



**BIS**

Department for Business  
Innovation & Skills

**MAKING PRISONS WORK: SKILLS  
FOR REHABILITATION**

Review of Offender Learning

MAY 2011



**Ministry of  
JUSTICE**

# Contents

<b>Ministerial Foreword .....</b>	<b>3</b>
<b>Executive Summary .....</b>	<b>5</b>
The Case for Investment.....	5
The Case for Change.....	5
The Response to the Review.....	6
The Skills Offer for Offenders .....	7
A new focus on local influence and accountability.....	8
A responsive and flexible system.....	9
<b>The case for offender learning.....</b>	<b>10</b>
<b>The call for evidence.....</b>	<b>12</b>
<b>Prisons as workshops - the learning offer.....</b>	<b>16</b>
The vocational learning offer.....	16
The virtual campus.....	18
Adult and community learning.....	19
Higher education.....	20
Meeting the particular needs of female offenders.....	20
Assessing need.....	21
Learning difficulties and disabilities.....	21
Offenders in the community .....	21
Mentors and mentoring .....	23
Quality.....	23
<b>A new focus on local influence and accountability .....</b>	<b>24</b>
<b>A responsive and flexible system and measuring the impact.....</b>	<b>26</b>
<b>Implementing the review conclusions.....</b>	<b>29</b>

# Ministerial Foreword

When the review of offender learning was announced last summer, it was in the context of the Government's plans for reform in the criminal justice system and in the further education and skills systems. Since then, we have begun our consultation on new priorities through the Green Paper *Breaking the Cycle: Effective Punishment, Rehabilitation and Sentencing of Offenders*. We have also published *Skills for Sustainable Growth* and *Further Education – New Horizon: Investing in Skills for Sustainable Growth* to guide the reform of adult learning and skills over the remainder of this Parliament.

We are very pleased with the responses to our review and thank all those who took the time to tell us what they think. Those views inform this document, which sets out our reform programme for offender learning.

Skills help people to become active in their local economies and their local communities, from which people in the criminal justice system are liable to find themselves excluded. So we want our reform programme to:

- be radical and innovative, where it is appropriate to be, in order to make a real contribution to reducing re-offending; and
- create the conditions that will put a greater focus on local influence to meet more effectively the needs of the labour market and offender learners.

Previous reforms have brought about significantly increased investment in, and improvements to, the skills system inside prisons. Whilst we have increased prisoner participation in learning and skills, the system is not performing well, as repeatedly confirmed in many reports from the Independent Monitoring Boards and the Prison Inspectorate. Recent reports from Ofsted confirm this. Directors of learning and skills in prisons have been immensely frustrated at being unable to make the best of the resources available due to the inflexibilities of the system they are presented with.

Also we are still failing to capitalise on the learning and training inside prison by finding ways to ensure prisoners continue their progress on release. So, alongside making prisons increasingly places of meaningful work, we will place a much greater focus on developing the vocational and employability skills associated with that work and for which there is demand from employers in the areas to which the prisoner is released. Delivery will reflect the Government's focus on payment by results by enabling skills training to support a system of outcome incentive payments that mean our providers' payments are based, in part, on their success in helping get people into jobs. Where offenders are supervised by the Probation Service, we will place a new emphasis on the collaboration between them and the skills system in helping offenders get the skills that will help them into work.

Creating the right skills offer, that supports rehabilitation for the population of a prison and puts much greater emphasis on decentralised control and accountability, will require a change in the way we allocate resources in prisons. And we will not be able to do this alone. The interaction between the Department for Work and Pensions, especially the Work Programme and Jobcentre Plus' other employment support, the skills system and work in prisons will be critical to our success in making sure that offenders use their newly-acquired skills to secure work, as will the expertise of social enterprises, charities and voluntary organisations.

Our plans represent a shift towards local decision-making, focussed on achieving more effective results and finding ways to reward that success, by creating the right conditions for all those with expertise in this area to collaborate. That requires a very significant change from the current system, with wide implications for the way people work together. We thank all of you who have expressed your willingness to work with us to make our plans succeed.

**JOHN HAYES**

Minister of State for Further Education,  
Skills and Lifelong Learning

Department for Business  
Innovation and Skills

**CRISPIN BLUNT**

Parliamentary Under Secretary of State

Ministry of Justice

# Executive Summary

## The Case for Investment

Re-offending blights lives and communities, carrying personal, social and economic costs of between £9.5 billion and £13 billion a year<sup>1</sup>. Enabling offenders to have the skills that will make them attractive to employers so that they can find and keep jobs on release or whilst serving a community sentence – becoming an asset rather than a burden to society – makes sense. Whilst our investment in giving offenders the skills they need to help them get and keep jobs is significant, it is a fraction of the prize on offer to all of us if we can prevent the creation of future victims of crime, with the associated economic and social costs, by cutting their reoffending.

*Skills for Sustainable Growth* set out the reforms that will help bring renewed economic growth, improve people's chances to achieve social mobility, secure greater social justice, and build the Big Society. It recognised that learners need help with support and information to make the right decisions about their future. For offenders, those decisions must be focussed on developing the skills and aptitudes that will secure employment, helping to put offenders on the right path.

*Breaking the Cycle: Effective Punishment, Rehabilitation and Sentencing of Offenders* puts work for offenders at the centre of punishment and rehabilitation, both in custody and the community and, like *Skills for Sustainable Growth*, enables decision-making and accountability to move decisively away from the centre of government. Both documents put a premium on local-level autonomy and on local-level discretion. This review of offender learning takes us down the same path, setting out our view that we will achieve the most effective results by making offender learning an authentic part of the skills and employment systems that operate at that same local level.

## The Case for Change

Ministers have noted in their foreword the previous trebling of investment to the skills system inside prisons. Though the scale of that investment did bring an overall improvement in the quality of learning and the number of offenders participating, Ministers also note the lack of evidence of that investment leading to a consistent pattern of employment and continuing education for prisoners on release. We know that other factors besides employment contribute to reduce reoffending, but this lack of follow through into work or further training on release represents a missed opportunity to have a more positive impact.

Unavoidable prisoner movement previously meant continual re-assessment, loss of information about prior attainment and a general lack of continuity. Although some of these problems have been resolved, prisoner movement still means many are unable to pursue their learning to a point of qualification. It means too that the establishment of that important relationship

---

<sup>1</sup> [http://www.nao.org.uk/publications/0910/short\\_custodial\\_sentences.aspx](http://www.nao.org.uk/publications/0910/short_custodial_sentences.aspx)

between teacher and learner which so often underpins the most effective learning is hard to achieve consistently in a prison learning environment.

Offender learning resources need to be redistributed: the National Audit Office pointed out in 2008 that there was no evidence that the resources devoted to learning in individual prisons correlated to the levels of learning and skills needs there. Little progress has been made since then. In addition, although some changes have been introduced to contract arrangements so that not all of a learning provider's payments are based on inputs, much more needs to be done to bring them into line with the rest of the sector. Providers and prisons must be incentivised to achieve beneficial outcomes.

Prison Governors and their senior teams feel they do not have: a sufficiently important role in the process of deciding who will provide learning in their prison; enough influence on what will be delivered; or a proper place in decisions about what should be done when they, their Independent Monitoring Board or Ofsted perceive that learning delivery is going awry. Governors want more interaction with Principals and Chief Executives of learning providers and, although there are senior local managers in place, point to the fact that learning providers' main bases are seen neither as local to the prison, nor to the areas in which offenders will resettle – and sometimes not local to either.

