

**Action Plan – Mr Amerjit Sian at HMP Birmingham – Natural Cause on 02/02/2019**

No	Recommendation	Accepted/Not Accepted	Response	Target date for completion and function responsible
1	<p>The Governor and Head of Healthcare should ensure that all staff undertaking risk assessments for prisoners taken to hospital understand the legal position on the use of restraints and that assessments fully take into account the health of a prisoner and are based on the actual risk the prisoner presents at the time.</p>	Accepted	<p>A briefing was sent by email to all operational staff responsible for completing risk assessments by the Deputy Governor in June 2019. This briefing referenced the importance of when escort risk assessments are completed, including emergency hospital escorts, that all information is considered including the prisoner’s health and mobility at the time. Staff were additionally reminded of the High Court Judgment 2007 that the level of restraints used should be necessary in all the circumstances and based on a risk assessment, which considers the risk of escape, the risk to the public and considers the prisoner’s health and mobility.</p> <p>In addition to this briefing, a meeting was held between Healthcare, Security and Safer Custody, chaired by a Governor to ensure that all understand the information required to be considered is evidenced on the risk assessment. This meeting was held in August 2019.</p>	Complete Governor & Head of Healthcare
2	<p>The Governor should revise the prison’s escort risk assessment form to ensure that it requires:</p> <ul style="list-style-type: none"> <li>• healthcare staff to say whether the prisoner’s current state of health has an impact on his mobility; and</li> <li>• prison staff to show that they have taken this information into account in assessing the prisoner’s current level of risk.</li> </ul>	Accepted	<p>The Security Department revised the prison’s escort risk assessment in line with the Prisons and Probation Ombudsman’s recommendations in July 2019.</p> <p>In addition to this revision, a meeting was held between Healthcare, Security and Safer Custody, chaired by a Governor to ensure that all understand the information required to be considered is evidenced on the risk assessment. This meeting was held in August 2019.</p>	Complete Governor

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3	The Governor should remind the Prison Manager that paragraph 5.2 of Prison Service Instruction (PSI) 58/2010 requires all staff to cooperate fully with all requests from the Ombudsman's staff for information.	Accepted	The Prison Manager has been spoken to regarding the importance of cooperating with the Ombudsman during investigations. This was completed by the Deputy Governor on 8th July 2019.	Complete Governor
4	The Prison Group Director for the West Midlands should assure the Ombudsman that she is satisfied that the Governor is taking effective action to ensure that staff understand the legal position on the use of restraints.	Accepted	The Governor has issued a notice to staff that confirms the policy requirements and the legal position on the use of restraints. The Prison Group Director is aware of the Governors effective action and is satisfied and will respond to the Ombudsman accordingly.	Complete Prison Group Director
5	The Governor should ensure that: <ul style="list-style-type: none"> <li>• a prisoner's next of kin is informed when a prisoner is admitted to hospital seriously ill; and</li> <li>• a FLO is appointed promptly in these circumstances.</li> </ul>	Accepted	All Duty Governors were reminded about the importance of contacting a prisoner's next of kin when a prisoner is admitted to hospital seriously unwell and that Safer Custody are informed to ensure that a FLO can be allocated promptly. This reminder was sent by email to all Duty Governor in September 2019.	Complete Governor