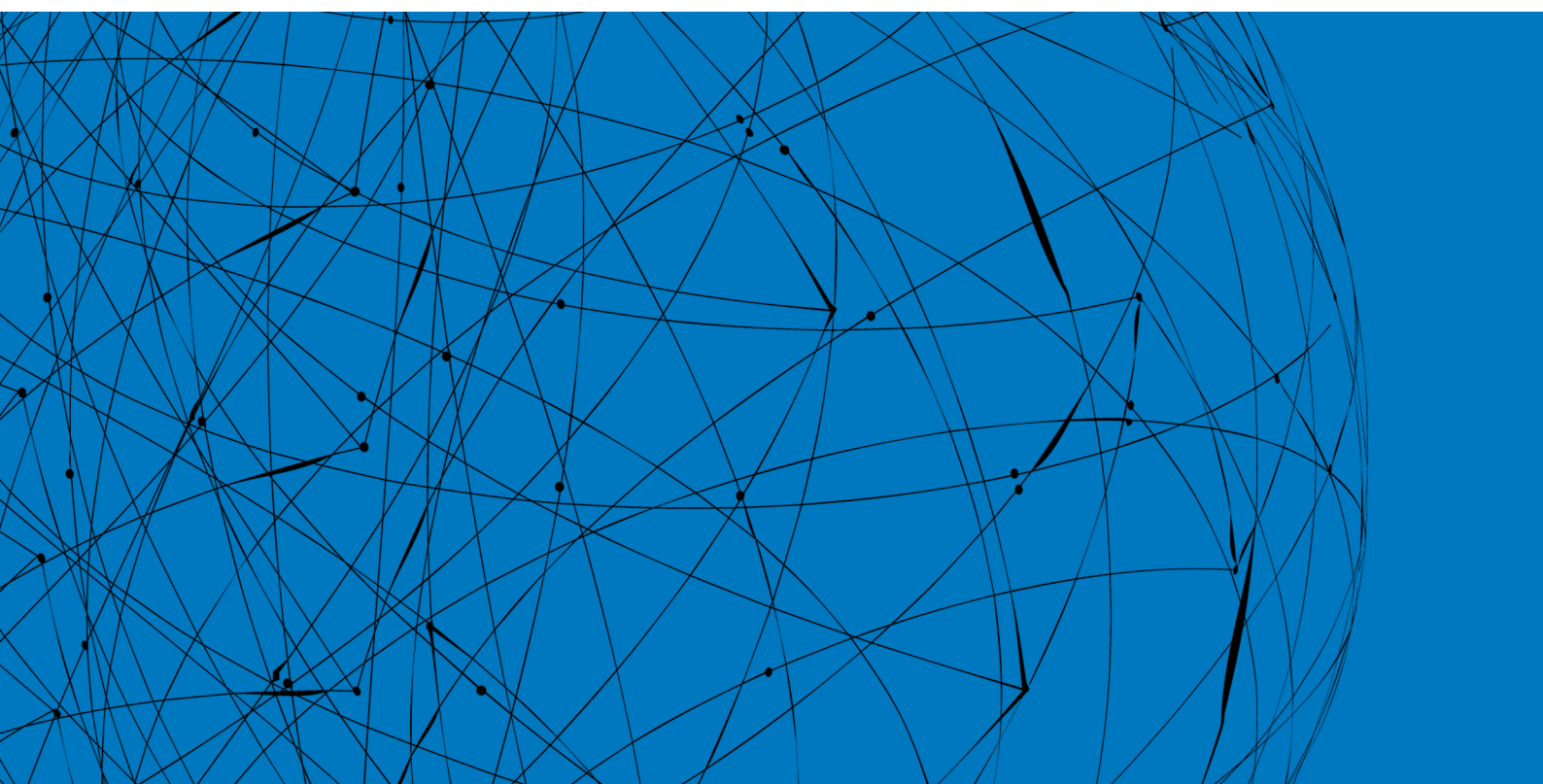


Criminal Justice Alliance

Education: Are prisoners being left behind?



