

Action Plan – Mr Christopher Swanson at HMP Elmley – Natural Causes on 25/02/2019

No	Recommendation	Accepted/Not Accepted	Response	Target date for completion and function responsible
1	<p>The Governor 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 local notice to staff (NTS) originally issued in September 2016 will be reissued in August 2019, which reminds staff that resident escort risk assessments must take fully into account the current health of a resident and be based on the actual risk the resident presents at the time when considering the levels of restraint applied, and must not be decided on security categorisation alone. This NTS reminds staff to use the local escort risk assessment template which was revised in April 2016 following national communications about the legal requirement to consider the residents' current risk in light of their health and that the risk assessment should be reviewed if there is a change in circumstances.</p> <p>The escort risk assessments will be further amended to highlight the need for managers to fully consider the medical recommendations by Healthcare and the reasons that restraints may not be appropriate, highlighting if sufficient information is available.</p> <p>Managers will also be reminded to ensure that Healthcare information and consideration of appropriate restraint levels is considered as soon as practicably possible, following an emergency escort risk assessment completion where medical information is not readily available and would delay the escort.</p> <p>Managers will continue to review all risk assessments within 24 hours of a resident being admitted to hospital with consideration as to their current health and level of risk.</p> <p>Complex clinical cases with longer term health issues will be subject to case management planning by the Heads of Security and Healthcare and will be</p>	<p>Complete</p> <p>Head of Safer Custody and Head of Healthcare</p>

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			subject to internal and external audits.	
2	The Prison Group Director for Kent, Surrey and Sussex should write personally to the Ombudsman explaining what she is doing to ensure that effective action is taken on the inappropriate use of restraints at HMP Elmley.	Accepted	The Prison Group Director for Kent, Surrey and Sussex will respond to the Ombudsman personally with a letter explaining her findings from a review of the risk assessment process around restraints and Elmley’s understanding of the consideration for, and appropriate use of restraints.	October 2019 Kent, Surrey and Sussex PGD
3	The Governor and Head of Healthcare should discuss the treatment of prisoners with managers at Medway Maritime Hospital to ensure that prisoners and escorting staff are treated professionally.	Accepted	We have initiated increased communication and liaison with Medway Maritime Hospital through Medway’s Safeguarding Lead who attends meetings at Elmley. We have proposed a meeting to discuss the treatment of residents and staff at Medway and have agreed a plan to better communicate and update Medway on cases of terminal and chronic illness. This will also include an agreement on priority access for those residents who are deemed a risk; either due to their health needs or behaviour. The Memorandum of Understanding with Medway will be reviewed.	Complete Head of Healthcare and Operational Lead for Healthcare
4	The Governor and Head of Healthcare should ensure that a copy of this report is shared with specific members of staff identified by the Ombudsman and the managers who signed the escort risk assessment forms on 20 and 23 February 2018.	Accepted	All staff identified and relevant to the case of Mr Swanson have been sent a copy of this report. Managers who were identified as signing the risk assessments were given a copy of this report with a note covering their involvement and a reminder to fully consider medical recommendations on the use of restraints or the need to seek medical advice as soon as practicably possible.	Complete Head of Safer Custody and Head of Healthcare