For offenders in the community, there are longstanding concerns from Colleges and providers that Probation Trusts' arrangements for referring learners are unsophisticated and are not always followed up. Those concerns are countered by Probation Trusts who say that many Colleges and independent training providers could focus more on this more challenging group of learners who are typically perceived to be potentially disruptive, and perceive no incentive to adapt their delivery to make it more suitable to such people.

## The Response to the Review

The joint offender learning review between BIS and MoJ was announced at HMP Wandsworth by John Hayes MP, Minister of State for Further Education, Skills and Lifelong Learning, in July 2010. The *Call for Evidence* drew 98 responses from a broad spectrum of groups, including providers, charities and the voluntary sector, Ofsted, the NAO, staff from the criminal justice system and some prisoners and offenders in the community. The responses produced a strong consensus about what our priorities should be in reforming offender learning:

- greater local influence on provision for offender learners, both in prison and in the community, in order to equip them better to compete for work in the labour market into which they will be released, with resources distributed according to the needs of learners in prison and with the needs of those serving community sentences taken into account by the FE and skills system;
- effective partnership working as the key to making local arrangements operate well, with the effective engagement of employers critical;
- the need to focus on the quality of offender learning and implementation of the virtual campus across all prisons, and on the flexibility of delivery in the community;

- encouraging the take up and continuation of learning and employment opportunities through mentoring for prisoners, with a focus on transition when leaving prison, as well as for those serving community sentences; and
- a new focus on identifying and meeting the needs of those with learning difficulties and disabilities who are participating in learning and skills, particularly in prison.

These responses have enabled us to develop a coherent and transformative set of plans that can deliver immediate change and improvement over the next four years. The changes are aligned to the direction set out in *Skills for Sustainable Growth* and *Breaking the Cycle: Effective Punishment, Rehabilitation and Sentencing of Offenders*, and build on the earlier joint strategic review by DWP and MoJ, *Improving Offender Employment Services*.

## The Skills Offer for Offenders

We plan to place a much greater emphasis on developing the vocational and employability skills that offenders need to find and keep jobs and Apprenticeships in the labour markets where they will be released. Apprenticeships – which are, of course, jobs with training – are an important opportunity to rehabilitate ex-offenders. The pre Apprenticeship training which we want to see routinely offered in prisons is the first step to economic, social and community re-engagement. That sits alongside the renewed focus on making prisons places of work. Providing the skills training needed for available work opportunities in prison will become a growing priority as work in prisons is made a reality for many more than the fewer than one in eight prisoners that work today in prison industries. We will take the opportunity of the obvious synergy between the two.

We will boost skills training and better target occupational training, shifting its delivery towards the end of prisoners' sentences and linking it to Apprenticeship opportunities and to specific demand within the broader labour market, making offender learning an authentic part of the skills system with the same aim of ensuring those without employment gain the right skills to find sustainable work with the prospect to progress. We will strengthen links with employers, as well as with employment support and the new skills offer for the unemployed where offenders are released from prison without a job. Alongside this, we will support the continuing role of mentoring, particularly where it offers an employment route for offenders.

We will also continue to meet the functional needs of offenders through more engaging and motivational provision – the roll-out of the virtual campus will support providers in offering stimulating and engaging material. But there is an important place for other types of learning. We will bring the principles implicit in our reforms to informal adult and community learning to bear, particularly for those people who will be in prison for a long time, or for whom a focus on work is unrealistic. We will also make sure that higher education continues to have its place.

We do not believe that all learning in prison should be free, especially in a skills system where there is an expectation of a contribution to the costs by those who will benefit from the learning. There is a tradition of expecting offenders to contribute to the costs of higher education, so we will explore whether it makes sense for them to do so for other skills offers, particularly at higher levels. That includes exploring the way in which the new FE loans might work on high level training in this context.

The roll-out of the virtual campus across prisons will be completed as quickly as possible within the constraints of a secure IT environment. This is essential in order to provide a modern skills environment and to make the important link to real jobs available outside. We will merge the prison careers information and advice service into the National Careers Service<sup>2</sup> to join up advice given in and outside custody. We will reshape careers advice in custody towards job planning for a successful job outcome post release, whilst continuing to identify those with a basic skills need early in their sentence so that we can address it. We will extend the use of intensive literacy and numeracy provision as a means of having an immediate impact in addressing functional skills needs of those with shorter sentences, but with a long term benefit that lasts well beyond the end of their time in custody. This will include addressing the issue that prisoners are not always allocated to skills programmes despite having a clear learning need, and that people with learning difficulties and disabilities are not always assessed to allow their needs to be met. In doing this we understand that skills issues may not be the most immediate priority for some offenders – for example those with significant substance abuse or mental health issues – and that activity to address skills needs should take place once those more immediate issues have been resolved.

Finally, we will strengthen the arrangements to assess prisoners' needs at the start of their sentences, including the needs of those in transition from youth detention. We are also making a clear commitment to draw together the dispersed funding that currently supports those in custody with learning difficulties and disabilities to produce a fund that offers support to learners in a way that more closely matches what their peers in FE Colleges would receive.

## **A new focus on local influence and accountability**

Building on the freedoms and flexibilities for providers and a move to stronger local accountabilities and linked to the wider commitment across Government to decentralise decision making, we will ensure that Governors and other key prison staff have a key role in determining the Skills Offer in their establishments. They will be fully engaged in the procurement process as co-commissioners of the service working with the Skills Funding Agency - which retains the Accounting Officer role - to secure and manage the service. We want the proposals in this document to create the right conditions for Governors acting collaboratively across 'natural' prison groupings within which offenders move, and working with a wider set of local stakeholders to get the most effective outcomes for offenders and in particular to improve sustainable job outcomes after release. The success of the service will depend upon partners – providers, the prison service, Next Step careers advisers, Jobcentre Plus and, where possible, employers – working together to match the needs of the labour market with the needs of prisoners in order to map the skills journey to employability on release.

We also want to see an enhanced focus on quality, with local partners holding all those responsible for delivering the service and its outcomes to account for subsequent learning and employment. The role of the Head of Learning and Skills will change to support this. Those involved in delivering the service in prison should work together to establish clearly expressed success criteria, based on those used in the skills and criminal justice systems, on which their

---

<sup>2</sup> John Hayes, Minister of State for Further Education, Skills and Lifelong Learning, announced the Government's intention to establish a new careers service for England by April 2012 in his speech to the Institute of Careers Guidance conference in November 2010.



performance will be judged. In line with the Government's wider payment by results agenda, we will trial outcome incentive payments as a means to improve results, developing the arrangements in parallel with those for Colleges and other providers.

Those serving their sentences in the community will benefit from the new freedoms and flexibilities through which providers are expected to meet the needs of their communities. The Probation Service and Jobcentre Plus will play an important part in this: Colleges and independent training providers will need to build stronger relationships with them to ensure the needs of offenders are considered as business plans are developed. As with work in prisons, skills provision will need to focus on labour market needs and developing ongoing relationships with employers.

## **A responsive and flexible system**

All of this will require a shift in the way we allocate resources. We will re-tender the OLASS provider contracts to reflect the different offer and to enable greater local influence on provision. In doing so, we will encourage the engagement of charities, the private and voluntary sectors and social enterprises to make sure their capacity and expertise is utilised to achieve our outcomes.

Finally we will put plans in place to measure the impact of this review's changes, including the impact of the virtual campus. We are exploring the use of European Union funding to support this.

