

Policy name: Progression Regime Policy Framework

Reference: N/A

Re-issue Date: 13th May 2021

Implementation Date: 4th April 2019

Replaces the following documents (e.g. PSIs, PSOs, Custodial Service Specs) which are hereby cancelled: None

Introduces amendments to the following documents e.g. PSIs, PSOs, Custodial Service Specs): None

Action required by:

<input type="checkbox"/>	HMPPS HQ	<input checked="" type="checkbox"/>	Governors
<input checked="" type="checkbox"/>	Public Sector Prisons	<input type="checkbox"/>	Heads of Group
<input checked="" type="checkbox"/>	Contracted Prisons	<input type="checkbox"/>	Contract Managers in Probation Trusts
<input checked="" type="checkbox"/>	National Probation Service	<input checked="" type="checkbox"/>	Community Rehabilitation Companies (CRCs)
<input type="checkbox"/>	HMPPS Rehabilitation Contract Services Team	<input type="checkbox"/>	HMPPS-run Immigration Removal Centres (IRCs)
<input type="checkbox"/>	Other providers of Probation and Community Services	<input type="checkbox"/>	Under 18 Young Offenders Institution

Mandatory Actions:

All groups referenced above must adhere to the requirements section of this Policy Framework, which contains all mandatory actions

For Information:

Governors must ensure that any new local policies that they develop because of this Policy Framework are compliant with relevant legislation, including the Public-Sector Equality Duty (Equality Act, 2010).

- For queries relating to individual Progression Regimes:
Warren Hill - OMU.WarrenHill@justice.gov.uk
Buckley Hall - OMU.BuckleyHall@justice.gov.uk
Humber - OMU.Everthorpe@justice.gov.uk
Erlestoke – OMU.Erlestoke@justice.gov.uk
- For queries relating to Progression Regime policy overall and for individual case discussion for the referral system: OMPPG.IPP.Queries@justice.gov.uk

Audit/monitoring:

Mandatory elements of instructions must be subject to management checks (and may be subject to self or peer audit by operational line management, contract managers or HQ managers, as judged to be appropriate by the managers with responsibility for delivery). In addition, HMPPS will have a corporate audit programme that will audit against requirements to an extent and at a frequency determined from time to time through the appropriate governance.

Resource impact:

There will be some initial work required to ensure that staff working with Indeterminate Sentences Prisoners (ISPs) know enough about Progression Regimes (PR) in order to be able to advise individuals in prison accordingly. A PR necessarily operates a more resource intensive staffing model negated by earlier release potential for prisoners on the Regime. Governors considering opening a PR will want to discuss these issues with interested parties in the planning stages. Prisons must not develop a PR without approval from Indeterminate Sentence Operational Support.

Contact: NOMSOffenderManagement@justice.gov.uk

Deputy/Group Director sign-off: Gordon Davison, Head of Public Protection Group

Approved by OPS for publication: Sonia Crozier, Michelle Jarman-Howe, Joint Chairs, Operational Policy Sub-board, March 2019

Revisions

Date	Changes
13 May 2021	No policy changes but clarifications to highlight the presumption that any individual serving a custodial sentence for an offence listed in section 247A(2) of the Criminal Justice Act 2003 is (unless exceptional circumstances apply) unsuitable for open conditions.

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1. Purpose

- 1.1 Progression Regimes (PR) have been developed for those in the men's estate, particularly Indeterminate Sentences 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. At the time of the publication of this document, there are four PRs in operation at HMPs Warren Hill, Buckley Hall, Humber and Erlestoke. There are only a very small number of women ISPs affected by the criteria above and, according to the aims of the Women's Estate Review, we aim to keep women as close to their home areas as possible, whilst ensuring the Women's strategy for ISPs is fit for purpose.
- 1.2 This framework, therefore, describes a PR for those in the men's estate and a Progression Approach for those located in the women's estate that can be taken in any women's prison, in order to help ISPs reduce their risks in a closed prison environment.
- 1.3 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 actively pursue activities and relations which support rehabilitation.

