



Interim working to support inspections and independent reviews of progress of prison establishments and young offender institutions between

HMI Prisons and Ofsted

April 2026 – March 2027

Scope

1. This protocol has been agreed between HM Inspectorate of Prisons (HMI Prisons) and The Office for Standards in Education, Children's Services and Skills (Ofsted). It applies to the inspection of prison establishments holding children and young people up to the age of 18 years and adults aged 18 plus.
2. It outlines our commitment to co-operation and collaboration so that together we meet our respective aims and objectives. This protocol is not a legally binding document and is subject to regular change as policy and practice changes.
3. More detailed information in inspection methodology can be found in HMI Prisons' Expectations and Inspection Framework.

Context

HM Inspectorate of Prisons

4. HM Inspectorate of Prisons (HMI Prisons) is an independent inspectorate whose Chief Inspector is a Crown appointment. HM Chief Inspector of Prisons' responsibilities are set out in sections 5A and 43 of the Prison Act 1952 (as amended). They are to inspect (or arrange for the inspection of) and report to the Secretary of State on:
 - prisons, young offender institutions (YOIs), and secure training centres (STCs) in England and Wales;
 - court custody facilities in England and Wales and escorts to and from these facilities; and
 - immigration removal centres (IRCs), short-term holding facilities, pre-departure accommodation and escort arrangements throughout the UK.

In particular, the Chief Inspector shall report to the Secretary of State on the treatment of detainees and the conditions in establishments. The majority of inspections undertaken by the Chief Inspector benefit from the assistance of other inspectorates and inspections of STCs are undertaken jointly with Ofsted and the CQC. The Chief Inspector may also carry out inspections of military custody and other jurisdictions by invitation. The Chief Inspector must prepare an annual report to be laid before parliament.

5. HM Prison and Probation Service (HMPPS) is an Executive Agency of the Ministry of Justice (MOJ), and delivers the orders of the court in custody and the community. The Agency brings together HM Prison Service and the Probation Service to enable a more effective delivery. Within England and Wales, HMPPS is responsible for running prison and probation services, rehabilitation services for people in our care leaving prison, making sure support is available to stop people reoffending, contract managing private sector prisons and services such as Prisoner Escort Service (PECS) and Electronic Monitoring (EM).

6. HMI Prisons' work is carried out in accordance with the UK's obligations as a party to the Optional Protocol to the United Nations Convention against Torture and other cruel, inhumane or degrading treatment or punishment (OPCAT). OPCAT requires each state party to designate an independent National Preventive Mechanism (NPM), which monitors places of detention for the purpose of preventing torture and ill-treatment. HMI Prisons is a member of the UK NPM.

The role of Ofsted

7. The Office for Standards in Education, Children's Services and Skills regulates and inspects to achieve excellence in the care of children and young people, and in education and skills for learners of all ages, including those who are in a prison or YOI.
8. It regulates and inspects childcare and children's social care.
9. It inspects:
 - schools;
 - colleges of further education;
 - initial teacher education;
 - work-based learning and skills training;
 - adult and community learning and education;
 - education, skills and work in prisons and other secure establishments.
10. It also assesses local authority children's services, and inspects services for looked after children, safeguarding and child protection.
11. Ofsted inspects a prison's education, skills and work provision as part of the joint inspections with HMI Prisons. Ofsted may also carry out a standalone inspection of a prison's education, skills and work.

Developing and agreeing the 2026–27 inspection programme

12. HMI Prisons produces and consults on an annual inspection programme each December for the 12 months from the following April. This programme follows the principles set out in HMI Prisons' inspection framework and includes both full inspections and between 15-20 independent reviews of progress (IRPs) in prisons and young offender institutions. The development of this programme is subject to statutory consultation with stakeholders, but is ultimately at the discretion of HM Chief Inspector of Prisons.
13. The Deputy Chief Inspector of Prisons will liaise with the Ofsted Deputy Director Further Education and Skills and Specialist Adviser HMI during

the drafting of the annual inspection programme to inform them of the likely staffing needs from Ofsted as a core inspection partner. HMI Prisons does not commission inspection support from Ofsted or fund this work; this is managed directly between Ofsted and the Ministry of Justice. It will therefore be the responsibility of Ofsted to confirm that they have the resourcing in place to support the programme as outlined at this time. Should Ofsted anticipate any challenges in meeting the resourcing commitments, this should be raised immediately and escalated to the Ministry of Justice and a solution identified and agreed by all parties.