# The case for offender learning

Re-offending blights lives and communities, as well as carrying significant social and economic costs: the National Audit Office assessed the cost of re-offending by recent prisoners in 2007-08 as between £9.5 billion and £13 billion a year. Around half of all crime is committed by people who have already been convicted of a criminal offence. Improving the skills of offenders, focussed on the requirements of real jobs, is critical to reducing re-offending, alongside addressing other factors that drive crime such as substance misuse, mental health issues, poor accommodation, family issues and poverty. Evidence shows that prison education and vocational interventions produce a net benefit to the public sector ranging from £2,000 to £28,000 per offender (or from £10,500 to £97,000 per offender when victim costs are included)<sup>3</sup>: we are determined to secure those savings for the public purse.

We have chosen to protect the funding available to support this. We know we are pushing at a door that is at least ajar: the vast majority (97%) of offenders say they want to stop offending, and they say too that the biggest factor in helping them to do so (68%) is having a job. Having suitable employment and tackling unemployment are critical to reducing re-offending. Yet many offenders face significant barriers to entering the labour market even when they are committed to changing their lives. In a recent survey of prisoners, almost half (47%) said they had no qualifications compared with 15% among a similar age group in the general population and 13% said that they had never had a job<sup>4</sup>.

So, if we are to make substantial progress with our reforms, the skills system for offenders must be an authentic part of the system, and this will require all those involved to think differently about the way we do things. We know that a top-down focus on targets and delivery fails to deliver the right conditions locally to meet the complex needs of offenders. As far back as 1998-99, Lord Ramsbotham (then, as Sir David Ramsbotham, Her Majesty's Chief Inspector of Prisons) wrote:

*“working with and within existing community arrangements must be better than going it alone ...”*

Our proposals must also be in synergy with the strategies set out in *21<sup>st</sup> Century Welfare*. Most unemployed offenders claiming benefits in the community will be expected to work or take steps to prepare for work, empowered and supported by Jobcentre Plus and Work Programme providers to get people into jobs. And society will expect offenders to be part of the fair balance between support and conditionality.

We know there has been significant investment in offender learning over recent years. Aligning it to our mainstream system has brought about improvement in quality, as measured by inspection outcomes, and more prisoners taking part in programmes and achieving qualifications and outcomes much more relevant to work and rehabilitation. The new role we

---

<sup>3</sup> Lifelong Learning and Crime: An Analysis of the Cost-effectiveness of In-prison Educational and Vocational Interventions – IFLL Public Value Paper 2 [NIACE 2009]

<sup>4</sup> Compendium of reoffending statistics and analysis, published November 2010, <http://www.justice.gov.uk/publications/compendium-reoffending.htm>

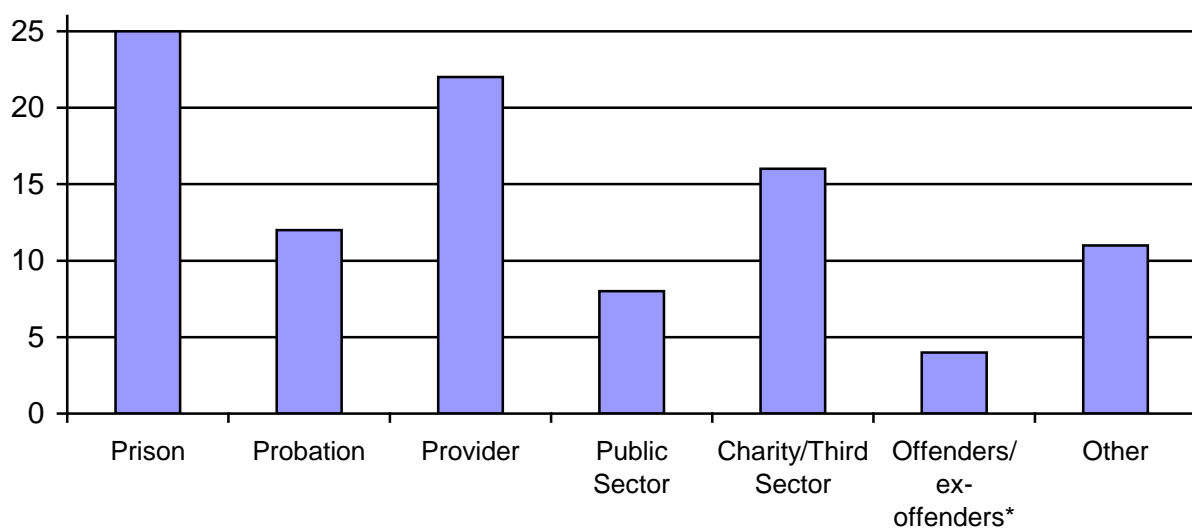
have determined for Heads of Learning and Skills to improve the coordination of the skills offer in prisons more effectively with the rest of the prison regime brings the possibility of significant benefits in providing a focus on reduced re-offending.

But there are still issues to address: lack of a real local influence on provision, both in custody and in the community, that reflects what employers want; continuing concerns around quality and, in the community, access and flexibility of delivery. Despite the strides forward, problems in matching the distribution of resources to the needs of the learners, and ongoing issues with identifying and meeting complex learning needs, especially of those with learning difficulties or disabilities remain.

# The call for evidence

The *Call for Evidence* ran from 20 August to 24 September 2010 and drew a total of 98 separate responses (although some of those, particularly from learners, drew together several individual responses). Responses came from a broad spectrum of groups, including learning providers, charities and the voluntary sector, Ofsted, the NAO, staff from the criminal justice system and some prisoners and offenders in the community:

Proportion of responses by type of respondent



A detailed analysis of the responses to the *Call for Evidence* is set out in the companion document to this: the key themes that emerged are summarised as follows:

- There is substantial appetite for greater local influence on provision for offender learners, both in custody and in the community. We must make sure that resources are in the right place to meet the needs of offenders in custody and, perhaps particularly in the community, ensure that offenders are able to access them;

*“In our view the scale of demand for learning, in prisons or in the community, is such that the provider should be seeking to identify and offer a programme suitable for each individual – presumably within an inventory of the programmes available. Priorities would be determined locally on the basis of the availability and value for money of the identified programmes.”*

**(John Brenchley, Head of Offender Learning and Skills Group, OCR)**

*“In the past there has been a culture of ‘them and us’ but in good establishments, this has been overcome and offenders receive provision where they do not distinguish between learning opportunities delivered by different providers but see it as an overall service. Strong leadership and support from the SMT is critical as this shapes the culture.”*

**(Sue Saxton, Head of Learning and Skills, HMP Bullwood and Chelmsford)**

- We must address the quality of offender learning in custody and the flexibility of delivery in the community

*“There are still some major inconsistencies in the quality of teaching staff with some providers. Offender managers are aware of the quality issues and their commitment to refer to individual providers is often determined by this perception of quality.”*

**(Rob Palmer, Pathways Development Manager, Norfolk and Suffolk Probation Trust)**

*“At time of writing there are only two prisons in the country which do not have London prisoners. That pressure of numbers and churn mitigates against a coherent training programme which may really intervene in the lives not just of the offenders, but those against those against whom they have committed offences or go on to do so in the future.”*

**(Mike Jutsum, Principal, Kensington & Chelsea College)**

*“Significant gaps in offender learning, against mainstream college provision, include the quality of learning resources and equipment, specialist staff expertise and inferior ICT/ILT resources, including lack of internet access.”*

**(Lorna Fitzjohn, Interim Director, Development, Learning and Skills, Ofsted)**

- The virtual campus should be implemented quickly across the prison estate, with opportunities for its use elsewhere grasped;