January 2021

Introduction

The [Criminal Justice Alliance](#) (CJA) is a network of over 160 organisations working toward a fair and effective criminal justice system. In producing this response, we held an expert group meeting in December 2020 with some of our members who work in the areas of prison education and employment. These members included: Prisoners' Education Trust, The Forward Trust, Working Chance, StandOut, Bounce Back and Tempus Novo. We focused on three questions relating to employment.

Summary

Does education in prisons deliver the skills needed by employers, and what more can be done to better align these?

- Programmes/academies that teach technical/vocational skills, co-created with employers who have jobs available for individuals after release, should be scaled up.
- The development of digital skills should be given much greater priority.
- Building soft skills and the mindset for work are currently undervalued and need greater emphasis to increase motivation and help job retention.
- There are some good examples of embedding functional skills in engaging activities, but this is the exception rather than the norm.
- Blended approaches to teaching using more digital delivery would enable learning to happen in spaces other than the classroom and result in greater engagement.
- There should be sufficient time available to offer high quality Information, Advice and Guidance (IAG), which makes use of up-to-date resources and software.
- Greater availability of higher-level qualifications in prison, and a culture of aspiration among those working with people in prison, would help increase access to higher education and careers with meaningful progression opportunities.

How does the variability in prison estate and infrastructure impact on learning?

- The prison regime and core day impacts on learning. Often several hours in the middle of the day are lost and lack of officers can result in people arriving late.
- Pay disparity is still an issue in prisons, with prison education too often paid at a lower rate than unskilled prison industry work, acting as a disincentive.
- Prison industries have not seen much improvement in terms of the embedding of quality learning and skills and links to employers.
- New Futures Network has potential but requires more staff to fulfil its ambition.
- The lack of digital infrastructure is a significant barrier to both prison education delivery and enabling communication between prison staff, prisoners, employment-focused organisations and employers.
- The Coates Review was clear on the need for a digital revolution in prisons, but this has yet to materialise in any substantial way.
- The contractual infrastructure for prison education and employment services is fragmented and leads to a lack of 'join-up'. A Voluntary Sector Co-ordinator in each prison could help organisations to communicate and collaborate better.
- Organisations not contracted or funded directly by the prison, who use their own resources to provide services, can find themselves out of the loop.
- Increasing understanding and buy-in from prison officers is key.
- There is an important role that people with lived experience of the criminal justice system can play in helping to engage people in prison and prison leavers with education and employment. Giving contracts to organisations who employ people with lived experience and reforming the opaque and onerous vetting procedures would help.

- There should be greater use of peer roles for IAG and more support for prisoners who are peer mentors or education orderlies to gain qualifications and have clear pathways into roles in the education, employment support, and criminal justice sectors.
- The government could reduce stigma through more careful use of language, such as reducing the use of the term offender and ex-offender. For example, it was noted that the New Futures Network website domain uses the term offender.
- Blanket exclusions for people with certain convictions to be part of government schemes like Going Forward into Employment are unhelpful.
- Not involving families more is a missed opportunity.
- Investing in the infrastructure around probation and community sentences such as unpaid work placements, rather than investing in enlarging the prison estate, was felt to be a more effective long-term strategy.

How might apprenticeships work in custody?

- Although the prison apprenticeship pathway is a step in the right direction, what is needed is a change in the law to allow full apprenticeships to start in prison.

Full response

Does education in prisons deliver the skills needed by employers, and what more can be done to better align these?

Technical / vocational skills:

Members highlighted that some employers need employees with specific technical or vocational skills, which can be taught in prisons. The most effective model is where prison education and training can be co-created with employers, who then employ those trained individuals after release. There are examples of this approach across the prison estate and where possible, this model should be used. Members said:

'Co-creating training with employers makes a huge difference.'

'We run a scaffolding training centre supported and funded by a company who then take people on after release.'

'The need for employers to contribute to the process is key – employers need to be listened to.'

