



## Notes from the Reducing Reoffending Third Sector Advisory Group (RR3) Special Interest Group on Covid-19

Combined notes from meetings held on Wednesday 16<sup>th</sup> September and Wednesday 23<sup>rd</sup> September 2020, via video call

### Wednesday 16<sup>th</sup> September

#### Attendees:

- Peter Dawson, Prison Reform Trust (SIG co-sponsor)
- Rod Clark, Prisoners Education Trust
- Anne Fox, Clinks (Chair)
- Khatuna Tsintsadze, Zahid Mubarak Trust
- Nathan Dick, Revolving Doors Agency (co-opted)
- Nina Champion, Criminal Justice Alliance (co-opted)
- Phil Maguire, Prison Radio Association (co-opted)
- Laura Seebohm, Changing Lives
- Paul Grainge, RECOOP
- Pippa Goodfellow, SCYJ (co-opted)
- Emma Wells, Community Chaplaincy Association
- Dez Brown, Spark2Life
- Simon Ruding, TiPP (co-opted)
- Will Downs, Clinks (notes)
- Ed Cornmell, HMPPS

#### Apologies:

- Nicky Park, St Giles (co-sponsor)
- Vicki Cardwell, Spark Inside (co-opted)
- Alice Dawnay, Switchback (co-opted)
- Andy Keen-Downs, Pact (co-opted)
- Kate Paradine, Women in Prison (co-opted)
- Lisa Dando, Brighton Women's Centre
- Tina Parker, Pact
- Richy Cunningham, Recovery Connections
- Peter Atherton, Community Led Initiatives
- Martin Blakebrough, Kaleidoscope
- Helen Dyson, Nacro
- Tracy Wild, Langley House Trust
- Dee Anand, Together for Wellbeing
- Christopher Stacey, Unlock

### Wednesday 23<sup>rd</sup> September

#### Attendees:

- Rod Clark, Prisoners Education Trust
- Anne Fox, Clinks (Chair)
- Will Downs (notes)
- Laura Seebohm, Changing Lives
- Paul Grainge, Recoop
- Pippa Goodfellow, SCYJ (co-opted)
- Emma Wells, Community Chaplaincy Association
- Simon Ruding, TiPP (co-opted)
- Alice Dawnay, Switchback (co-opted)
- Lisa Dando, Brighton Women's Centre
- Tina Parker, Pact
- Peter Atherton, Community Led Initiatives
- Martin Blakebrough, Kaleidoscope
- Dee Anand, Together for Wellbeing
- Linda Patterson, User Voice (co-opted)

#### Apologies:

- Helen Dyson, Nacro
- Nicky Park, St Giles (SIG co-sponsor)
- Peter Dawson, Prison Reform Trust (SIG co-sponsor)
- Nina Champion, Criminal Justice Alliance (co-opted)
- Phil Maguire, Prison Radio Association (co-opted)
- Khatuna Tsintsadze, Zahid Mubarak Trust
- Nathan Dick, Revolving Doors Agency (co-opted)
- Dez Brown, Spark2Life
- Vicki Cardwell, Spark Inside (co-opted)
- Andy Keen-Downs, Pact (co-opted)
- Kate Paradine, Women in Prison (co-opted)
- Richy Cunningham, Recovery Connections
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## **1. Introduction**

These notes summarise discussions held over two meetings of the RR3 Covid-19 SIG on Wednesday 16<sup>th</sup> September and Wednesday 23<sup>rd</sup> September. These meetings were convened to discuss recent voluntary sector experiences of delivering services within the systems put in place through the *National Framework for Prison Regimes and Services* and the *Probation Roadmap to Recovery*.

The group were joined by Ed Cornmell, HM Prison and Probation Service (HMPPS) for the first meeting focussed on prisons, and Helen Carter, HMPPS for the second meeting focussed on probation. They were both sent a short paper prior to the meeting outlining the group's key concerns around recovery, including engagement with HMPPS and specific operational issues.