*“The development of the Virtual Campus is a positive move in terms of developing virtual learning to enhance the range of provision available. It can also bring about efficiencies for more able autonomous learners.”*

**(Julie Mills, Milton Keynes College)**

*“The Virtual Campus (VC) is a huge advance with immense potential and we support it very strongly. We propose the following priorities ... ensuring that the VC development can be used as much for learning purposes as for resettlement related work such as CV preparation.”*

**(Pat Jones, Prisoners’ Education Trust)**

- Partnership working is the key to making local arrangements operate effectively and economically;

*“In Lancashire partners from Custody, Probation and Providers of offender learning meet together with the Skills Funding Agency to look at the strategic plan for Lancashire as part of the NW region. However, it is generally only able to plan ahead within the constraints and timescales of the current contracts. The key factor for success is partners seeing the bigger picture and not just the issues pertaining to their own particular organisation.”*

**(Susan Keenan, Integrated Employment and Skills Manager, Lancaster and Morecambe College)**

*“The effectiveness of partnerships is dependent on the culture of the regime in individual prison and the Governor's priorities. If the prison culture values education then, for example, there would be regular Quality Improvement Meetings and investment in all education providers, statutory and voluntary, working together to provide an integrated service.”*

**(Maria McNicholl, Senior Manager, St Giles Trust)**

- Mentoring in the community and in custody, and support ‘through the gate’, is of significant value in encouraging offenders to take up and continue learning and employment;

*“[Offenders] don’t achieve if they do not have the right support to guide, mentor and support through their learning and skills journey and this support is critical for success.”*

**(Craig Walker, Employment Services Development Manager, West Yorkshire Probation Trust)**

- Particularly in custody, we need to make sure we identify, then meet the needs of, those with learning difficulties and disabilities;

*“More strategies are needed to engage prisoners who may have learning difficulties or disabilities, development needs in literacy and numeracy, or few qualifications. They sometimes opt for work and avoid education and training.”*

**(Lorna Fitzjohn, Interim Director, Development, Learning and Skills, Ofsted)**

*“Many disabilities, and particularly learning difficulties, are made significantly worse if an individual has not been given appropriate help and support. This is likely to be particularly true of members of the prison population.”*

**(Skills Policy Team, SKILL)**

- In a system that focusses on skills and jobs, the effective engagement of employers is critical.

*“Engagement with local skills boards and local employers will help to provide a more relevant skills package and potential for job outcomes. Examples of success stories (i.e. Offenders who have achieved) should be used to encourage employers and offenders to engage.”*

**(Sarah Thorpe, Partnership Manager, Jobcentre Plus North West Regional Office)**

*“Employers must be involved in the design and delivery of learning programmes for offenders to encourage buy in from the start. This encourages them to employ relevant offenders who undertake such training, as employers will be confident that these offenders have been effectively trained.”*

**(Theresa Gardiner, Learning and Skills Manager, London Probation Trust)**

Taken together, the responses illustrate the need to change significant aspects of provision, including what is done and where - all within the context of transforming and re-shaping local arrangements. This document sets out how we propose to do so.

# Prisons as workshops - the learning offer

The new focus on making prisons increasingly places of work and industry, with more prisoners experiencing structured and disciplined working weeks, provides a new opportunity to reshape our skills provision, lining up what it delivers with what employers will expect of offenders on release. Where prison work translates into jobs outside, vocational skills should be delivered 'on the job' as elsewhere, with other provision, especially numeracy and literacy, embedded into the prison workplace. And where an in-prison business partner is involved in providing work, they will help design the vocational skills delivery that supports that, exactly as they would outside. The skills and training available through offender learning will be crucial to enabling the difficult challenge of making an economic success of work in prisons. But, the mutual importance of work and skills being delivered in prisons make this cooperation a new means of capturing a major prize: a productive use of prisoner time creating a responsible, skilled citizen on release, who does not re-offend.

Equally, prisoners need access to realistic, relevant and up-to-date careers advice that will help them make the right decisions about their future and focus on the expectations of employers offering jobs where they resettle. The availability of the virtual campus will support this, by offering access to 'real-time' job search, building CVs, and acquiring the skills and behaviour demanded by the sector. In advance of our plans for the current prison careers information and advice service to become part of the National Careers Service, we will re-focus the careers advice offer to prisoners, offering more intensive activity towards release. Basic skills needs cannot wait to be identified and addressed: we will continue to meet those needs early in the sentence, making sure that prisoners are able to both engage with the prison's rehabilitative regime generally and to benefit from our increased vocational focus.

## The vocational learning offer

As the changes to the way prisoners work come on stream, they will bring major opportunities. A prison that is a place of work and industry will instil in offenders the disciplines of working life: order, timekeeping, working to deadlines, being managed and overseen. These are skills that employers want for they comprise the elements of responsibility which make lives normal. When allied to vocational skills, ex-offenders who have gained these 'life-skills' – the fabric of responsibility - become more attractive potential employees and better husbands, parents, neighbours and friends.



Holding her certificate for her NVQ Level 3 in Advice and Guidance in her hand, Suzanne reflects on her achievement. *“This is the level of an A level, isn’t it? Before I was in prison I would never have dreamt I could have got something like this.”* Suzanne is one of the first 12 peer advisers trained to give advice in the new Call Centre at HMP Send, funded by the Charles Dunstone Foundation. The advisers assist other women prisoners with resettlement issues such as housing, debt and finding work. There is a great deal to learn, but Suzanne and the other peers are quickly growing in confidence as they take calls from women at HMP Downview, where dedicated phones have been installed.

The first 12 peer advisers began training in Advice and Guidance in July 2010 and by November had all completed their Level 3 qualifications. They all came with experience from other advice roles in the prison, such as Housing or Diversity, and developed their knowledge with the help of speakers from external agencies such as the Money Advice Trust.

In the coming year the helpline service will be extended to other women’s prisons around the country, and the peer advisers look forward to the challenge. *“It is so rewarding to allay women’s fears and anxieties before their release,”* says Jane, one of the first peer advisers to complete her NVQ. Another NVQ group will start in January 2011 and some of the current peers will act as mentors to their new colleagues.

Other peer advisers from Send will soon be moving on and seeking employment, taking with them their Call Centre experience and professional training in advice work. As Anna puts it: *“This has provided me with real meaningful employment within the prison system, enabling me to help many other prisoners with their aim to resettle safely back into the community on release. But more importantly this gives me a good chance of getting real employment also on release, to help me and my kids make a success of things. We are all so thankful for this opportunity.”*<sup>5</sup>

We will look to put in place a suite of intensive, work-focussed careers support (with a significant role for advisors from the prison careers information and advice service, in due course as part of the National Careers Service) and vocational learning in the run-up to release, delivering skills training that meets the needs of the employment market in the areas where the offender will be resettled. Wherever possible, this will be enhanced by the engagement of employers inside prison.

This intense period of preparation for work on release will also support opportunities to learn and practise business skills, making self-employment a further option for those for whom it is the best viable future.

We want to ensure that offenders actively consider Apprenticeships as an employment option. We will make sure that we support them through ‘pre-Apprenticeship’ arrangements that use offender learning resources to prepare prisoners for identified Apprenticeship opportunities on release, making it a core element of our offender learning offer.

---

<sup>5</sup> Material from the St Giles Trust

Early activity in Yorkshire and the Humber has seen the National Apprenticeship Service working closely with prison-based careers advisers to help them actively promote Apprenticeships at pre-release interviews, with eligible offenders supported in making links with appropriate employers. More importantly, prisoners who have decided to follow an Apprenticeship pathway on release agree a tailored learning and employment path which - using existing on-site provision and prison resources - maximises their opportunities to gain the appropriate mix of skills, qualifications and experience that will make them an attractive prospective Apprentice to an employer once they leave custody.