14. Most HMI Prisons inspections are unannounced and the annual programme is given in confidence to Ofsted, who maintain this confidentiality.
15. HMI Prisons will share any amendments to the 2026-27 programme with Ofsted at the earliest opportunity.

Resourcing of inspections

16. Ofsted HMI (or OIs trained to carry out the lead inspector role) will take the lead role in inspecting education, skills and work in establishments in England. The Ofsted scheduling team will allocate appropriate Ofsted resources to each relevant HMI Prisons inspection and IRP.
17. Ofsted HMI will normally attend inspections simultaneously with HMI Prisons during the second week of the inspection. However, in the rare cases where no HMI or OI is available, Ofsted may carry out the inspection in a different week, with the agreement of HMI Prisons.
18. The appointment of inspectors continues to be a matter for the respective inspectorates. However, in the interests of security, Ofsted will liaise with HMI Prisons on the security requirements necessary for custodial inspection. All inspectors require enhanced Disclosure and Barring Service checks. HMI Prisons will assist and advise Ofsted on issues of enhanced security clearance where necessary. It is for each inspectorate to ensure that the inspectors they appoint understand what is required of them working in secure, custodial environments and when and how to report any breaches.
19. Deployment of staff continues to be a matter for the respective inspectorates. However, in the interest of minimising burdens on those to be inspected, Ofsted will liaise with HMI Prisons on the capacity of particular places of detention to ensure an appropriate balance and total number of inspectors on site.
20. Ofsted will appoint a lead inspector for each inspection and during the inspection the Ofsted lead inspector will report to the HMI Prisons team leader.
21. The organisational lead contacts will be:

- Ofsted – Deputy Director for Further Education and Skills, and the Specialist Adviser for Offender Learning
- HMI Prisons – Deputy Chief Inspector, and Team Leader with responsibility for liaison with Ofsted

Pre-fieldwork activity and planning

22. HMI Prisons will continue to notify Ofsted of inspections as early as possible to allow inspectors to be allocated, normally at least six months before the inspection. Ofsted will then inform HMI Prisons of the lead inspector's name at least two weeks in advance of the inspection.
23. In the case of Ofsted standalone inspections, Ofsted will inform HMI Prisons of the prisons it intends to inspect normally within at least four months of the inspection. It will then inform HMI Prisons of the dates on which it intends to carry out specific standalone inspections within three months of their scheduled date.
24. The HMI Prisons inspection coordinator will contact the lead inspector from Ofsted to confirm dates for the pre-inspection visit and preparations for the inspection will follow established practice by the two inspectorates.
25. Given the nature of unannounced inspections, Ofsted will maintain confidentiality about HMI Prisons' inspection programme within their own organisation, imparting only essential information to inspectors.
26. Ofsted will participate in IRPs when the overall judgement for education, skills and work at the previous inspection was either inadequate or requires improvement. HMI Prisons is responsible for selecting prisons for IRP visits; HMI Prisons will consult with Ofsted as early as possible on selection of sites to confirm Ofsted's attendance.

During the inspection

27. HMI Prisons and Ofsted will continue to inspect together in line with established working practices including:
 - Holding a pre-inspection briefing between the Ofsted lead inspector and HMI Prisons team leader to determine how the Ofsted and HMI Prisons inspection teams will assist and support each other.
 - Further joint team briefings throughout the inspection to inform the HMI Prisons Team Leader of progress and to bring emerging issues to his/her attention as required. The Ofsted lead inspector will also provide emerging key points for feedback to the Governor.

- The Ofsted lead inspector will provide the HMI Prisons team leader with written bullet points for the draft feedback summary by lunchtime on Thursday of the inspection.
 - The Ofsted lead inspector will attend the deliberation meeting on Thursday of the inspection.
28. The Ofsted lead inspector may provide feedback to the Governor directly and will always provide a separate, short feedback session to prison staff on the final day of inspection – which the Governor may choose to attend.
29. Ofsted will quality assure the inspection in line with its own procedures.