'There is some great innovation out there from Bounce Back and other organisations working with employers, but the regimes need to support it.'

Digital skills:

Most employers require digital literacy. However, members highlighted that the lack of technology in prisons was a significant barrier in teaching essential digital skills.

Digital skills are also necessary when applying for a job; for example, when filling out an online application or attending an online assessment centre. It was noted that this is a priority in adult learning in the community, but not a priority in prisons, even during lockdown. Members highlighted that the use of Virtual Campus (VC) is also very mixed across different sites.

'Most people in prison don't have a clue how to use a tablet. We are having to do a lot of digital inclusion work with people leaving prison before they are ready to go into employment.'

Soft skills and mindset:

Although teaching specific vocational skills in prison and putting people straight into jobs is a widely successful model, it is not suitable for everyone. It is necessary to unpack what employers are looking for aside from technical skills, which many employers could teach on the job. Members agreed that there are some key attitudes and behaviours employers are looking for and focusing on these within prison education would be of significant benefit.

'By and large employers say they would train someone in a task-related skill themselves – the bigger issue is, is the individual someone they would want to employ? Do they have the right attitude and enthusiasm? Can they work with people? Do they have self-confidence and self-belief? We need to take a bigger view of what prison education needs to be doing. Human capital is really important to employers.'

'In prison you've got to focus on skills, knowledge and behaviours. There is not enough focus on behaviours. Employers will teach skills on the job if they've got a person with the right behaviours.'

'Employers want you to turn up on time, come in every day, work hard and be loyal. They can train someone in health and safety etc.'

'They want someone who will be a good worker, who will get on with it. You can tell when you meet someone if they will be a good fit with the organisation. The rest you can often teach on the job.'

Members highlighted that soft skills — such as self-belief, communication skills and the ability to manage conflict — are critical for job retention. Someone can be placed into a job, but maintaining that employment will often rely on working well with colleagues, being professional and responding to difficult situations within the workplace.

'We support people who don't know how to handle difficult situations in the workplace. They need the skills to communicate with managers rather than get into arguments. They need the skills to manage things they are likely to come across in work environment.'

Working Chance recently carried out a survey (not yet published) of women in custody and women who have been released from prison, and received over 700 responses. Lack of hope was a common feature in the written responses and one in five said they were 'not at all hopeful' of finding a job. However, over half said employment was the thing they most wanted help with.

Members highlighted the impact that prison has on removing self-confidence and belief that they will be employed. Building that hope, motivation and confidence is a vital first step which is too often side-lined or ignored. Educational attainment is an important way of building self-belief and confidence. Helping those in prison to understand the opportunities available through effective Information, Advice and Guidance (IAG) and supporting them to explore what they would like to do through motivational coaching are also vital to building confidence and improving employability.

'They have got to want to work – that's the key.'

'You can't force people into wanting to work – it's got to come from them.'

'We see people traumatised from their experience of prison. Everyone has some trauma from being inside and it knocks their confidence and belief that there is anything out there for them.'

There are examples of organisations focusing on building hope and motivation, such as StandOut, which offers a motivational coaching six-week programme prior to release, and

Rideout, which runs creative two-day programmes focused on identifying strengths, assets and interests. However, these sorts of initiatives are few and far between and could have value at different stages of someone's journey, including induction and pre-release, if they were scaled up across the prison estate.

'We want to unlock the spark that has at some point existed but has been dampened. We ask what really motivates you? What do you feel most passionate about? When someone feels no hope, we journey with him to explore what makes you tick? What matters to you?'

Functional skills:

Members were clear that good functional skills around literacy, numeracy and ICT were bedrocks to securing employment, but that prison education in these areas was often 'dry' and uninspiring. They highlighted that mediocre lessons can result in a lack of engagement and classes being disrupted by those who were bored. Members highlighted examples of embedded learning through magazine production, vocational workshops, arts and sports, but felt this creative and engaging teaching of basic skills was the exception rather than the norm. They also commented that the lack of digital infrastructure, to make teaching these subjects more engaging and to enable people to learn in different parts of the prison, such as in vocational workshops or in their cells, was also a significant barrier.