## **2. Communication, engagement and information**

- HMPPS welcomed the group's feedback on communication and information. They recognised the challenges they have faced in getting information out to service users and families and to small voluntary organisations who need access to local operating information. Ed Cornmell said that the speed at which they were working was a factor and they will take that feedback on board about how to provide access to information. The volume of operational guidance, and the command structures of HMPPS and arrangements for sign-off present challenges with the production and publication of guidance externally.
- Ed Cornmell said he appreciates how the restrictions on the publication of operational guidance must have been frustrating. HMPPS sometimes hold back on publication of operational guidance documents as they are not intended to be public facing documents. The vast majority of that information however should be able to be made available to partner organisations. Anne Fox said the risk is that nothing gets published for the sake of a few specific details.
- The RR3 recommended that HMPPS should maintain an online dashboard on the gov.uk website that details the situation in each establishment across the prison estate. HMPPS has given guidance to prisons that they shouldn't keep a running commentary on their situation and the level of cases, and instead wait for government data to be published, to be confident the information they are putting out is accurate. Under stage three of the National Framework, HMPPS also required prison governors to create a communication plan but there has been a wide variety in the quality of those plans. Effective communication from governors still offers the best route to get information out to partners.
- Anne Fox said the RR3 worked flexibly to feed in their views on many of the stage three prison EDMs. It was disappointing however that there was no engagement with probation EDMs, nor with regional recovery boards. In the future, probation services would benefit from that kind of engagement, and for the voluntary sector to be seen beyond simply contracted service providers and as valued partners. Probation appreciate this feedback, recognise this issue and hope to be able to better engage moving forward. This was unfortunately due to the pace in which the documents were produced. However, they recognise the benefit of engaging partners as described and aim to be able to do so in the future, as and when appropriate.

- Anne Fox said the group have fed back to Andy Rogers their views on the stage two guidance. One of the issues the group have raised is that the voluntary sector is not considered a “notable group” in the guidance, despite the fact voluntary organisations provide essential services. She said that in crisis management, some prisons push voluntary sector providers to the periphery, when they should be part of their thinking and their planning. There are many examples of where voluntary providers have been better involved, services and outcomes have been better.
- Anne Fox said the RR3 are engaged with the HMPPS insights team to explore the medium to long term lessons and how communication can be improved, but many voluntary sector providers are finding inconsistencies across the prison estate on a range of operational issues, and don’t know where to go for clarity on these issues. Anne Fox said voluntary organisations have been discouraged during the initial crisis of Covid-19 to contact HMPPS gold command and prison group directors.
- Ed Cornmell suggested that the team who are writing the operational guidance should work more closely with the voluntary sector. Ed said partnerships with the voluntary sector were important to help them provide assurances to prisons of how they can safely run services, and to help spot obstacles and work to overcome those.
- Helen Carter welcomed feedback that overall, members have found recent interaction with probation services positive, and a significant improvement from earlier in the crisis. She was keen to hear of specific examples of where communication has improved and how, so that if or when services need to be restricted the same problems can be avoided.
- The group have also raised the issue of equality impact assessments, especially pertinent given the way in which the virus affects black, Asian and Minority Ethnic (BAME) communities. The group reiterate their view that these should be published and available.

### **3. Prisons Recovery**

#### **Overview and update on prisons recovery from Ed Cornmell, HMPPS**

- Ed Cornmell explained that he is the gold commander responsible for operational oversight in prisons, within the structures set up by HMPPS in response to Covid-19. He and his team have had to adapt to and learn from an ever-changing context during this unprecedented time. Anne Fox informed Ed that the RR3 are feeding back to Gill Attrill in the HMPPS insights team on the wider lessons of how HMPPS has operated during the crisis.
- Ed acknowledged how challenging the past six months have been for the voluntary sector. He thanked the group for the invitation to attend the meeting and for the paper that the group sent ahead of the meeting. He said the impact of these issues on service users and their families came through strongly and this is a welcome focus.
- All prisons are now operating at some form of stage three, and the national gateway has now been opened to allow prisons to apply to operate at stage two. There will be no new EDMs published for stage two, but instead guidance has been published for governors which aims to allow for greater autonomy and flexibility for local decision makers.

