Purpose

1. This Policy sets out Surrey County Council’s position in relation to social care for Surrey prisoners in the five Surrey prisons (HMPs High Down, Downview, Coldingley, Send and Bronzefield) and approved premises (St Catherine’s) since the enactment of the Care Act 2014 from 1 April 2015.

2. The Act for the first time makes Local Authorities responsible for meeting the social care needs of prisoners residing within their areas in prisons and approved premises.

3. We will meet the legal requirements outlined in the legislation above. The key elements are described briefly within this policy. The detail can be found in:
   - The Care Act 2014, Clause 76: Prisoners and persons in approved premises etc.
   - Care and Support Statutory Guidance 2014, Section 17: Prisons, approved premises and bail accommodation.

Background

4. Whilst they are held in the above Surrey prisons and approved premises, Surrey County Council is responsible for the provision of information, advice, advocacy, assessment and the commissioning of services to meet eligible needs of prisoners.

5. A key principle enshrined in the Care Act is that as far as possible people in prison should be treated consistently and on the basis of equivalence to those in the rest of the population. However, people in prison cannot qualify as carers, are not allowed any choice of accommodation nor receive direct payments.

6. Once a prisoner is released (from any prisons) and becomes ordinarily resident within Surrey, then they will have exactly the same rights to social care as any other member of the population.

7. In developing our policy on Social Care for Surrey Prisoners, Surrey County Council has been guided by our Care Act Policy Principles.

Policy Statement

8. Surrey County Council will assess and meet eligible social care need, and provide information, advice and advocacy service to prisoners within Surrey’s prisons and approved premises, that is of an equivalent level and standard as that offered to wider resident population, as far as is possible within the operational constraints of the prison system.

9. In order to deliver the above, Surrey County Council may choose to commission or arrange for others to provide care and support services, or delegate the function to another party.

10. Surrey County Council will carry out a financial assessment to determine how much a prisoner may pay towards the cost of their care and support, as they would be in the community (17.37). The council will follow the National Association of Financial Assessment Officers’ good practice.
guide.

11. The first year of operation (April 2015 to March 2016) will act as a pilot. The service will be monitored, evaluated and independently reviewed with recommendations before the second year commences.

12. The Policy Statement below has been developed following engagement with prisoners and a wide range of stakeholders and with reference to The Equality Act 2010 and its Public Sector Equality Duty. The Equalities Act requires public bodies have due regard to the need to prevent discrimination, advance equal opportunities and encourage positive relationships.

13. An EIA on the Prison service has been signed off and published on the Surrey County Council website.

Related Documents

14. The following Prison Service Instructions (PSI) are available at https://www.justice.gov.uk/offenders/psis
   - PSI 15/2015 Adult Social Care
   - PSI 16/2015 Adult safeguarding in prison
   - PSI 17/2015 Prisoners assisting other prisoners
   - PSI 57/2011 Management and Security of Tools and Equipment

Other languages and accessible information

If you would like this information in large print, on tape or in another language, please contact us on:

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Include statement in other main languages