'There is a risk that the system gets sucked into a dull menu of basic literacy and numeracy courses, that are not engaging and not delivered effectively. You could romp through this stuff with more digital delivery and by connecting it with things individuals really want to learn.'

'The PEF [Prison Education Framework] has been running for three years and has two more years to run. I would be interested to see an evaluation. We have worked with three of the providers. Some are doing some great vocational and lifelong learning, but some are just running the same old stuff. We have got to get functional skills to a decent standard and delivered well.'

'Often the prisoners have never wanted to be in a classroom, so the providers need to embed learning about maths and English in more creative ways. There are examples of doing literacy by producing a magazine, doing maths in construction etc. Embedding learning is so important and so is taking it out of the classroom.'

'Engagement is key, especially with adults. It is important they can understand the point of what they are doing and how it links into their own aspirations, including employment.'

Members also raised concerns that there is a lack of parity between what is offered in further education in the community and what is offered in prisons and that this needs to be urgently addressed.

'You need to apply the lens on prison education and training that is applied to standards for operating in the community and conduct a frank appraisal of what is happening and whether you would tolerate it for anyone in community – if not, must be addressed.'

'The Ofsted annual reports tells us everything we need to know. There is not parity between education in prisons and in the community and there should be.'

One member commented that there are Quality Improvement Groups (QUIGS) but questioned how effective they are.

Information, Advice and Guidance (IAG):

Members highlighted the importance of good quality and impartial IAG. One member who delivers IAG highlighted that its role is to advise individuals about courses in custody that

best suit their needs and aspirations, not to fill places on courses or 'put bums on seats'. However, they did acknowledge that there is some pressure to do this and to rush the IAG process, often due to the regime. The need for IAG providers to be accredited, for example through the Matrix and Gatsby standards, was mentioned as being an important indicator of quality. The need for longer contracts was raised, although they have recently been increased from one year to two-year contracts (in 2021). Short term contracts place pressure on smaller voluntary sector organisations, forcing them to bid regularly and leading to a lack of consistency. Lack of access to up-to-date careers resources and books was also highlighted as a concern:

'Some of the careers books they were using in the prison library were from my days at college! We need to be able to use software like Kudos AD and Career Coach which is used in the community with learners.'

Higher level qualifications:

Members identified that access to higher level courses would help improve employability. One option is via distance learning and Open University courses; however, more needs to be done to scale up the availability of distance learning in prisons, in particular through digital access. Members also said there is often a culture of low aspiration among providers and other agencies which needs to be addressed. It was suggested that people in prison should be asked by education providers, IAG providers and other agencies if they want to study at a higher level, go to university or access career progression opportunities. There should then be opportunities to enable this progression to happen through distance learning and prison university partnerships.

'Aspirations are most important – we need more high-level skills and education.'

'We ask all our people doing construction with us - do you want to study? Do you want to go to uni? Is this really what you want to do? Many are desperate to get a job in construction to earn money, but we still need to ask. They might say they want to do management or become an engineer and we can help them with what they need to do.'

'At higher levels of education the potential of getting a job goes up.'

'There are not high enough aspirations – why not coding or digital? Why agency jobs, why not jobs with good work standard pay aligned to the real living wage and good work standards?'

How does the variability in prison estate and infrastructure impact on learning?

Regime:

Members emphasised that one barrier to delivering high quality training and education is the prison regime and core day, which varies between prisons. There are often several hours in the middle of the day, when prisoners are taken back to the wings for lunch, when time for learning is lost. Free flow, where prisoners are moved around the prison, depends on staff availability and can result in people arriving late, reducing the numbers of hours of education, training or IAG that can be delivered.

'There is a strong role for the allocations teams. It's all based around what the institution wants and their regime rather than individual needs. We end up rushing IAG assessments instead of offering quality.'