We are actively developing arrangements to allow those offenders who can undertake paid employment through release on temporary licence to take up Apprenticeship opportunities. NOMS, the Skills Funding Agency and the National Apprenticeship Service are working together in the East Midlands, for example, to make this a reality.

We want employers to help shape local systems, so that the nation gets the most from the Government's investment. Where employers are willing to work with prisons to specify particular skills and qualifications in return for offering interviews, jobs or Apprenticeships on release, our intensive, work-focussed vocational learning will deliver them. As with the rest of the skills system, the greatest state support will be given to those who need it most. In addition, we will consider the case for offender learners, and employers, sharing responsibility by contributing towards the costs of intermediate- and higher-level training, where it is practical to do so.

Our transformed focus on to learning and preparation for work will impact on a significant proportion of offenders. But some prisoners will require intensive activity at the start of their sentence to enable them to address other needs before they can begin work or further training. We will continue to meet the functional skills needs (literacy and numeracy) of offenders, where those needs cannot be met through learning embedded into other activity. We will work with providers to help them move away from 'dull' learning to develop engaging and motivational provision that works and that takes account of the length of the sentence and, hence, the time available to make a significant impact. To that end, we have asked the National Institute for Adult Continuing Education (NIACE) to evaluate intensive literacy and numeracy provision, including provision in prisons. Subject to the outcome of NIACE's work, we plan to extend its use as a means to effect an immediate impact in addressing functional skills needs of those with shorter sentences. We will also consider what role volunteers can play in supporting learners in this field.

For some offenders, skills issues may not be the most immediate priority. There will be significant substance abuse, mental health or other issues that need to be addressed in some cases, and we recognise that activity to address skills needs should take place after the more immediate of those issues have been resolved.

## The virtual campus

Many of the *Call for Evidence* responses called for the virtual campus, trialled successfully in two regions, to be rolled out. We expect it to be live in more than 50 prisons by the end of July 2011, delivering a highly secure web-based environment that enhances our skills offer and supports the focus on employment. The virtual campus augments rather than replaces other teaching and learning methods, but we know from our early evaluation that it can be particularly motivational for some offenders, giving them the tools to take more control of their

own achievements so seeding responsibility. There is capacity for this web-based resource to do more. As resources allow, we will consider how it might develop to include other forms of support, such as finding accommodation.

*“Having spent three years evaluating the VC, I am of the opinion that for offender-learners to gain maximum benefits from ETE opportunities, and for ETE provision to have the widest possible reach within prisons, the use of technology to deliver learning is an essential part of the offender learning strategy.”*

**(Stephen Webster, NatCen)**

Ex-offenders may continue to use the virtual campus, after their release, through simple web access. This post-release engagement will allow offenders to continue the skills and employment activity they have started in custody through the gate through access to materials such as CVs which are held securely on the system.

A report by the National Centre for Social Research (NatCen) on the implementation and delivery of the virtual campus in the two test bed regions is being published as a companion document to this paper.

## Adult and community learning<sup>6</sup>

We will consider how we facilitate an appropriate adult and community learning offer in prison. This is likely to be of particular importance to those prisoners who are serving lengthy sentences.

*“Some 50% of prisoners may be classified as having some form of mental disability, learning difficulty or may simply never have had the level of education to understand basic rules allowing effective communication, including numeracy skills. That deficit cannot simply be addressed by narrow specialist classes. An unrestricted diet of literacy or numeracy will not provide the motivational hook to start an offender on their journey to becoming a more responsible citizen.”*

**(Mike Jutsum, Principal, Kensington & Chelsea College)**

As with other learners, offenders should have access to a wider offer of informal learning that brings with it other benefits, such as improved health, including mental health, with it. There is a long tradition of the arts being used within custody to motivate and engage learners, with much good work by voluntary and community sector organisations in support of that. We recognise the important role that the arts, collectively, can play in the rehabilitation process through encouraging self-esteem and improving communication skills as a means to the end of reducing reoffending. Future employment or self employment in, or associated with, the creative arts and crafts can for some represent a potential pathway to life free of crime. Engagement in the arts with the possibility of fresh vision, or at least a glimpse of a different life, often provokes, inspires and delights.

---

<sup>6</sup> Informal adult and community learning is about learning for its own sake and is not purely utilitarian, measured by targets, qualifications and jobs. It can build self-esteem, stronger families and better mental and physical health, and spans the full spectrum of activity from personal development to progression to employability.

## Higher education

There is strong support amongst those who responded for continuing access to higher education for prisoners. We agree that higher education is an important learning progression route for some prisoners. Where prisoners are studying full-time as they approach the end of their sentences, they are expected to meet their own higher education costs, supported by access to Fee Loans. We think it sensible to consider how we can encourage more part-time access to HE through the wider work following the *Browne Review of Higher Education Funding and Student Finance*, making sure arrangements for prisoners are aligned with mainstream changes from autumn 2012.

## Meeting the particular needs of female offenders

*Breaking the Cycle: Effective Punishment, Rehabilitation and Sentencing of Offenders* recognises women offenders have a different profile of risks and needs. This includes higher levels of problems with drugs and alcohol, and mental health than men. Levels of psychosis, anxiety and depression, self-harm and suicidal attempts are considerably greater among women than men<sup>7</sup>. Female prisoners are much less likely than male prisoners to be able to call on the support of a stable relationship and many struggle to manage childcare responsibilities – at least a fifth of mothers were lone parents before imprisonment<sup>8</sup>. Women prisoners are less likely to have been employed than men before imprisonment (33% compared with 54%)<sup>9</sup>. The current arrangements seek to make special provision for the needs of women offenders, recognising that although employment is important to women offenders, there are a number of steps they may need to take before they are job ready. This has been the subject of much work to bring about changes that are consistent with the rehabilitation needs of women:

*“Life skills should be given a much higher priority within the education, training and employment pathway and women must be individually assessed to be sure that their needs are met.”<sup>10</sup>*

A range of special provision, such as motivational activities to help women appreciate that education and employment might be beneficial to them, helps to meet this need. Decentralised decision-making and a greater focus on freedoms and flexibilities, as well as opportunities for women to work in prison, will support that development. For women offenders in the community, we will be seeking to strengthen links at the local level to the work of specialist women's community services which provide holistic support for women, including employment needs.

---

<sup>7</sup> Stewart D., The problems and needs of newly sentenced prisoners: results from a national survey- Ministry of Justice Research Series 16/08

<sup>8</sup> Hamlyn, B., and Lewis, D., Women prisoners: A survey of their work and training experiences in custody and on release, Home Office Research Study 208 (Home Office, 2000)

<sup>9</sup> Stewart D, The problems and needs of newly sentenced prisoners: results from a national survey- Ministry of Justice Research Series 16/08.

<sup>10</sup> Corston report - a review of women with particular vulnerabilities in the Criminal Justice System (<http://www.justice.gov.uk/publications/docs/corston-report-march-2007.pdf>), Chapter 4, p. 48

## Assessing need

We will strengthen the arrangements to assess offender needs at the start of their prison sentence. This will bring together information already held about the offender's needs and ensure, as resources allow, allocation of prisoners to the right activity at the right point in their journey to rehabilitation. Bringing together the existing information about an offender's needs will also support the work of the careers information and advice service advisers and Jobcentre Plus' Employment and Benefit Advisers as they work with prisoners, skills providers and prison staff to secure employment on release. And the planned merger of the prison careers information and advice service into the National Careers Service will ensure we have an authentic National Careers Service presence in each prison, with all the benefits that flow from that in terms of continuity pre-sentence and post-release.