2. Evidence

- 2.1 HMP Warren Hill has been open since 2014. As such, we have been able to gather evidence to support the need for such an initiative. Formal success measures have also been introduced across the four PRs. All four of the Regimes are monitored in terms of their outputs to ensure that they are delivering as expected, and to help set the direction of travel for the wider work around progressing ISPs. Success measures monitored include both quantitative and qualitative information.

Measuring the Quality of Prison Life (MQPL)

- 2.2 A specialist team of MQPL assessors from Cambridge University carried out Warren Hill's assessment in late 2018. The result was the highest ever scores received by a prison undergoing [MQPL assessment](#).

HM Inspectorate of Prisons

- 2.3 Warren Hill was inspected by HMIP in 2016 and did very well. The inspectorate noted that "levels of violence were very low, as were incidents of self-harm; relationships between staff and prisoners were excellent; and the staff culture emphasised a professional and caring, but challenging approach." You can read the full report [here](#).
- 2.4 Since this inspection, Warren Hill has gone from strength to strength and now boasts some of the lowest levels of "prisoner on prisoner", or staff, violence or self-harm of any prison.

The Independent Monitoring Board (IMB)

- 2.5 The IMB have praised the "pioneering" approach of Warren Hill in their 2018-2019 annual report, citing specifically its clear purpose and excellent relationships between staff and prisoners. The IMB also commended the prison for instilling a sense of hope in the men who are resident there. You can read their report [here](#).

3. Outcomes

- Prisoners engage with their offender managers in all efforts to promote their rehabilitation.
- Prisoners take responsibility for the reduction in their risk and for the decisions which affect their lives.
- Prisoners successfully demonstrate to the Parole Board their progression towards suitability for release.

4. Requirements

Eligibility

4.1 The following must be considered for a PR where they meet the suitability requirements at 4.2:

- ISPs¹ who:-
 - a. are excluded from open conditions due to an absconding history (once it has been established that they have not evidenced exceptional circumstances for consideration of open conditions); or
 - b. have been recalled to prison following initial release from an indeterminate sentence; or
 - c. are within four years of tariff expiry (but prioritising post-tariff ISPs who have had two or more negative parole hearings).
- 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 – see The Generic Parole Process Policy Framework for more information about restrictions for terrorist and terrorist connected prisoners; and
- 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.

Suitability

4.2 In order to be assessed as suitable for participation in a PR, prisoners must:

- have reached the appropriate point in their sentence for assessment to take place (as described above);
- display willingness to engage in an approach which requires high levels of personal responsibility, and where they are expected actively to confront offending-related behaviour, and take action which will assist in their rehabilitation; and
- be unlikely to pose any evident and significant security risk, either to staff or other prisoners that cannot be managed by staff on the PR.

Assessment

4.3 A referral system is operated to enable effective directing of prisoner referrals to the nearest PR² to their home area. The PR will perform further suitability checks and will take the final decision on whether to offer a place on a particular Regime.

¹ Post Tariff individuals will always be prioritised over those who are pre-tariff.

² A prisoner's local PR is determined by their home probation area. An alternate PR may be considered if appropriate in individual cases.

- 4.4 All referrals will be considered on a case by case basis. Referrals should be submitted via the relevant form ([ISOS support](#)) to the appropriate PR site.
- 4.5 Prison Offender Managers (POM) and Community Offender Managers (COM) will consider ISPs in terms of eligibility and suitability for a PR as part of the sentence planning process.