'There is a real problem delivering against the PEF contract. The challenge is the ability of the prison to let you do it well. People don't get into training centres due to lack of staffing.'

'Time delays in one prison means two and a half hours between free flow at lunchtime. If we go to deliver a full day workshop, that means there are two and a half hours of dead time we still have to charge for, which makes it more expensive and therefore less viable.'

'We deliver across the core day and share the frustration about the way the core day is structured, losing us incredibly valuable time. The structure of prison day makes it hard to give real value across the core day.'

'We have the same in our training centres. It also changes at the drop of hat, sometimes lunch can be between 11am and 3pm. It is very regime-led.'

Prison industries and pay disparities:

Members believed that pay disparity is still an issue in prisons, with prison education too often paid at a lower rate than unskilled prison industry work, acting as a disincentive.

Members also felt that prison industries had not seen much improvement in the embedding of quality learning and skills and links to employers, despite the efforts of 131 Solutions and the more recent New Futures Network (NFN). They felt NFN had potential, but insufficient staff to fulfil its stated ambition.

'Prison industries should be better linked to skills, that's NFN's job. I'm sorry but I don't think it's going to work. They tried before with 131 Solutions. They have just changed the name and have not put enough people in. There is only one person for each area – come on!'

'The NFN model is interesting, but they are understaffed. They have run a good publicity campaign and are getting phone calls from employers, but they don't know what to do with them. I don't think they have enough manpower.'

'The NFN never engaged with us. We have tried to engage with them. The person for one region has just ignored us, but the person from another region was really keen to work with us. It depends on the person. They need people with innovation and a passion for it.'

'We have done some good partnership work with NFN. For example, we co-chair an employers' network with them and Job Centre Plus (JCP). But often it's only one NFN Broker for a cluster of prisons so resources can be stretched. Also there are a lot of organisations working with employers including the PEF provider, CRC, JCP - but often it's not effectively co-ordinated and the prisons don't understand employer needs.'

Digital infrastructure:

The lack of digital infrastructure was a frustration shared by members, who identified it as a significant barrier to both prison education delivery and enabling communication between prison staff, prisoners, employment-focused organisations and employers. The Coates Review was clear on the need for a digital revolution in prisons, but this has yet to materialise in any substantial way. There was some hope that a new version of the Virtual Campus (VC) might offer some hope; however, access to the VC, particularly during the pandemic, has been almost impossible.

'In theory they have released a new version of the VC which is supposed to be better with a Moodle platform, but it is theoretical at moment as people are not getting off the wing and haven't had access for nine months so far. They may have done some great things with it, but it may as well be on the moon for the value it is providing at the moment.'

'We deliver training courses via digital in the community. It has been amusing to try to get our digital courses in prisons – there is a long way to go.'

'Is the VC even being used? It is so frustrating we can't get content on there. We wanted to share video content of ex-prisoners who had got jobs and turned their lives around as inspiration. The prison asked us to send it in a written format as they couldn't use the videos, but it loses something that way.'

'Our employers work in the community running virtual workshops and even virtual work experience placements, but we can't do this in prison. Lots of frustration.'

'We are based in London and women's prisons are based across the country. If we were able to deliver our courses remotely via Zoom it would open up a lot more options.'

'During the lockdown employers were willing to run some virtual sessions with learners in prisons, for example mock interviews, but the prisons couldn't provide the technology or resources to do this, often linked to security fears.'

With employers and organisations increasingly using video conferencing technology, such as Zoom, there was deep concern this can't be used in prisons to communicate with prison and HMPPS staff.

'We attended an employers' group in ne prison with NFN, but the Head of Reducing Reoffending can't get onto the call as they can't use Zoom.'

'It certainly needs to step up to 21st century with Zoom and Teams meetings. Linking employers to prisons is virtually impossible. Can only have a conference call which is not very good these days. Communication needs to step forward 20 years.'

When asked their top priority for change, several members said digital infrastructure:

'Digital could be changed and changed rapidly.'

