



University and College Union

‘Further, higher, better’

**Submission to the government’s
second Comprehensive Spending
Review**

Section 18

18 Prison/Offender Education

Learning for Offenders both in custody and outside prisons has gained recognition and been developed in major ways since 1997. UCU represents the lecturers and education managers who deliver education programmes in prisons. Over recent times, and especially with the development of non-custodial sentencing, there has been a great increase in the number of learning programmes directed at offenders in the community, and ex-offenders seeking to continue their participation in learning on release from prison. Again, many of these programmes are delivered by further education colleges and by UCU members.

Since the early 1990s, prison/offender education has moved from the margins to the centre of both government consideration and the debate around prisons, offending and re-offending and rehabilitation. In that period there have also been great changes in the way that prison/offender education is organised and delivered. It has moved from being a junior part of Prison Services, and under ultimate Home Office responsibility, to being a shared responsibility between the Home Office and the Department for Education and Skills, with a DfES Unit having responsibility for the oversight of education and training delivery in and outside prison (now titled Offender Learning and Skills Service - OLASS). Funding has transferred from being part of the general budgets of prisons under the control of prison governors, to being ring-fenced for learning and now to be routed through the Learning and Skills Council.

Until 1993, funding for what was then prison education was through a Home Office grant, largely to local authority adult education services and FE colleges. From 1993 prison education was put out to competitive tendering. Prison education went largely to colleges, some adult education services and some private training providers. Contracts were awarded very largely on price. At the same time as this contracting out, the curriculum of prison education was reviewed.

The prison population has always been an accurate reflection of both the links between poor educational achievement, social exclusion, probability of offending and a host of other actual and proxy indicators for disadvantage, such as ill health, mental illness, truancy and disruptive schooling and very poor literacy and numeracy skills. The changes in the prison education curriculum tried to focus education programmes on remedying these basic skills deficiencies among offenders. However, disruptions in delivery of service due to contracting out, cuts in actual funding, redundancies and crude use of targets, resulted in the destruction of large amounts of excellent education provision in areas of prison education other than basic skills, with few gains in the basic skills of prisoners.

A second round of contracting in 1996 saw prison education delivery in the hands of a relatively small group of colleges and adult education services. The problems of a restricted curriculum were being recognised. From 1997, with the emergence of social inclusion as a major government concern and policy,

prison education has come out of the shadows and assumed a new and more key role in both prison and learning policy.

A series of reports, led by NATFHE and the Association of Colleges,¹¹⁰ on various aspects of prison education's management and delivery, culminated in publication of the Social Exclusion Unit's report on reducing re-offending.¹¹¹ These catalogued the previous poor position of prison education, and re-positioned it at the heart of new policies about the reduction of re-offending and rehabilitation of offenders.

This focus has recently been reiterated and strengthened by the publication of the Green Paper, *Reducing Re-Offending through Skills and Employment*.¹¹² This calls for better training and help for offenders to find employment after completion of their sentences, through an increase of £94m in funding for offender learning from 2001-02 to 2005-06, external inspection of prison education, building training into the prison day, more higher education opportunities for prisoners and support from jobcentres. Offender education and training is to be of higher quality than previously and more tailored to individual needs.

The new National Offender Management Service (NOMS) should mean that a single professional can oversee an offender's sentence in and out of custody. Offender education is going to focus on training and qualifications that are more meaningful to employers, alongside new and stronger approaches to help offenders find work. From August 2006 the LSC will assume responsibility for the funding of all offender education in and out of prisons. Offender education will be a priority group in LSC and other government agencies' plans. The new drive around offender education will centre on a new delivery model, the Offender Learners' Campus, which will develop centres' excellence and better links with mainstream education and training.

Alongside the Green Paper must be seen the Government's national strategy to reduce re-offending. The National Reducing Re-Offending Delivery Plan was published by the Home Office in November 2005 and set out the Government's key actions in relation to this over the next eighteen months. The 2010 target is to reduce re-offending by 10%.

UCU fully supports the policies set out in the Green Paper. However for them to be realised there will need to be a considerable expansion in the resources for prison/offender education. This will also have to be spent on redressing certain long-standing problems in prison/offender education.

Among these are:

Recruitment and retention of education staff: prison/offender educators have usually been employed by colleges and ACL services, as these have been the main contractors. The long term problems about the absolute and relative poor levels of post-16 staff pay, and the debilitating effect this has on both delivery and quality, have been made elsewhere in this document. These problems are magnified in relation to prison education. Research by NATFHE has shown that there are contractors who do not pay staff working in prisons the same rates that they pay in mainstream college work. Prison education - given the kinds of learners and the kinds of problems and previous learning experience and achievement they present, and the locations where it takes place - should call for the best and most committed of teachers. Without doubting the quality or the commitment of prison education staff, they need and deserve the best possible pay. There are severe problems about the retention of prison education staff, with some staff moving on to better paid and easier situations outside prisons.