We will focus particularly on the needs of those in transition from youth detention, ensuring that the implementation of the Apprenticeship, Skills, Children and Learning Act, with its new duties for Local Authorities, does not cause a schism at the point of transition from youth to adult detention.

## Learning difficulties and disabilities

The *Call for Evidence* responses have encouraged us to propose a new focus on assessing and then addressing the needs of those with learning difficulties and disabilities. We will make sure those assessments contribute to individualised sentence plans. At present, the skills funding allocation in prisons has a built in allowance for meeting those needs. We will separate out this funding to create a new, locally-managed fund to support the needs of individual learners, with providers putting support in place where it is needed.

The importance of communication skills – including listening – has also been highlighted in supporting learners to engage with teachers. We already seek to improve communication skills as part of basic skills work on literacy and the offender learning sector has led the way in developing a more focussed approach to oral skills teaching. We will ensure the specialist support pack for staff working with offenders to improve their literacy, language and numeracy is refreshed, with a particular focus on boosting numeracy provision and on providing more material to support work on communication skills.

## Offenders in the community

Offenders in the community will have access to the local skills offer alongside others in society.

From the 2012/13 academic year<sup>11</sup>, there will be an entitlement to fully funded training for those aged from 19 up to 24 undertaking their first full level 2 or first level 3 qualification. There will also be fully funded basic skills courses for those without the numeracy and literacy skills required to progress in work and life. In both cases, offenders in the community will have the exact same entitlement. Effective, collaborative local arrangements between Jobcentre Plus, the National Careers Service, Probation, Colleges and independent training providers will

---

<sup>11</sup> Subject to the passage of legislation.

ensure that offenders are referred for help, at the right time in their sentence to address, the skills deficiencies that prevent them from competing in the labour market and entering work.

Those offenders on active benefits (claimants of Jobseekers Allowance and in the Work-Related Activity Group of Employment and Support Allowance) will be eligible for fully funded, accredited training, relevant to the local labour market and supported by impartial information, advice and guidance, to help them find a job. Colleges and independent training providers will have the flexibility to deploy their Adult Skills Budget more flexibly than previously, allowing them more freedom to decide how they can best meet the needs of their communities. For some, this will mean moving into new areas of delivery. This could include delivering single units of qualifications and credits from the Qualifications and Credit Framework or full qualifications to offenders in the community on active benefits.

Respondents to the *Call for Evidence* told us that, at present, Colleges and training providers are not always receptive to the needs of offenders (including their learning needs and the practical ways in which they should be met, including through 'roll-on, roll-off' provision). We know that providers often complain that Probation Trusts' arrangements for referring learners are not always satisfactory.

The new arrangements in the skills system to decide local priorities put those in the community with a shared interest in transforming the local economy into a strong relationship with Colleges and providers as they develop business plans to ensure an effective response to economic and community demand. We will encourage Probation Trusts, working with Jobcentre Plus, to engage with these processes locally to ensure the needs of offenders in the community are met.

A joint strategic review by the Ministry of Justice and the Department for Work and Pensions has already introduced changes that support and strengthen frontline partnership working between Jobcentre Plus and Probation Trusts – helping both to understand better the skills needed for the labour market and how well offenders are prepared for jobs. We must ensure Probation Trusts, working with their local partners, press their offenders' cases at that time when Colleges and independent training providers are incentivised to meet their needs. Systems and processes for referral, follow-up and feedback will need to be revitalised so that local partners can work together more effectively to understand and meet the needs of offenders.

The work now being undertaken by the DWP and MOJ on incentivising Work Programme providers to give employment support to offenders will build on these arrangements, which the skills system will need to support. Those customers that require more intensive back to work support will be referred to the Work Programme. This replaces a range of current welfare-to-work programmes for unemployed people, giving providers the incentives to help customers into sustained jobs, and the freedom to deliver personalised support. Access to the Work Programme will be available at the time when it can most effectively meet offenders' needs.

For those furthest away from the labour market, Jobcentre Plus and Probation will work together with the National Careers Service, Colleges and other training providers to make sure that offenders are referred for help with their skills needs to support them finding work. They will also ensure that more immediate barriers preventing participation in skills training, such as drugs problems and offending behaviour, are being dealt with either alongside or before referral to training. The Green Paper – *Breaking the Cycle: Effective Punishment, Rehabilitation & Sentencing of Offenders* – set out proposals to support offenders to get off drugs for good,

including via the introduction of pilots for drug recovery wings in prisons, and for paying providers by the results they deliver in getting offenders to recover from drug dependency in the community.

## Mentors and mentoring

There are roles for offenders acting as mentors, including peer-to-peer teaching, to improve outcomes and achieve the results we want. They can be particularly effective during the transition from prison to the outside world and in supporting offenders in the community (including through former prisoners) as they continue to develop their skills and find work. Our *Call for Evidence* pointed up the value of this activity, and we propose investing in those offenders who display an aptitude for these roles and where they intend to pursue it as a route to employment.

Each NOMS region is delivering an element of mentoring as part of programme delivery, paid for through European Social Funds. The mentoring model differs between regions and has not been prescribed by NOMS, to encourage innovation from market providers. Each prime/consortia lead contractor is offering a mentoring service which is delivered in-house, or sub-contracted to a specialist provider. There are a range of services on offer, including befriending, coaching and peer mentoring. The provision of mentoring services will add value to programme delivery overall, as services will enable additional support to be offered to participants on the programme. There is also a strong focus on through the gate support. If it demonstrates its success we will wish to consider how mentoring can be supported by the Skills Funding Agency, by the provision of training for example.

## Quality

Although there has been a substantial investment in offender learning over recent years, the Ofsted Chief Inspector's Report for 2009/10 reported that:

*“Five out of the 27 prisons and young offender institutions inspected were judged to be inadequate for learning and skills this year compared with two last year. In addition, no prisons have been judged outstanding for the overall effectiveness of their learning and skills, whereas last year saw the first prison achieve this overall judgement. This profile of inspection judgements is a serious concern.”<sup>12</sup>*

Ofsted's general conclusions are supported by many Independent Monitoring Board reports. While there have undoubtedly been some prisons where improvements have been seen during the same period, continuing problems must be addressed.

Ofsted has a key role in ensuring that we can assess the impact of the improvements we seek to put in place. We are working together with the Inspectorate to make sure their inspection arrangements, undertaken in partnership with Her Majesty's Inspectorate of Prisons and Her Majesty's Inspectorate of Probation, support the new focus on local influence, responsibility and accountability.

---

<sup>12</sup> The Annual Report of Her Majesty's Chief Inspector of Education, Children's Services and Skills 2009/10

# A new focus on local influence and accountability

The Government wants to move away from a skills system where choices are made at the centre, driven by targets and micromanaged from 'Whitehall'. Our new approach means that employers and learners will access good information about skills programmes and the quality of providers and will be equipped to choose the training they think best suits their needs, subject to a realistic estimation of what they will get from it.

While offender learners are in a rather different position in custody, with limited scope and choice as a consequence of imprisonment, we are determined that our offender skills system should be an authentic part of the mainstream, integrated into the wider system, mirroring the offer to which an offender would be entitled in the community where it is possible to do so. This is critical if we are to achieve our ambitions to improve the transition between prison and the wider world, and to achieve a step-change in reducing re-offending.