'Digital is so enormous – it is essential now. Getting digital access in prisons is fundamental.'

'Digital – I put my head in my hands that staff can't get on a Zoom call.'

Contractual infrastructure:

Members highlighted that the contractual infrastructure for prison education and employment services was fragmented and led to a lack of 'join-up'. Members suggested that the model of a Voluntary Sector Co-ordinator in each prison, which was piloted by Clinks, could help organisations to communicate and collaborate with the prison and each other.

'There are a lot of agencies in prison working on employment issues, such as Job Centre Plus, Community Rehabilitation Companies (CRCs), PEF providers and IAG providers. It feels fragmented from the prisoner and employer perspective. It can be hard to navigate and understand who does what.'

'There are so many different organisations. Some kind of co-ordinator is needed. Prison staff don't have time to do this. Prisons need to make the Clinks model available as an option on the Dynamic Purchasing System (DPS) for an external provider. It would help enormously to have someone who could respond and help communicate with the prison and education provider.'

The varied contractual infrastructure can also make it hard for organisations to know how to get their foot in the door.

'Every prison has a different set up. As an agency delivering employability training, it is difficult to get in. Some go direct to Education, some through Reducing Reoffending. It is

hard to get your foot into the door. There are also a lot of people delivering similar or connected services, which are not currently being delivered in a joined-up way.'

This fragmentation of different contracts and key performance indicators can lead to a loss of focus on the prisoners' journey and can make collaboration harder:

'There is a silo mindset. Everyone is a separate organisation and is driven by their own KPI's and contractual targets. It is easy to lose sight of how they can work together to support people to transform their lives.'

'As we so often find in prisons and the public sector, dividing things into packages where you're supposed to do this and they are supposed to do that, driven by narrow lowest price contracts, you cannot step beyond what you are asked to do. The prisoner wants someone to take a broad view to help them through the prison journey and to help join things up.'

Organisations not contracted or funded directly by the prison, who use their own resources to provide services, can find themselves out of the loop and lacking the facilities to deliver programmes:

'There is a risk as an independent organisation which does not operate under the DPS that you risk falling between the gaps between prison education providers, education sub-contractors and the CRC. There are practical consequences such as fighting for room space in the prison. We are at the bottom of the hierarchy. It is frustrating to see education classes with low attendance get rooms. We have high attendance when we can operate, but there's often no space to do it.'

Members agreed that a priority area for improvement would be for prisons to value the unique role that third sector organisations play in prison education and employment support.

'There is a distinct role the voluntary and community sector play, genuinely enabling and creating a partnership way of working to everyone's benefit. This has been helped to some extent by the DPS, but still we are often only tolerated and not viewed as being able to do something deep and meaningful.'

'I would encourage prisons to see how we can strengthen what they do by genuinely partnering with us and making that process simpler. The complication of the process is a good excuse to hide behind.'

'So many prisons see it as them doing us a favour by letting us in, rather than the other way round.'

Staffing and training:

A crucial part of the prison education infrastructure are the staff — both education staff and prison officers. Increasing buy-in from officers is key to delivering high quality education and employment services:

'You need to get people to the classes, so prison staff need educating so that they want to help the prisoners. Often they see their role as just being there to lock 'em up, security etc. They need educating, as staff often say education is a waste of time for the prisoners.'

'We had an Unlocked Graduate prison officer do a work placement with us. It was invaluable. It showed us how much more could be done with officers to help them do more for prisoners. We took our intern into prisons to help deliver employability work. They came back saying it was the best day as they could sit down and help the men with their

CVs and talk to them. The intern couldn't believe that they all said they wanted a job. He told us he had never heard that before as he just locks them up with no chance to chat.'

One member commented that the education providers he had worked with seemed to struggle to get tutors and staff, which can be a barrier to providing the courses needed.