Post-inspection report drafting and publication

30. Reports will continue to be produced in line with current practices. HMI Prisons will publish a summary of Ofsted's findings in the main body of its report (in the 'Purposeful Activity' section), and will also publish the full Ofsted report text as a further resource for inspection reports.
31. HMI Prisons will lead on development and publication of all inspection reports (except in the case of an Ofsted standalone inspection). The Ofsted lead inspector will submit a copy of their debrief report and full report to the HMI Prisons coordinator within 13 working days of the completion of the inspection, or by the end of the Friday of the week after an IRP.
32. Ofsted will identify a number of key concerns at each inspection (usually no more than four). To ensure consistency with the rest of the inspection report, Ofsted will present these in the style of HMI Prisons' areas of concern (priority and key concerns).
33. HMI Prisons will arrange for reports from full inspections and IRPs to be reviewed for factual accuracy by the inspected body and inspection partners, including Ofsted, before publication. This will follow established timelines and processes detailed in HMI Prisons' inspection framework and MoU with HMPPS.
34. In the case of an Ofsted standalone inspection, Ofsted will inform HMI Prisons of the provisional grades from the inspection within a week of the completion of the onsite stage of the inspection. Ofsted will share provisional findings from the standalone inspection on request from HMI Prisons and will share a copy of the final report with HMI Prisons on publication.

Safeguarding and sanctions

35. Ofsted and HMI Prisons inspectors will follow Ofsted and HMI Prisons safeguarding policies and protocols, which set out procedures to be followed should information come to the attention of any member of staff indicating that a child or vulnerable adult has suffered, is suffering or is at risk of suffering harm during their period in detention. If any such

information comes to the attention of Ofsted inspectors during an inspection, they must report it immediately to the HMI Prisons team leader or coordinator, who will then follow HMI Prisons' safeguarding protocols. Any general undertaking of confidentiality or anonymity during the inspection must have the caveat that this cannot be maintained where information suggests that a child or a vulnerable adult has been harmed in any way.

36. If Ofsted or HMI Prisons inspectors become aware of any prisoner alleging that they have been subject to sanction or other prejudice arising from communication with Ofsted or HMI Prisons inspectors, or representatives of the Independent Monitoring Board (IMB) or Prisons and Probation Ombudsman (PPO), either directly or through someone acting on their behalf, they will alert the HMI Prisons team leader inspector immediately. The HMI Prisons team leader will then follow the joint HMI Prisons-IMB-PPO protocol on sanctions. Where concerns relate to non-detained individuals, these will not be taken forward under the sanctions protocol; the HMI Prisons team leader will ensure they are appropriately escalated through relevant routes and, where necessary, shared with partner organisations to support oversight and transparency.

Inspectors' safety

37. Inspectors' safety is paramount. Ofsted HMI and OIs will follow all appropriate advice and guidance given by the HMI Prisons coordinator and the custodial establishment being inspected.
38. Ofsted and HMI Prisons inspectors will also adhere to all health and safety advice provided by their own inspectorates.

Sensitive documents and data

39. Both parties agree to comply with:

- Data protection legislation (General Data Protection Regulation (GDPR), Data Protection Act 2018, Freedom of Information Act 2000)
- HM Government's Security Policy Framework:
<https://www.gov.uk/government/publications/security-policy-framework>
- The Information Commissioner's Office (ICO) Framework Code of Practice for sharing personal information:
<https://ico.org.uk/for-organisations/uk-gdpr-guidance-and-resources/data-sharing/data-sharing-a-code-of-practice/>

40. In particular, this includes:

- Preserving the integrity, confidentiality, and availability of shared data and preventing the corruption or loss of such data
- Processing the data only to the extent, and in such a manner, as is necessary for the effective functioning of the justice system or as required by law or any regulatory body
- Conducting, if necessary, a Data Protection Impact Assessment (DPIA) when changes are made to the processing of data

41. Documents containing sensitive personal data will only be taken out of the establishment where necessary, will be handled securely and destroyed in accordance with our data retention and disposal schedules.

Confidentiality

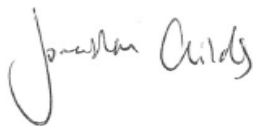
42. This joint protocol is subject to the duty of confidentiality owed by each organisation to those providing them with confidential information. Where either organisation receives information which bears upon the other's responsibility, both organisations agree to share such information.

43. Nothing in this protocol precludes HMI Prisons from taking relevant action as necessary to safeguard prisoners, staff and/or the public.

Signatories



Charlie Taylor, HM Chief Inspector of Prisons
12 June 2026



Jonathan Childs, Deputy Director, Ofsted
17 June 2026