**Gold Brief- Regime Progression to Stage 2 (03.02.22)**

**Purpose**

On 20th December 2021, in response to the increased risk of COVID-19 as presented by the Omicron variant, the decision was made to temporarily revert all establishments to a baseline level of Stage 3 and to close the gateway to progression except for in exceptional circumstances.

The risk of Omicron has now been re-assessed and as a result of the reduced disease severity and the protection provided as a result of vaccination, Ministers have agreed that, where local circumstances allow, the timing is right to allow for the progression and have formally opened the Stage 2 Gateway as of 03.02.22**.** At this time the Gateway to Stage 1 remains closed – any change to this decision will be clearly communicated from the centre.

As the ability to progress will be determined by local circumstances and risk assessments - progression will not be uniform nationally. Not all establishments will automatically return to Stage 2. Progression must continue cautiously, as whilst the downward trends in case numbers and staff absences continue, outbreaks are ongoing. Effective outbreak controls and engagement with OCT and public health leads to manage outbreaks will still allow regime progression. Outbreaks which are awaiting formal closure will not automatically prevent regime progression, but advice from Public Health partners and OCTs remains critical. Continued implementation of infection prevention and control measures, including compliance with testing arrangements, remains paramount.

To support the safe movement of establishments beyond the current Stage 3 baseline, establishments should be aware that they can only move to Stage 2 if this is viable and supported by local risk assessment. Equally, regression will still be required for some establishments to continue to manage their regime in accordance with the risk presented.

Opening the gateway to Stage 2 demonstrates that establishments are responding to the easing of community restrictions and this will be vital in supporting the health and wellbeing of prisoners and children and young people. In order to ensure people, feel safe throughout these changes, consultation and communication will be key in allowing staff, prisoners, children and young people to understand the rationale and provide feedback.

In a Stage 2 regime, additional workshops may be able to run, groups may be able to mix as restrictions relax, and social visits should continue as a priority. This should be operated locally in line with the plans as set out in the establishments Stage 2 plans. Throughout this progression into a lower regime stage, mitigations and controls will continue until a move back from them is announced.

This briefing provides details of the process for progression which has been informed by learning and feedback from previous recovery phases and it is intended to be agile and with limited bureaucracy. Using this process, establishments will have continued operational flexibility to safely deliver regimes based on local risk and need, approved by Prison Group Directors (PGD) with an oversight from Executive Directors and regulated by the national heat map panel chaired by COVID-19 Gold.

**Prisons and YCS Settings should be aware of all National Framework Controls**

An overview of each stage within the Prisons National Framework is provided below, with the expectations and controls at Stage 2 highlighted for planning and reference.

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| Stage | Description and additional controls/changes now required |
| 1 | No social distancing but other SOP controls. Movements and regime groups operated to deliver a full regime balancing safety with sufficiency. Aim to expand regime based on available resource determined by the Regime Management Plan (RMP).  |
| 2 | Social distancing in place and other SOP controls.Regime in **all areas** subject to controls and **social distancing in operation**. Most work, education and regime activities operated**. Social visits operating** with contact controls.  |
| 3 | Social distancing in place and other SOP controls. Regime delivered under more restricted local operating procedure adhering to Exceptional Delivery Models (EDM). Predominantly essential work for prisoners only. Social visits with contact controls but no refreshments, creche or property exchange.  |
| 4 | Establishment locked down, regime restricted except for essential services (meals, showers, healthcare, family contact (telephone and video calling) and TiOA) and associated provision. High level of social distancing and controls. Social visits suspended or exceptionally approved but with no contact. |
| 5 | Full establishment lockdown below essential regime delivery. This will only be enacted under exceptional circumstances where staffing availability due to the pandemic requires a regime focused to preserve life where there is extreme and immediate pressure. |

It is important at Stage 2 to continue **social distancing controls**, clarification of which are provided here. Social distancing is the maintenance of a minimum 2 metre distance from those that do not reside together in a “household”. The HMPPS definition of a household is either a cell or dormitory sharer. The v8 HMPPS SOPs detail circumstances where the 2-metre social distancing rule cannot be maintained and the controls that should be in place to manage specific activities. These are accessible [here.](https://pogp.hmppsintranet.org.uk/2020/04/15/safe-operating-procedures-sop-using-ppe/) The key mitigation in these circumstances is the use of face masks as PPE to allow sub-2 metre contact. All other SOPs remain in place during Stage 2 and the V8 suite are available via [Safe Operating Procedures (SOP) – Prisons Exceptional Regime & Service Delivery (hmppsintranet.org.uk)](https://pogp.hmppsintranet.org.uk/2020/04/15/safe-operating-procedures-sop-using-ppe/). Prisons and YCS settings will also operate to the current COVID-19 related guidance, publications and briefing updates.