Regime

- 4.6 A PR must be made up of 3 stages of progression and use the Enhanced Behaviour Monitoring (EBM) process – as used in open and women’s prisons - to provide consistent risk monitoring.
- 4.7 When it is agreed at a board linked to the EBM Policy Framework, prisoners may progress to the next stage of the Regime
- 4.8 Reviews to consider stage progression must take place every 3 months and be linked to the EBM case management process.
- 4.9 Prisoners must earn progression through the stages after completing an application detailing the benefit and outcomes achieved, the link to progression and reduction of risk.
- 4.10 A PR operates with prisoners each having a POM, a COM and a Key Worker.
- 4.11 Where those in the women’s estate are considered to meet the requirements for a PR, a bespoke approach must be developed on a case by case basis. This must include all the features of the Regime outlined above and can be undertaken, for those cases known to the HMPPS Women’s Team, in collaboration with the Centralised Case Supervision System (CCSS).

5. Guidance

- 5.1 Whilst many ISPs who are engaging with their sentence plans are continuing to achieve release, those who are no longer eligible for transfer to the open estate, or who are struggling to progress through their sentence via the usual routes, may need additional help to enable them to demonstrate a reduction in their risks sufficiently to enable safe management in the community on licence.
- 5.2 In January 2020, the criteria for suitability for location in open prison conditions changed. [The Generic Parole Process Policy Framework](#) contains detailed instructions around the exclusion from open conditions criteria and what prisoners will need to evidence to demonstrate exceptional circumstances. Additionally, there is a presumption that any prisoner serving a custodial sentence, whether determinate or indeterminate, for an offence listed in section 247A(2) of the Criminal Justice Act 2003 is unsuitable for open conditions, unless exceptional circumstances can be evidenced. This refers to terrorist and terrorist connected prisoners. See the [Generic Parole Process Policy Framework](#) for details.
- 5.3 Whilst the bar to establishing ‘exceptional circumstances’ remains high, it is possible that the criteria may apply to a greater proportion of prisoners in the women’s estate as their risk profile could present differently than that of their male counterparts.
- 5.4 The PRs are not necessarily the final destination for prisoners before securing release. They could also be beneficial before this stage, for example, in helping individuals re-establish motivation to engage with programmes or other activities, where they were previously unwilling. A period in a PR could also be a valuable transitional period where an

ISP is deemed not suitable for open at pre-tariff sift stage, before then moving on to open after a future parole hearing/decision.

Eligibility, Suitability and Assessment

- 5.5 We will continue to monitor groups of ISPs who may benefit from participation in a PR, although post-tariff prisoners will continue to be prioritised over those who are pre-tariff. Prisoners with a history of abscond on the current sentence should be considered for a PR once it has been established that they are excluded from accessing open conditions and have not been able to evidence exceptional circumstances. For such prisoners, a PR represents a parallel regime, affording the prisoners with specifically designed opportunities to progress towards release without necessarily needing a period in open conditions, although this will be necessary and beneficial in some cases. The Parole Board will only be asked to consider suitability for open conditions where prisoners are able to evidence exceptional circumstances. If prisoners do not submit representations, or their representations are not accepted by the Public Protection Casework Section (PPCS), individuals can then be considered for suitability for a PR. The assessment of suitability for a PR does not involve the Parole Board.
- 5.6 Where there are no outstanding criminal matters with the courts, ISPs who have been recalled to custody and who fail to achieve release or progression to open conditions at their initial parole hearing, should be considered for a PR.
- 5.7 Prisoners should have a recent record of good behaviour before being considered for a PR; however, where this is not the case, the PRs will consider these referrals locally on a case by case basis.

Men's Estate

- 5.8 It is very important that prisoners understand the purpose of the PR and what opportunities it offers them in terms of progression. Staff working with prisoners should ensure they have a good understanding of PRs in order to have meaningful conversations about this option with prisoners considering a transfer, and for inclusion in sentence plans. Where appropriate, the prison should arrange for the translation for HMPPS documents. Sometimes an ISP is reluctant to consider a PR because they don't want to move and/or don't fully understand the benefits to their future. Staff working with these prisoners should use their knowledge of the PR to encourage and motivate them to consider a PR fully. Information about PRs can be found on the [ISOS support](#) page of the HMPPS intranet.