Governors and their staff will have an essential role in ensuring that the skills provision is consistent with the prison's offender management strategy, its prisoner population and its plans for getting offenders into employment as part of its focus on reducing reoffending, not least through work in prisons. The practical arrangements to match the skills strategy for a prison to that prison's needs (including the needs arising from the prison's work opportunities) will mirror those for Colleges and other training providers. They will offer the Governor the opportunity to work with a wide range of partners so that skills provision is informed by, and meets, labour market needs.

We want to re-shape the provider arrangements to deliver a broader range of learning from a wider range of providers. We plan to change the arrangements for delivering learning, so that we bring together into clusters those prisons that regularly transfer prisoners between them. In doing so, we will deliver a system that is responsive to local needs and demands within an agreed governance framework. This will allow particular needs to be met, whilst providing a consistent skills offer that supports continued participation as prisoners progress through their sentence.

Those clusters must focus on the needs of employers in the particular area – or a limited number of areas – to which we expect prisoners to be released. The role of the Head of Learning and Skills will be developed to support this approach, and we want to create more opportunity for career progression, specialism and continuing professional development than is available now.

The ability of stakeholders to hold providers to account will depend on publication of data about performance. In prisons this data will need to reflect not only the providers' performance but also that of the prison cluster and the individual prisons. These local arrangements for commissioning the right outcomes will strengthen local accountability, and allied to performance and inspection data, will enable appropriate performance management and responsiveness.

Currently, offender learning providers have a proportion of their total payments based on their performance in meeting targets. We will change those arrangements in line with the



Government's focus on payment by results. We will develop arrangements to make outcome incentive payments so that a more significant proportion of a provider's payment is based on the results they achieve, aligning our arrangements with those being developed for the post-19 education and training sector more generally.

Offenders in the community will benefit from the Government's plans to free Colleges and other learning providers from central control, regulation and centrally determined targets. Colleges and providers' engagement with Local Enterprise Partnerships and the wide range of local partners in determining their business plans will ensure they are better able to respond to the needs of the learners, employers and communities they serve. Through the new pre-Work Programme offer, Jobcentre Plus will have a vital role to play in helping shape local skills provision and in ensuring active benefit claimants are supported to access the right training and advice at the right time. Probation Trusts will also engage in these local partnerships with the shared interest in transforming the local economy (including through the benefits of reduced re-offending). Strengthened local arrangements between Jobcentre Plus and Probation will provide a better voice in setting out the skills needs of those offenders in the community who are close to the employment market and fall into the 'active benefits' cohort.

Offenders will also be able to gain early entry to the Work Programme, getting access to individually tailored support to help them into employment. This support will be delivered by private and voluntary sector organisations that will be paid by their results in getting people into jobs and keeping them in employment. The MoJ and DWP are working to see how Work Programme providers could be incentivised further to work with offenders, linked to reducing reoffending.

# A responsive and flexible system and measuring the impact

We will redistribute the offender learning resource in prisons so that it better matches the outcomes we are seeking. In doing this, we will take account of the prison population, particularly the population of the cluster of prisons through which most prisoners move on their journey through the custodial system.

This is a complex exercise and we will ensure its implementation is reasonable and practical. We know it is important not to destabilise prison regimes and the risks we run if we do.

Our assessment is that the redistribution of offender learning funding, together with the need to give Governors a decisive role in determining skills provision and the opportunity to work with partners drawn from a range of sectors, requires a re-procurement of the offender learning provider base. In taking this forward we will develop revised specifications that:

- target provision to ensure prisoners are equipped with the skills most likely to help them secure sustainable employment in the labour market into which they are released;
- provide skills and training support to work in prisons;
- ensure prisoners continue to be able to access help with basic skills needs early in their sentence, and link progressive vocational and employability skills to the period when the individual is within sight of release, ensuring that the competences gained are relevant to labour market needs; and
- dedicate a proportion of funding to more informal engagement type learning.

Governors, their Heads of Learning and Skills, and other relevant partners will have a defined role in working with providers to agree, through enhanced employability, the most appropriate provision to achieve the desired outcome of reducing the propensity to reoffend on release.

New provider contracts will put in place a reformed funding model. Payments will be more reliant on outcomes achieved, and we will move progressively towards outcome incentive payments focussed on job and re-offending outcomes, in line with the Government's payment by results agenda.

Procurement will be framed by new delivery units, based on clusters of prisons within which prisoners regularly move, identified by NOMS. The revised allocation of resource, itself based on the profile of prisoners held in establishments, will determine the value of the new contracts.

In taking forward the procurement process, a lead Governor for each delivery cluster will bring together and lead a group (including Jobcentre Plus, employers, careers advice services and others) to develop the curriculum offer for their prisoners, with support from Heads of Learning and Skills. The procurement itself will be run by the Skills Funding Agency, aiming to appoint a lead provider for each prison cluster, with organisations bidding to be the lead provider likely to propose a cadre of sub-contractors in order to deliver the broad requirements of the cluster.

The Skills Funding Agency will actively involve the lead Governor's group in the decision making process on the lead provider, with bidders' proposals on how they will deliver the curriculum offer within the cluster and adapt their delivery to respond to changed requirements over time being evaluated. Contracts will not be let without the formal agreement of both the lead Governor and the Skills Funding Agency.

Once new providers are in place, the lead Governor's group will meet regularly with the lead provider to discuss and monitor performance across the cluster. The Skills Funding Agency will intervene only by exception:

- at the request of the Group; or
- where the responsibilities and/or accountability of the Chief Executive of Skills Funding are judged to be at risk.

As part of the wider public sector reforms, we are particularly committed to creating the right conditions to secure the capacity and expertise of social enterprises, charities and the voluntary and community sector to achieve shared objectives by expanding the diversity of provision.

We plan to merge the prison careers information and advice service into the National Careers Service. That means the Careers Information and Advice Service for prisons will not be re-tendered now as a discrete contract.

In addition to refreshing our delivery arrangements, there is more we must do to join up our system for making prisoner information available across a range of systems outside prison too. Increasingly, those entering custody will already have a Skills Action Plan. By joining up the separate Careers Information and Advice Service in custody with the National Careers Service we will ensure what's already known about an offender is available at reception so that education and training can be best targeted. By making this part of the offender learning arrangements a true part of the mainstream skills system, we can ensure that released prisoners will have a properly updated personal learning record which they can access through their Lifelong Learning Accounts<sup>13</sup> confident that it will reflect activity undertaken in custody.

Recording the progress made in custody so that, on release, the National Careers Service adviser has a complete, updated record of the ex-offender's needs, progress and aspirations is a priority. This will mean that Jobcentre Plus staff will be able to use the information in individual Skills Action Plans developed by careers advisers to direct offenders to undertake those actions which are most likely to help them into employment. Similarly, we will ensure that developing work on Lifelong Learning Accounts enables an effective link between the skills system in the community and the arrangements in custody.

---

<sup>13</sup> Lifelong Learning Accounts will engage and motivate adults to take up learning, to continue learning, and to introduce others to learning. Accounts will provide easy access to high quality careers information, advice and guidance from the National Careers Service, tailored to match the individual's circumstances. Prompts from the careers service will help learners progress at key points in their learning journey. Accounts will provide an environment where groups of learners can communicate more easily with each other and with providers and where providers can make offers to them as individuals or as communities of learners.

