

Select Committee on Education and Skills - Prison Education Follow up, December 2006

Memorandum submitted by the University and College Union (UCU)

EXECUTIVE SUMMARY

1. The context of provision of prison education is set against a background of the task that prison staff face in the size of the prison population. It looks set to rise for some time with longer sentences and an inadequacy of provision for the mentally ill. With this background, offender learning often gets left behind.
2. Promoting offenders' learning should be an integral part of all institutions' work and communicated at all levels to both staff and inmates.
3. The frequent structural changes within the provision of prison education do not seem to be properly reviewed and evaluated before other changes are embarked upon.
4. The retendering process for the new contracts has had a disruptive effect and can cause staff to leave because of uncertainty over changes to terms and conditions. In particular the involvement of private companies not part of the FE sector and more used to provide "training" has caused much anxiety as there is a different approach and understanding of the wider concept of both vocational education and education generally.
5. With regard to the loss of offenders' records through "churn", funding should be explicitly provided to speed up implementation of a nationwide IT system [NOMIS] with a clear timetable set, which would allow for full staff training on the new system.
6. Contracted out prisons should participate in any national IT system.
7. ILPs should be standardised nationally, be electronic and included as part of each offender's transfer information.
8. Where working practices change and new areas of work are demanded of prison educators, there should be adequate provision of training and facility time to undertake it.
9. The issue of access to classes needs to be addressed and made a priority in that it is adequately resourced.

10. Incentivising offenders to learn would produce results. There should be as much financial reward for learning as for other "work" activities within the prison.

11. There should be a clear agreed standard for minimum provision for prison education. This should not just reflect the drive for "employability" but should include life skills and skills for resettlement. Provision of learning should form a part of management plans and budgets and both prison educators and prison officers should have continuing professional development to support this area of work.

12. There is now no forum where UCU can make any representations on the professional issues affecting our members.

13. We believe that it is essential that a proper consultative forum be established involving the relevant parties so that issues of concern can be brought to the attention of those with the responsibility and authority to act.

UCU

14. UCU, the University and College Union, is the main trade union in the UK representing teaching staff in further education and academic and academic-related staff in higher education. It also represents prison education lecturers working in adult prisons and Youth Offender Institutions where we have approximately 1,100 members.

15. UCU was established on 1 June 2006 following the merger of the Association of University Teachers and NATFHE [The University and College Lecturers Union].

16. This submission by UCU follows a submission by NATFHE to the Education and Skills Select Committee inquiry into prison education in 2004. We welcomed the publication of the Committee's report and were heartened to see that the Committee had taken note of the role and conditions of the staff employed in the education departments—the "unsung heroes".

17. Whilst many of the Committee's recommendations have been taken forward under OLASS, and recognising that OLASS has only gone live nationally since 1 August this year, we still have a number of concerns and reservations.

CONTEXT

18. The context of provision of prison education is set against a background of the task that prison staff face in the size of the prison population. It looks set to rise for some time with longer sentences and an inadequacy of provision for the mentally ill. With this background, offender learning often gets left behind.

19. Provision of prison education has been through a prolonged period of constant change over the last 20 years. Now our members are adapting to yet another new system

and doing their best to deliver the Offender's Learning Journey and adapt to the LSC regime. No other group of our membership has had to change their working patterns, practices and employers in such radical ways and so frequently. It is to their credit that they are still prepared to "give it their best shot" because they realise that in spite of the regular changes, they remain a constant source of support and assistance to offenders.

20. Of course it is early days for OLASS and whilst there is overall support for the LSC's involvement, there are problems and issues which go beyond the "teething" stage. We believe it is essential to start picking these up at an early stage and deal with them before bad systems and practices set in.

21. One of our major concerns is the upheaval caused by the tendering process, particularly where contracts have been awarded to private contractors. There is no doubt that the concern over who the new provider and employer might be and the subsequent uncertainty during the post-contract award period has caused serious damage to the morale of staff.

22. In one instance where a private provider was awarded the contract (A4e), they declared from fairly early on that they had no intention of dealing with the recognised or indeed any trade unions, or were prepared to meet the costs necessary to ensure the protection of those staff in the Teachers' Pension Scheme. This was in spite of provisions in the tendering documents requiring them to offer comparable pensions benefits where staff were in a final salary scheme. On Friday 28 July, after extensive negotiations with UCU and the LSC, A4e the main private contractor taking over work in Kent and the East of England areas agreed to make arrangements to "protect" the pensions for those in the Teachers' Pension Scheme.

23. This uncertainty did have a knock-on effect. We are aware that some staff chose to leave the service to find work elsewhere in the education sector in order to preserve their pensions benefits. By necessity staff were engaged in campaigning over the protection of their pensions in this period leading to the changeover, and morale was at rock bottom. Sadly, we have to report that several months on there are still major problems with pensions arrangements.

24. We are concerned that OLASS 2 was implemented before any evaluation of OLASS 1 and that the Green Paper was published even before the new contracts for OLASS 2 got under way. This means that by the time the LSC took over running and implementing the Offender's Learning Journey, new plans and proposals were already on the table. Staff now face the possibility of major changes to what they are expected to deliver. In addition they face the possible upheaval of a new re-tendering process in three years time, as the current contracts end in July 2009. These changes are happening just as responsibility has been shifted to the LSC.

RECOMMENDATIONS

25. Promoting offenders' learning should be an integral part of all institutions' work and communicated at all levels to both staff and inmates.