Members agreed there was an important role that people with lived experience of the criminal justice system could play in helping to engage people in prison and prison leavers with education and employment. Giving contracts to organisations who employ people with lived experience and reforming the opaque and onerous vetting procedures would be two ways to improve the system. There should also be greater use of peer roles in IAG and more support for prisoners who are peer mentors or education orderlies to gain qualifications and have clear pathways into roles in the education and employment support sectors. Read the CJA's [Change from Within](#) for more details.

Reducing stigma:

Members commented that stigma was a significant barrier for people who have been in prison to gain employment. They felt that the government could reduce stigma through more careful use of language, such as not using the term offender and ex-offender. It was noted that the New Futures Network website domain is: offenderemployment.campaign.gov.uk.

Some members also felt that blanket exclusions — which prevent people with certain convictions being involved with the New Futures Network or Going Forward into Employment Schemes — were damaging the wider campaign to have employers see the benefits of giving people second chances and to look at individuals on a case-by-case basis.

'It is unhelpful to the whole agenda to encourage employers to feed into the demonisation of certain types offences. They should be encouraging employers to see people as individuals and not put barriers in the way for people with certain types of offences. Allowing these exclusions damages the general push that everyone deserves a second chance. Yes, some will require more work, but blanket exclusions have a negative impact on efforts overall.'

It was noted however that Going Forward Into Employment has provided some good opportunities, including apprenticeships at the Department of Work and Pensions.

Involvement of families:

Several members commented that families were a vital part of the employment journey and that not involving families was a missed opportunity.

'HMPPS views families in the same way as they view people in prison. They are seen as threat, a security issue. Prisons often pay lip service to families, so it's a missed opportunity. We always get in touch with the family and involve them in journey if possible. Families are vital to help turn that person's life around.'

Community sentences and unpaid work:

As a final plea, members said that many of the above barriers could be removed if there was a greater emphasis on community sentences rather than custody; in particular if those sentences involved a meaningful element of education, training and employment (ETE). Members noted and welcomed the mention of improving unpaid work in the government's White Paper. Investing in the infrastructure around probation and unpaid work

placements, rather than investing in building new prisons, was felt to be a more effective long-term strategy.

'They should stop building more prisons and putting as many people in prison. If there were more people on community sentences, like unpaid work, these barriers wouldn't exist and people could access ETE support in the community instead.'

How might apprenticeships work in custody?

It was acknowledged that the current prison apprenticeship pathway is a good starting point, where elements of the apprenticeship standards (skills, knowledge and behaviours) can be taught, linked to IAG, prison industries and then job fairs/employer input. However it would be even better however if it included a form of work experience either in the prison or through Release On Temporary Licence (ROTL). Prisons could also invite more apprenticeship providers to speak to prisoners about the opportunities available.

'We have had apprenticeship providers come into prisons and talk about their apprenticeship opportunities. Residents have learned a lot about apprenticeships, the career pathway and the potential for better salaries in the future.'

However, members agreed that not having full apprenticeships in custody was a missed opportunity. There was unanimous frustration that this conversation had been going on for too many years without any substantial action being taken. Although the prison apprenticeship pathway is a step in the right direction, what is needed is a change in the law to allow full apprenticeships to start in prison. An apprentice has to be legally employed and on a proper employment contract (not zero hours), but this is not currently possible for someone in prison.

Members commented that there were some great apprenticeship opportunities available to people in the community with convictions and being able to start an apprenticeship in prison would be hugely beneficial. They felt that if the law was changed to allow this, then prisons should be able to procure apprenticeships through the DPS. Members highlighted a useful [report](#) by Milton Keynes College and ERSA on this issue.

'Apprenticeships are the gold standard of vocational training in the community. If you could begin units in prison and then add on IAG and education, that would be great.'

'We've been having the same conversation for 15 years. The challenge is to do with contracts, the pay mechanism and tax. I know it's a constant request – so obviously the hurdles have not yet been overcome.'

'I think it requires a change in legislation about the nature of an employment contract to make it happen. It needs political will.'

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The views expressed in this response are not necessarily those of individual CJA members.