- The progress of recovery is being made in the context however of an increasing rate of infection in the community, which heightens the risks for prisons. Staff are the main source of infection coming into the prison and so this is concerning. Ed acknowledged the group's feedback that some service users have expressed frustration that staff don't always act as role models in their own adherence to safety rules.
- Separately, the upcoming winter presents usual risks around flu outbreaks, which the recent suspected outbreak of norovirus at HMP Lewes serves to remind us. These issues mean it is likely that we will again see more staff absences, as the community infection rate increases and more people are needing to self-isolate.
- The intention of HMPPS is to respond in a balanced and proportionate way to these additional risks, with prisons seeking to offer the fullest regimes possible, whilst prioritising the safety of the people in their care, in line with public health advice . HMPPS wants to maximise regimes of delivery where it is safe to do so. This will be a differential response, which will take into account specific circumstances at each prison, such as local infection rates in the community.
- There is a challenge too with regional differences in how local agencies respond to community outbreaks. For example, prisons are explicitly exempt from local restrictions in some areas, whereas restrictions imposed in other areas includes measures to restrict prison visits to exceptional cases. In short, HMPPS wants to maximise what they can do in each prison, and provide a greater degree of consistency, but are wrestling with changing guidance from central government, and different local contexts. HMPPS are trying to ensure a balance between central control and allowing for local decision making and local partnerships.
- There has been a fantastic level of response from people to adverse circumstances, but HMPPS know there will be impacts from that and are trying learn from this and factor that into their future response.

### **Response to prison operational questions raised by the RR3**

- *Q: Education services have effectively closed down for the duration of stage three, aside from some very limited remote work. Education providers are weighing up whether to focus on getting their services working better under the restrictions of stage three, or whether they would be better off planning on their delivery under stage two. Does HMPPS have a rough estimate of when they expect the majority of organisations to move into stage two?*
- *A: The vast majority of prisons are progressing well under stage three and some prisons are in a good position to move to stage two where classroom based education can take place. It is difficult however to give a clear national position due to the regional differences and community infection rates mentioned before. For example, some prisons in the North West have done a lot of work to progress through stage three but the community infection risk is creating issues with them being able to proceed to stage two. HMPPS wants to do as much as they can, where they can and education is a priority. This includes allowing some prisons*

to move into stage two while completing aspects of stage three, and looking at more education delivery at stage three.

- *Q: Many voluntary sector staff are likely to deliver services across a number of prisons, but the information many organisations are receiving on how this can be done safely is inconsistent and conflicting.*
- A: HMPPS has tried to minimise cross-site working to reduce infection spread. They recognise however that for many service providers it is not possible for their staff to wait 14-days between entering different prison sites. HMPPS has issued guidance to limit the risk where cross-site working can't be avoided, including for prisons to implement sensible mitigations such as tracking and tracing where people have been. Where possible, providers should contact Prison Group Directors on this issue to seek clarity and ensure there is join-up across a number of sites rather than focus on individual prisons.
- *Q. Who in the prison is able to declare or define a “suspected case”, what is the process to declare a suspected case, and are providers expected to be involved or have responsibility to declare suspected cases?*
- A: Anyone in the prison can report a suspected case. The prison needs to know if anyone is showing signs, so anyone should report any concerns. They will then follow the same rules as in the community around self-isolation. HMPPS is also moving forward on better provision of testing.
- *Q. When designing regimes in recovery, the idea of grouping smaller numbers of people in prison into different ‘households’ presents an interesting opportunity to loosen regimes while containing risk. Logistically however this is very challenging, as there are simply not enough hours in the day to allow lots of small groups of people sufficient time out of cells. Have any prisons found creative solutions to this problem?*
- A. This innovation has come about from prisons trying to do more of their regime while limiting the risk of the spread of infection across a large number of people. Technically speaking, prisons are not working on the basis of ‘households’, as this suggests a group of people that aren't required to socially distance. In a prison setting, the practice of grouping people to limit the spread of infection is known as ‘regime groups’. Social distancing should be maintained within these groups, but the aim is to effectively allow people to access more activities within their group, while creating a firewall between them and the wider prison population. Alongside this, HMPPS has issued guidance around proportionality of social distancing measures. HMPPS was initially very fixed on the 2m social distancing rule, but has now suggested that in some areas of the prison, 1m+ rules may be appropriate, including around education and workplaces in the prison.
- *Q. Is there any flexibility to extend the core prison day, to ensure more regime groups can access services each day?*
- A. Many of the ways in which prisons have had to operate has naturally changed how the core day functions, but staff working patterns are a constraining point on whether the core

prison day can be extended. As HMPPS recovers and learns, there are important questions for them to consider with regards to how they may do things differently into the future - for example, exploring whether there could be more services at weekends or outside of the core day.

