed appropriate in the case of serious objections and/or issues that could not be resolved between prison group directors.

Adherence to the National Allocation Protocol will be monitored regularly and escalated to the Prisons Management Committee, as necessary, via the Population and Capacity Working Group and Medium -Term Plan Programme Board.

Annex A – Guide to PS regions (Probation Reform Programme – post June 2021)

Prior to June 2021, prisoners were either allocated to their specific release/home area by CPA (Contract Package Area) or National Probation Service Area, however, due to the Probation Reform Programme this has changed, and release/home areas are no longer defined by the above (CPAs are being phased out by area between June and December 2021). Due to the change to probation service regions, prisoners should be allocated the new probation service region (as identified below) to identify the area of release.

When allocating category C prisoners who are in the resettlement phase of their sentence, their home probation service region must be taken into consideration, where appropriate, as closest-to-home principles should apply. It is acknowledged that some prisoners might be resettling somewhere different from their home area due to public protection or other safety concerns.

If you are unaware of a prisoner's probation service region, their home address should be verified and matched to a probation region. For example, if an individual's home address is in Leeds, West Yorkshire, and they will be released to that address, their probation region would be Region C Yorkshire and Humberside, and a resettlement prison serving Yorkshire and Humberside should be identified.

Region	Probation service region name
A	North East
B	North West
C	Yorkshire and Humberside
D	Wales
E	West Midlands
F	East Midlands
G	South West
H	South Central
I	East of England
J	London
K	Kent, Surrey and Sussex
L	Greater Manchester

Annex B – Allocation checklist

The below checklist will help guide you through the initial points that should be considered prior to allocation into both the resettlement and training estate.

Although this does not identify all the information you should take into consideration prior to a transfer, it does highlight the main pathway that should be considered prior to allocation.

Onward allocation from a reception prison			
Nº	QUESTION	ANSWER	FLOW
1	Does the prisoner have more than 28 days' time left to serve at point of transfer?	YES	MOVE TO Q2
		NO	REMAIN AT RECEPTION PRISON
2	Is the prisoner a YO (age 18–20)?	YES	MOVE TO Q3
		NO	MOVE TO Q4
3	Does the YO have more than 16 months' time left to serve?	YES	TRANSFER TO YO TRAINING PRISON
		NO	TRANSFER TO YO RESETTLEMENT PRISON
4	Is the prisoner a category B?	YES	TRANSFER TO CAT B TRAINING PRISON
		NO	MOVE TO Q5

5	Is the prisoner a category D?	YES	TRANSFER TO CAT D OPEN PRISON
		NO	MOVE TO Q6
6	Is the prisoner a category C and not an FNO of Interest to the Home Office?	YES	MOVE TO Q7
		NO	MOVE TO Q8
7	Does the category C prisoner have more than 16 months' time left to serve?	YES	TRANSFER TO CAT C TRAINING PRISON
		NO	TRANSFER TO CAT C RESETTLEMENT PRISON (check appropriate PS Region)
8	Is the prisoner an FNO with less than 30 months but more than 3 months' time left to serve and of interest to the Home Office?	YES	ALLOCATE TO AN FNO HUB OR FNO-ONLY PRISON
		NO	MOVE TO Q9
9	Is the prisoner an FNO with more than 30 months' time left to serve?	YES	ALLOCATE TO A CAT C TRAINING PRISON
If the individual requires targeted interventions, they should be considered for transfer to a specialist prison.			
Please see the offender flows to identify which prison you should transfer to following this questionnaire.			

Annex C – Abbreviation’s guide

BCST	Basic Custody Screening Tool
COM	Community Offender Manager
CPA	Contract Package Area
DTO	Detention Training Order
FNO	Foreign National Offender
HO	Home Office
HOIE	Immigration Enforcement in the Home Office
IMB	Independent Monitoring Board
IPP	Imprisonment for Public Protection
ISP	Indeterminate Sentence Prisoner
LISP	Lifer Indeterminate Sentence Prisoner Forms
LT&HSE	Long Term and High Security Estate
MALRAP	Multi Agency Life Risk Assessment Panel
MCoSO	Men Convicted of Sexual Offences
OASys	Offender Assessment System
OMiC	Offender Management in Custody
OS	Offender Supervisor
PMU	Population Management Unit
POM	Prison Offender Manager
PPCS	Public Protection Casework Section
PS	Probation Service
RC1	Recategorisation form
SED	Sentence Expiry Date



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