Women's Estate

- 5.9 The intention with those in the women's estate identified as suitable for a Progression Approach is that they remain in the prison that best meets their needs in the context of the women's' estate. The manner in which the features and opportunities of a PR will be provided will vary based upon the specifics of each case. All womens' prisons have become resettlement prisons under the wider Transforming Rehabilitation reforms, hence each now more readily provides a range of resettlement activities which those participating in a Progression Approach can access.
- 5.10 Some women who meet the requirements for a PR, may also be known to HMPPS Women's Team as part of the Centralised Case Supervision system (CCSS). The CCSS provides multi-disciplinary support and advice to staff involved in the management of those individuals with complex needs and are struggling to progress with their sentence. For further information please contact the team via the functional mailbox: CNCSSWomensTeam@justice.gov.uk or refer to PSI 23/2015.

Regime

- 5.11 EBM plays a crucial role in risk assessment and the monitoring of offence paralleling behaviours in a PR environment. Together with POMs, Keyworkers and COMs, HMPPS psychologists should aim to review conduct and reinforce positive progress. A PR is a three stage process, with reviews for each stage linked to the EBM case management process.
- 5.12 Participation in a daily and weekly routine which promotes 'self-motivated compliance' helps enable individuals to take more responsibility – including in some of the most routine tasks such as getting up on time, washing, dressing and going to work. The stages within a PR are designed to give prisoners scope to progressively take on tasks which they may find difficult, but safely and with clear boundary-setting. Ideally, prisoners selected to participate in a PR should take an active role in their sentence planning, identifying their resettlement needs and taking proactive steps to meet them by, for example, accessing employment or accommodation services in the community.
- 5.13 Once in a PR, Governors should consider the option of an adjustment period/assessment phase (two weeks recommended) during which participants may begin their induction and their sentence planning based on the EBM framework. Here they should have the opportunity to meet their POM and Keyworker and commence an individual development plan. This will enable participants to meet the expectation of taking an active role in their sentence planning, identifying their resettlement needs and taking proactive steps to address them.
- 5.14 Within a PR the EBM process operates slightly differently in that it is not limited to 6 months, and is not solely for those prisoners exhibiting risk-related behaviour. The EBM process within a PR is used with all prisoners on the Regime and enables participants to take responsibility by understanding the risks their previous behaviours have presented and, therefore, contribute to providing evidence that they have successfully reduced their identified risks and are able to safely manage these, and associated behaviours.
- 5.15 A PR seeks to provide a wide range of opportunities for prisoners. Some examples are provided below:
- Activities to promote personal responsibility;
 - Health and wellbeing through self-management of medical appointments and self-catering;
 - Opportunities for work involving creation of curriculum vitae, application and interview process;
 - Graduated earned visits scheme;
 - Use of/running of a café, canteen and shop, as part of a virtual village; and
 - A branch style bank facility within the establishment to prepare prisoners for money management in the community.

EXAMPLE. at HMP Warren Hill – this has helped inform the design of the three stages of PRs developed at other prisons.

<p>STAGE 1</p> <p>Prisoners will begin at Stage 1 for a minimum of 3 months when they initially participate in a PR/Approach. This is to enable compliance, testing and risk assessment.</p>	
<p>Expectations</p> <ul style="list-style-type: none"> – Fully comply with 2-week induction assessment – Develop an individual development plan – Complete CV and apply for work – Attend work when required with minimal absences – Engage with extra curriculum evening activities (charity work etc.) – Fully engage with keyworker and POM – Display a community ethos within the residential setting – Good standard of behaviour remaining drug and adjudication free – Take responsibility for own actions and acceptance of decisions not to liking or constructive criticism 	<p>Entitlements</p> <ul style="list-style-type: none"> – As per IEP level – Use of study area/virtual campus
<p>STAGE 2</p> <p>After the initial 3-month period, once the participant, his/her POM and Keyworker reach agreement that the expectations for stage one has been achieved, participants can formally apply to progress to stage 2. Before receiving approval to progress to stage 2, an interview and assessment for suitability for a less restrictive and more self-maintained environment is completed.</p>	
<p>Expectations</p> <ul style="list-style-type: none"> – Compliance with individual development plan – Peer mentoring training – Lead on Prisoner led activities – Take a prominent role within the community 	<p>Entitlements</p> <ul style="list-style-type: none"> – Ability to apply for Internal Licenses (assessment based on ROTL) for free movement within the establishment with set conditions – Use of shop to enhance canteen availability – Use of café – Use of internal bank facility to enable spends within the shop and café – Ability to do 'face to face' catalogue orders within the bank – Use of study area/ virtual campus