- *Q. Some prison staff are asking people to take masks off in communal areas, which may be inconsistent with other guidance. What is the guidance on wearing masks in prison?*
- A. HMPPS has been quite restrictive on permitting people to use face coverings, partly due to reasons of risk and because they want to prioritise proper social distancing, hygiene measures and other safe operating practices. HMPPS does have policies on the use of face coverings for directly employed staff and service users but people working on-site employed by a different organisation are free to follow their own employer's rules. There is an expectation however of being able to identify the person, and so in areas where there are people coming and going, or entering and leaving the prison, the heightened security risk may mean that people are asked to remove their mask.
- *Q. Are service providers allowed to bring alcohol-based hand sanitiser into prison?*
- A. Alcohol sanitiser is encouraged by HMPPS as it's the right thing to use to kill the infection. Prisons should be providing alcohol-based sanitiser to service providers. There may be cases where people are being stopped from bringing sanitiser into prisons due to restrictions on liquids, but this should not prevent the provision of sanitizer.

#### **4. Probation services recovery**

##### **Overview of recovery in probation**

- Helen Carter introduced herself and summarised her experience. Helen has worked in criminal justice services since 2002, working operationally as a prison manager, deputy governor and governor, before moving into central functions. She has recently been appointed to lead the recovery for The Probation Service during Covid-19.
- The probation service received approval from ministers some weeks ago to move to stage three of the *Probation Roadmap to Recovery*. Probation services were given two weeks to prepare for moving into stage three, as and when local circumstances allowed for this.
- The pace of recovery has in part been impacted by the local restrictions in each area. Staff availability has increased over the past few months, but there is a risk that in response to community transmission rates increasing, staff availability may be negatively impacted. Unlike in the prison estate, probation staff who need to isolate are able to work well from home, but doing so may mean some offices aren't able to open. The pace of recovery is also impacted by specific factors in each area, such as logistical challenges with opening particular offices.
- There has been real progress in the opening of probation offices. In some areas, priority has been given to increase the opening hours of a single office, rather than attempt to open and

staff multiple offices. In response to the context of a second wave, HMPPS would prefer to not close offices, but instead have them operating at lower capacity.

- Some of the Approved Premises that had been closed due to Covid-19 (and other reasons) have started to open up.
- The pace of recovery of unpaid work and accredited programmes is different in each area. Again this is dependent on restrictions imposed in different areas, on the ability of different providers to resume services, depending on who service users are and how easy it is to socially distance. Helen Carter asked if members had any views about the best way to expand or increase the levels of unpaid work being delivered, and how they can help stand up voluntary sector services to deliver those services. A member said they would be interested to see how new offers would work in the context of current contracted providers and agreements that are already in place. The voluntary sector has already been through a process of making offers of support to HMPPS during this crisis, and that process proved problematic in some ways.
- Helen Carter acknowledged that the names of stages set out in the probation roadmap to recovery and the prisons framework did not align. She clarified that the probation EDMs have been very useful in helping to steer recovery. These EDMs will be used again if it is necessary to move services back down the stages. The process of recovery will likely be iterative and involve movement forward and back in response to the external context.
- The strategic direction centrally, and the direction of transition and recovery boards regionally, are all towards ensuring recovery is aligned with the probation reform programme as far as possible, to ensure as best as possible continuity for staff and service users up to and post June 2021.

### **Response to probation operational questions raised by the RR3**

- *Q: Communication with Community Rehabilitation Companies (CRCs) is still a big issue in some areas. Organisations are still waiting for some CRCs to provide risk assessments so their staff can access probation offices again, and for co-located work to take place again. Organisations can't agree to their staff returning to probation offices without first seeing risk assessments.*
- A: Helen Carter took these issues away as actions.
- *Q: Some organisations have also struggled to adopt online platforms such as Skype and Zoom which haven't been endorsed by the CRC. Referrals from the CRCs are also low and there's a sense that some essential voluntary sector support isn't being prioritised in recovery, and that voluntary sector partners do not feel included in recovery planning.*
- A: Helen Carter took these issues away as actions.
- *Q: What approach will HMPPS take to the use of remote supervision in the future? And how it take into account the specific issues for women?*

- A: HMPPS has received feedback from staff that they have found real positives with remote supervision, though there were also risks with that approach. For example, women can particularly benefit from remote supervision due to childcare commitments or challenges with travelling to probation offices but some women may also be at heightened risk when supervision is conducted in this way. It is much harder for staff to pick up concerning signs in someone over remote access, such as people losing weight, or not taking care of themselves or other indicators of instability, drug or alcohol use or poor mental health. She said HMPPS wanted to take forward a blended approach where possible, in order to meet individual need balanced against risk.