This important set of reforms warrants effective measurement to test the impact. We will press forward with the development of impact measures that partners can use locally to assess their effectiveness and which, when aggregated, provide an overall picture of progress. We will progress quickly with sharing data (where legal and appropriate) to gauge the impact of vocational skills development on job outcomes and re-offending. We will ensure that we have effective means in place for measuring the impact of this review's changes, including particularly the impact of the virtual campus where a proposal to conduct a scoping study of the effect of e-learning and e-employment activity in prisons is being prepared.

# Implementing the review conclusions

*Making Prisons Work: Skills for Rehabilitation* explicitly takes the principles set out in *Breaking the Cycle: Effective Punishment, Rehabilitation and Sentencing of Offenders* and *Skills for Sustainable Growth* and sets them in the context of employment and skills for offenders in custody and in the community. Both the Department for Business, Innovation and Skills and the Ministry of Justice recognise the benefits of ensuring that all Government policies are designed and implemented to avoid, as far as possible, an adverse impact on any particular group. Thus, both *Breaking the Cycle: Effective Punishment, Rehabilitation and Sentencing of Offenders* and *Skills for Sustainable Growth* was accompanied by an impact assessment. Our assessment of the particular changes set out in this document has drawn on both of them.

We judge that - in terms of competition and the small firms impact test - that the proposals in this document do not limit the number or range of suppliers (or providers) but rather will tend to increase their number and range. Our plans will increase the ability of suppliers (– particularly charities, the voluntary sector and social enterprises) to compete.

Both the Department for Business, Innovation and Skills and the Ministry of Justice are subject to the public sector duties for disability, race and gender equality under section 49A of the Disability Discrimination Act 1995, section 71 of the Race Relations Act 1976 and section 76A of the Sex Discrimination Act 1975 respectively. In anticipation of the Equality Bill which proposes to extend the duty to promote equality of opportunity to sexual orientation, religion or belief, age, gender reassignment and maternity and pregnancy, each Department aims to show, where possible, the same commitment to the new strands as for the existing ones.

Our assessment is that the plans set out here do not impact negatively on any of the equality duties (age – in respect of employment but not service delivery), disability (where we think the plans will improve the service for those with learning disabilities in particular), gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex (where we think the plans have the capacity to make the services for female offenders better rather than worse) and sexual orientation.

We do not believe the plans set out here will have any significant impact, positively or negatively on carbon emissions, electricity and water usage, or traffic (Carbon Assessment) or negative impacts on the environment (Other Environment Assessment). There is evidence of a link between better education and people's health, so our Health Impact Assessment is of a (minor) positive impact

*Breaking the Cycle: Effective Punishment, Rehabilitation and Sentencing of Offenders* makes clear that punishment and payback policy proposals will be developed to conform to the Human Rights Act. Consequent changes to skills and employment will be included within that.

We do not expect *Making Prisons Work: Skills for Rehabilitation* to have a rural impact, or to have an impact on any of the five principles of sustainable development, save that they do contribute to ensuring a strong, healthy and just society.

Our plans to roll out the new arrangements will begin almost immediately. The following timetable sets out the chronology.

Action	Timetable
<p>Reallocate prison learning resource so that its distribution matches the needs of learners;</p>	<p>August 2012</p>
<p>Reorganise learning delivery, based on clusters of prisons within which prisoners normally move;</p>	<p>August 2012</p>
<p>Re-procure the prison learning contracts in order to:</p> <ul style="list-style-type: none"> <li>• strengthen the arrangements to assess prisoners’ needs at the start of their sentences: <ul style="list-style-type: none"> <li>○ ensuring prisoners with a clear learning need are allocated to skills programmes;</li> <li>○ ensuring prisoners with learning difficulties and disabilities are identified, and meeting those needs;</li> <li>○ focussing on those in transition from youth detention;</li> </ul> </li> <li>• make learning more focussed, motivational and engaging;</li> <li>• provide skills training to support work opportunities in prison;</li> <li>• shift learning delivery towards the end of prisoners’ sentences, linking it firmly to the demand for vocational and employability skills;</li> <li>• strengthen links with employers, as well as with employment support and the Work Programme;</li> <li>• provide an informal adult and community learning offer, including the arts, to support long-term prisoners and those for whom an immediate focus on work is unrealistic;</li> </ul>	<p>August 2012</p>
<ul style="list-style-type: none"> <li>• enhance the focus on quality and boost local accountability, amending the role of the Head of Learning and Skills to support this;</li> </ul> <p>whilst ensuring prison Governors have a key role in shaping the skills offer in their establishments. We will encourage the engagement of charities, the private and voluntary sectors and social enterprises to make sure their capacity and expertise is utilised.</p>	

Action	Timetable
<b>Build stronger relationships between the Probation Service, Jobcentre Plus, Colleges and independent training providers.</b>	Beginning immediately
<b>Increase the scope for prisoners to prepare for and take up Apprenticeship opportunities.</b>	Beginning immediately
<b>Merge the prison careers information and advice service into the National Careers Service, re-focussing careers advice in custody on early identification of those with a functional skills need and on job outcomes post release.</b>	August 2012
<b>Refresh the literacy and numeracy support pack for staff working with offenders: boosting the material on numeracy; extending the use of intensive provision; and providing more material to support work on communication skills.</b>	September 2011
<b>Ensure arrangements for higher level study in prison keep in step with changes in mainstream funding arrangements.</b>	September 2012
<b>Complete the roll-out of the virtual campus across prisons.</b>	As resources permit
<b>Trial outcome incentive payments, developing the arrangements in parallel with those for Colleges and providers.</b>	In line with mainstream arrangements

Finally Ministers directed that the draft review conclusions should be put to a number of Heads of Learning and Skills from Establishments all over England for their review and comment. This followed a direct consultation by the Under Secretary of State for Justice with Heads of Learning and Skills brought in to advise on his programme of Prison visits. Some of their comments are below which gives us confidence we can deliver effective system change around offender skills in direct support of those delivering it on the front line.

*In brief, I think this is an EXCELLENT document and addresses the overwhelming majority of the problems, limitations and frustrations of the OLASS arrangements that have been in place for offenders since 2005. It is so refreshing that a public consultation has been absolutely genuine and that those shaping policy have actually listened to what many of us have been saying for so long.*

*I welcome the intention of improving the support for offenders with learning difficulties and disabilities. Delivery of this resource is often sporadic in establishments.*

*I welcome the joined up thinking of bringing establishments together using the flow of offenders from each other, this will strengthen the CIAS assessment and hopefully prevent repetition of assessment.*

*I applaud the intention to 'join-up' the communication between establishments who regularly move offenders between them.*

*I agree with the focus on mentoring using peers and other agencies to support offenders into the community, this has worked well here*

*I agree with the suggestion that Governors and HoLS should be more instrumental in the commissioning process. Where HoLS have been invited by the SFA to be active in the process, it has been very beneficial.*



© Crown copyright 2011

You may re-use this information (not including logos) free of charge in any format or medium, under the terms of the Open Government Licence. Visit <http://www.nationalarchives.gov.uk/doc/open-government-licence/> or write to the Information Policy Team, The National Archives, Kew, London TW9 4DU, or e-mail: [psi@nationalarchives.gsi.gov.uk](mailto:psi@nationalarchives.gsi.gov.uk).

This publication is also available on our website at <http://www.bis.gov.uk>

Any enquiries regarding this publication should be sent to:

Department for Business, Innovation and Skills  
1 Victoria Street  
London SW1H 0ET  
Tel: 020 7215 5000

If you require this publication in an alternative format, email [enquiries@bis.gsi.gov.uk](mailto:enquiries@bis.gsi.gov.uk), or call 020 7215 5000.

**URN 11/828**