26. We believe that before any major re-thinking or new initiatives are introduced in prison education provision, that there should be a full evaluation of the success of the Offender's Learning Journey; an evaluation of the success of introducing vocational skills; how either of these is affecting reoffending rates; and an assessment of the effectiveness of the LSC having overall responsibility and control. There should also be an assessment of the impact of these changes on staff in relation to the stress involved, the impact on their terms and conditions of employment and their professional development.

SPECIFIC CONCERNS

IT and "churn"

27. The constant movement of offenders between prisons, "churn" as identified by the select committee previously, has enormous detrimental effects (and now in a system which is routinely operating at 25% over "normal" capacity). Prison education records (along with all other records) do not follow offenders around the system. Although there has been a trial of an electronic system in one region, with a nationwide implementation date of 2007, this looks unlikely to happen. It is often the case that where offenders are transferred without their files, staff have to put them through the whole assessment process again.

28. There are similar concerns for the adequacy of arrangements when prisoners are released. In some regions staff are not confident that the systems required to ensure that prisoners "Learning Journey" will continue, as the arrangements for follow through work once they have passed the gate have not been developed.

29. There is also a concern over contracted out prisons—would they be expected to participate in a national scheme as they have a different internal structure for delivering learning and skills for offenders?

RECOMMENDATIONS

30. Funding should be explicitly provided to speed up implementation of a nationwide IT system [NOMIS] with a clear timetable set, which would allow for full staff training on the new system.

31. Prison officers should have an initial training period that enables them to play a key role in the education and training of prisoners.

32. Contracted out prisons should participate in any national IT system.

INDIVIDUAL LEARNING PLANS AND INDIVIDUAL LEARNING RECORDS (ILPS AND ILRS)

33. ILRs are widely in use, but again the paperwork involved is perceived as disproportionate to the benefits that the use of these records is supposed to bring. ILPs, which are an LSC requirement are proving to be a nightmare for staff. The amount of form filling, data inputting etc, is extremely time consuming and staff are aware that there is a danger of duplication of work, as a lot of the information that goes on the ILP then goes on the ILR.

34. In addition, as the vast majority of staff are part-time hourly paid, there is increasing frustration and anger among this group as they see their workload rocketing but not their contracted hours of paid work to allow for the additional workload. Where new areas of work are being demanded of prison educators, there is an issue re training. We understand that in some areas prison educators are paying for training themselves, in their own time.

RECOMMENDATIONS

35. ILPs should be standardised nationally, be electronic and included as part of each offender's transfer information.

36. Where working practices change and new areas of work are demanded of prison educators, there should be adequate provision of training and facility time to undertake it.

GENERAL EDUCATION PROVISION

37. The question of access to classes is still an issue and needs to be carefully monitored and resolved. There are still too many times when offenders/students are not brought to the classes or education block because of overcrowding and staff shortages, transfer of prisoners, or the general attitude of the prison where education is still regarded as a "soft" option and is not properly supported.

38. The issue of lower pay for attending education needs to be addressed across all prisons as there are still problems- for example we recently visited one prison where the prisoners were paid more to attend workshops where they spend all day smashing up unsold CDs and DVDs rather than to attend education classes.

39. We are beginning to receive positive reports that the involvement of the LSC is having a very positive impact on the overall offer and delivery of education and skills across the prison service. There are clearly improved levels of planning with Heads of Learning and Skills at local prison level. There are still instances though, where circumstances have not improved and where intervention by Heads of Learning has had a detrimental effect on the work of prison education staff.

40. However, we are concerned to hear that in some prisons, staff in the education departments are having to do the final assessments and marking for some of the work carried out by prison staff where the latter do not feel confident or are not properly qualified to see through this work.

41. Although significant progress has been made, the constant uprooting and change in governance and funding provision for prison education means that there is no nationally agreed minimum level of provision. With rising numbers and increased issues with regard to security, prison education can easily "fall off" the agenda locally.

RECOMMENDATIONS

42. The issue of access to classes needs to be addressed and made a priority in that it is adequately resourced.

43. Incentivising offenders to learn would produce results. There should be as much financial reward for learning as for other "work" activities within the prison.

44. There should be a clear agreed standard for minimum provision for prison education. This should not just reflect the drive for "employability" but should include life skills and skills for resettlement. Provision of learning should form a part of management plans and budgets and both prison educators and prison officers should have continuing professional development to support this area of work.

PLANNING FOR PRISON EDUCATION

45. The last 20 years have seen enormous changes in both the way the prison service is run and how prison education is provided. This has not always produced the best results. There are a significant number of players in the system who could bring their considerable levels of expertise to contribute to development of provision of education. Where there previously was a provision for stakeholder meetings with OLSU, this is no longer the case.

46. There is now no forum where UCU can make any representations on the professional issues affecting our members. We represent approximately 1,100 staff in the education departments. It seems now that our only recourse to policy formation is informally, either by making submissions to select committees, all party parliamentary groups, or networking with other unions and organisations involved with the welfare of offenders eg Howard League for Prison Reform, Prison Reform Trust and others.

47. We believe that it is essential that a proper consultative forum be established involving the relevant parties so that issues such as those raised here can be brought to the attention of those with the responsibility and authority to act. We are not looking for a talking shop for the great and the good, but something which would allow us to participate properly in the implementation of OLASS as our members feed through their experiences and concerns about what's working or what's not working. Until recently OLSU had such a

forum but since the LSC took over there has been a void. We would strongly urge the Committee to recommend that such an arrangement be set up as a matter of priority.

RECOMMENDATION

48. That the DfES should convene with the LSC, regular national meetings for senior managers in the prison service, national probation service, learning providers, unions and other key stakeholders.

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