STAGE 3

After a consistent and successful period on stage 2, Keyworker/POM can sponsor individuals to progress to stage 3. Participants can then formally apply and be interviewed and risk assessed to progress to the final stage of the PR/Approach which aims to fully test prisoners' ability to self-manage, their sense of responsibility and compliance overall.

Expectations

- Proven record in positions of trust
- Peer mentors
- Establishment representative with external agencies/charities etc.
- Participation in council as a community official
- Proven compliance with internal licences
- Exhibit role model behaviour which actively promotes the progression Regime ethos

Entitlements

- Ability/expectation to apply for extended visits (3-hour family/support visits set within a less rigid informal setting. Areas of visits will include family support worker and family intervention work, resettlement needs, areas for children's homework/play and sofa areas for DVD watching etc.)
- After 12 months, Unsupervised Visits in a separate area with family or other support to aid resettlement

Expectations and entitlements are carried forward from stage to stage so that, by the time prisoners reach stage 3 of the Regime, they are expected to comply with all expectations from stages 1 to 3 and will have access to all available entitlements.

- o Units are staffed by Band 3 officers. They will be supported in working as 'Keyworkers' to assist in reporting using the PR/Approach.
- o Activity to Promote Personal Responsibility - Prisoners are responsible for booking appointments and maintaining a diary which they present to their Keyworker. They are also required to complete a workbook evaluating the sessions and reflecting on learning.
- o Health and well being - Allotment opportunity to cook for self and cater for others. Make own appointments for GP and dentist.
- o Work - Get self ready and provide sickness absence certificate if required. All jobs require a Curriculum Vitae, application and interview before being selected; this includes why they have chosen a particular role and includes an assessment on how this is going to link into their resettlement and future employment. Prisoners will be monitored and appraised at work and receive non financial bonuses linked to a structured performance model including attendance and work ethic.
- o The core day will run from 8am until 9pm. Evenings will be structured for meetings, Night School, OU work, charity work, studying, chaplaincy meetings /groups and completion of the evidence for enabling environment portfolio and parole portfolio collation. Narcotics Anonymous and Alcohol Anonymous provision is in place alongside time for association and domestics. Evening activities are voluntary but would test motivation and provide a range of clubs and activities to mirror the outside community.
- o Families and support networks are a fundamental element of preparing prisoners for release into the community and underpinning a safe transition back into family life. Enhanced all day family visits can be earned at stage three after undertaking family intervention work and completing an application detailing the benefits and outcomes of the time with their family and the link to progression and reduction of risk. The stages of visits would start with the current visits process, progressing to enhanced family time on

application and assessment at stage three. Psychology/POM and family worker input/reviews are fundamental to this process.

- Canteen/Shop - A shop facility for prisoners to buy goods in addition to the canteen list in addition to a café facility (where this can be established). Both are available at stage two progression.
- Bank - A branch style bank facility within the establishment to prepare prisoners for money management in the community, and to allow for bank accounts to be set up within the walls and to receive professional advice on savings and the accounts available to them outside. Families will be involved in these to engage in discussions and planning of the family budget prior to release.