

**Action Plan – Mr Adrian Pearce at HMP Hewell – Natural Cause on 04/08/2020**

No	Recommendation	Accepted/ Not Accepted	Response	Target date for completion and function responsible
1	<p>The Governor and Head of Healthcare should review the social care referral process to ensure that roles and responsibilities are clear and referrals are made promptly.</p>	Accepted	<p>The subsequent closure of the inpatients facility, since the death of Mr Pearce, means that some of the ambiguity around the roles and responsibilities have been resolved. Notice to staff was issued informing them of process of social care referral. All new staff operational and non-operational are informed of the social care arrangements as part of the induction process by a member of the Safer Custody Team.</p> <p>A further notice to staff was issued advising of the process in February 2021. Whilst it is collaboratively agreed that social care can be requested when deemed necessary by any person, the formal request to Worcestershire County Council is made by HMP Hewell Safer Custody team. The response to the request for social care is managed by the County Council and is reliant on them having the resources to complete the necessary assessments prior to providing any care that is needed.</p>	<p>Complete</p> <p>Governor &amp; Head of Healthcare</p>
2	<p>The Governor and Head of Healthcare should ensure that:</p> <ul style="list-style-type: none"> <li>• all staff undertaking risk assessments for prisoners taken to hospital understand the legal position;</li> <li>• healthcare staff complete the healthcare section of the risk assessment form and provide information about the prisoner's</li> </ul>	Accepted	<p>The risk assessment was reviewed in July 2020 and revised. The new risk assessment includes the need for all staff involved in completing the risk assessment to consider the Graham judgement. Additionally, a copy of the Graham Judgement is attached to the back of the new risk assessment. The new Risk Assessment process was discussed at a briefing with Custodial Managers and Operational Senior Managers in August 2020 and implemented in September 2020.</p> <p>Senior Health Care Managers were also informed of the new risk assessment, shown the risk assessment, and informed that they needed to inform their staff who were completing the risk assessments to include details of the prisoner's</p>	<p>Complete</p> <p>Governor &amp; Head of Healthcare</p>

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	<p>current state of health and whether this affects his mobility and ability to escape; and</p> <ul style="list-style-type: none"> <li>• Escort risk assessments fully take into account the health of a prisoner and are based on the actual risk the prisoner presents at the time.</li> </ul>		<p>health which would/could affect the need for restraints. This briefing was completed in September 2020 by Healthcare Management. All new healthcare staff are informed of how to complete a risk assessment with the information to support the security department in their decision of the appropriate use of restraints.</p> <p>All staff escorting prisoners are briefed before leaving the establishment about the security/cuffing arrangements. This is undertaken by the Duty Manager of the day (Oscar 1 or 2). Where staff attend the bed watch directly the staff who they are taking over from, will give them a verbal handover regarding the use of restraints and behaviour and this is documented in the bed watch paperwork. The risk assessments have noted in them at each consideration/authorisation stage points to consider the need for restraints. The Graham Judgment is attached with the risk assessment so staff are aware of the legal position of restraining prisoners unnecessarily.</p> <p>Regional Safer Custody team colleagues will be undertaking assurance checks on Risk Assessments on their support/assurance visits to HMP Hewell.</p> <p>In September 2020 all nursing staff were reminded of the need to complete the healthcare section of the risk assessment prior to any discharge to hospital and to include in this section information relevant to mobility and/or any other relevant health conditions which need to be considered by the security department when making their decisions. All new healthcare staff are shown how to complete the risk assessments with all the relevant information.</p>	

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			Security staff are informed that the security and cuffing arrangement's must be in line with the risk that they prisoner poses to the public, staff and health care professionals, and his risk of escape, however, this is all looked at with the presentation of the prisoner due to his health condition. When deemed safe and appropriate for decency, the security arrangements are reviewed as circumstances change.	
3	The Prisons Group Director for the West Midlands should write to the Ombudsman, within four weeks of receipt of this report, to set out what is being done to address the prison's continuing failure to use restraints appropriately when prisoners are Escorted to hospital.	Accepted	The Prison Group Director will be writing to the Ombudsman outlining the actions taken and the assurances that will be implemented by the Regional Team to ensure restraints are used appropriately whilst maintaining levels of decency and human rights	10 March 2021  Prison Group Director