**If a prison considers themselves ready to revert to Stage 2, they must follow the outlined Process below**

* Establishments rated **green or amber** on the national [heatmap](https://pogp.hmppsintranet.org.uk/2020/09/28/heat-map-for-reverse-cohorting-requirements-to-review-regime/) will be permitted to submit progression paperwork to PGD for approval. PGDs will either consider reviewed plans or verify that existing plans are still appropriate; establishments may reuse pre-existing paperwork if they have been at this stage previously, and it still reflects deliverable plans. Establishments must primarily consult the Stage 2 checklist and ensure that they have either previous or current proof of engagement with relevant parties and stakeholders. Any local Stage 2 plans must be reviewed, and Local Operating Procedures checked for current relevance in line with planned progression.
* Sites that have not previously had Stage 2 regime plans approved must follow the progression process in full, including full consultation with stakeholders (inclusive of Trade Unions).

An aide memoire (checklist), is attached as an annex and provides a guide to the process of progression. This version of the checklist has slight updates to reflect changes since it was first issued. This includes reflection that for sites who have previously had Stage 2 plans signed off, there will need to be clear engagement with local trade union representatives (or regional representatives in respect of PGA and some NTUS reps, where local representatives aren’t available) prior to progression, however a full consultation will not be necessary as long as plans have not changed since the previous move to Stage 2. This engagement must include the sharing of revised risk assessments where relevant. A synopsis of any planned changes should be shared and establishments should refer to the previously published guidance on how this must be done- establishments may wish to share the PGD checklist with Trade Unions also when consulting. Governors and Directors have discretion to provide additional facility time to allow engagement to take place where this is required.

* PGDs will approve progression once they are satisfied that the establishment has appropriately assessed the local risk, has clear plans in place and have notified trade unions and public health leads and demonstrated previous consultation and discussion.
* Executive Directors (ED) will have oversight, and if they believe it necessary will be able to request additional information from particular sites.
* Gold will be notified by ED offices of the approved progression, the regime stage and the date for the change.

**The following conditions must be considered for progression**

* Establishments rated **red** will not be permitted to immediately progress.
* Establishments are rated red by default when an outbreak is first declared. However, it is possible for outbreak sites and prisons / YCS settings in recovery to have their RAG rating lowered provided the national risk assessment is permissive and Health & Justice public health specialists or multi-agency OCTs are supportive. Therefore, the PGD, Gold and the heatmap panel should be provided with information from the OCT (or public health lead if not in active outbreak) which shows support for regime progression by a Red rated site. This will allow the heatmap RAG rating to be reviewed and likely lowered.
* Staffing pressures may remain an issue for establishments and should be managed locally.
* Testing and surveillance plus appropriate safe operating procedures must remain in place.
* Reverse cohorting controls should be in place, and establishments wishing to progress should be able to demonstrate good reverse cohorting controls in line with the HMPPS Compartmentalisation guidance (V6.1 current). At the time of publication, all sites remain at a minimum of Amber and therefore Reverse Cohorting remains in place for all transfers. Any changes to this guidance will be clearly communicated.

**Testing and surveillance**

Testing is an important mitigation to reduce the risk of introduction and transmission of infection. All sites have successfully implemented mandatory testing, and the overwhelming majority daily testing. Installation of Wastewater-based Surveillance is also ongoing across the estate and provides an additional means of understanding infection levels in the prisoner population. Testing has enabled us to identify and isolate cases at the earliest opportunity, thereby limiting the risk of Omicron over the last month and will continue to be a vital means of control in the weeks to come.

Testing must continue in prisons and YCS settings – for both staff, prisoners, children and young people. Whilst the risk is decreasing to facilitate regime progression to Stage 2, daily and mandatory testing will continue to be subjected to fortnightly review, with a clear acknowledgement that increased testing has a resource impact and has been implemented as a temporary, emergency measure.

If you have any queries, please discuss with your PGD, or contact COVID19Ops&Guidance1@justice.gov.uk

**Annex A**