There is also a long standing issue around the recognition of the particular and difficult circumstances of prison education. These circumstances are not recognized in salary rates. Prison educators are the only staff working in prisons who do not receive any recognition of the particular circumstances of prison education either within their main pay or as a special allowance. Prison education staff - as with mainstream college staff, other education and public sector staff - face a demographic time bomb over the next decade, when around 50% of staff will have retired. It will be very difficult to recruit new prison education staff on the current low salaries and in what is likely to be a very tight and competitive labour market. There will need to be a long-term strategy around prison education reward systems.

Conditions of service for prison educators: there are not only issues about pay for prison educators but there are serious problems around their conditions of service. The vast bulk of prison educators are part-time. This is partly because of the vagaries of prison education, where the uptake of learning programmes is very dependent on the particular characteristics of the prison population at any particular time. It is also because of previous uncertainty around the levels of funding for prison education and the stability of the contracting process. The use of part-time staff, although giving flexibility, leads to a fragmented service. Part-time lecturers are largely paid for their teaching time only. Thus this can affect the quality of education and training, as such staff do not receive the same opportunities for professional development and training that full-time colleagues do. Any development and training may have to take place in staff own time. The use of part-time staff also limits the time for curriculum and materials development – a key task in situations where what curriculum materials exist may have to be customised for the particular learners. Because part-time lecturers are usually only paid for their teaching time, they often have to spend a good deal of their own time passing through the necessary security checks. It can take one or two hours for a lecturer to move from arrival at a prison to the actual classroom or workshop.

Contracting: prison/offender education is subject to process of contracting, under the LSC. When contracting was introduced in the early 1990s, the main criterion for successful application was price. UCU considers that this meant that often these initial contracts were set at artificially low prices. Whilst quality is now a much more important component of contracts, we believe that the pricing of prison education has not recovered from the prices established at the start of contracting. There have been three rounds of contracting since it was introduced, with one round stopped before completion. Each round of contracting means instability and uncertainty for education managers and teaching staff. Some of the contracts in the latest round split prison education into four separate components, with sometimes different providers winning the different parts. This leads to fragmentation of service and increased bureaucracy, all of which diverts resources from actual teaching and learning. NATFHE repeatedly called for an end to this system of contracting and the restoration of prison education and training work to quality local providers.

Management of prison education: the system of contracting out prison education led to some providers having a number of such contracts. Whilst this has allowed some of these providers to build up considerable expertise in the delivery of prison/offender education, it has also resulted in some cases of considerable physical distance between the contractor and the establishment where delivery is taking place; in some cases over 100 miles between the two. This cannot lead to effective and efficient management.

Plant and equipment: if prison education is to meet the goals set out in the recent Green Paper, then there will need to be considerable new investment in both the plant and the equipment that it has at its disposal. Too many prisons date from the nineteenth century, and the buildings used by prison education are often those that no-one else wants. They can be unsuitable for teaching and learning and often not accessible to those prisoners with mobility problems. Equipment is often old and out of date. If prison education is to produce ex-offenders who can enter the job market on release, then the equipment in prison education facilities and training workshops needs to be modern and to industry standards. If the Offenders' Learning Campus is going to be made a reality over the next ten years, then plant and equipment must be of the highest possible standard.

Information and Communications Technology (ICT): clearly there are many complex issues surrounding the use of ICT in prisons, not least security. Over recent years there have been a number of initiatives around ICT use in prisons, and it has shown that many of the issues around ICT in prisons can be resolved. As with other equipment there is an imperative that ICT is used to its fullest extent as a teaching and learning tool in prisons. This is partly to allow prisoners to develop their ICT skills for employment on industry-standard equipment, but also the use of ICT would allow prisoners to access a wide variety of learning and study materials and so overcome the deficiencies of the prison library service.

Another issue that urgently needs to be remedied around ICT in prison

education is the use of ICT as a management tool. One of the problems of prison education is the rapid movement of prisoners around the prison system. If they have embarked on learning programmes, all too often their records do not follow them from prison to prison. This means they are subject to repeated identical assessments of their learning needs, which is wasteful and frustrating. The NATFHE-AOC research referred to above found that some 70% of prison education managers reported that they sent on prisoners' education records but only 30% reported that they received these! ICT has long been seen as the solution to this, and for almost as long ICT equipment has been promised. It is essential that these promises are at last made good.

Curriculum: it has become axiomatic that offenders have lower educational achievement than the general population. 30% of offenders regularly truanted from school, compared with 2% of the general population; 49% had been excluded from school, compared with the figure for the general population of 1%; 37% of offenders had a reading ability below level 1, compared with the general population figure of 10%; 52% of offenders had no qualifications, compared to a general population figure of 15%. Clearly there is an overwhelming need to make good these deficiencies. However, over the last decade the prison/offender education curriculum has at various times been largely limited to a core curriculum of literacy and numeracy. The narrowness of this was further compounded by crude use of targets. Although the curriculum has expanded again in recent years, it is essential that a wide and varied curriculum is on offer to offenders. Such a wide curriculum can mean that other subjects and interests can become vehicles for literacy and numeracy. Offender learning must not be a narrow and constricted curriculum, but offer many and varied pathways in learning.

IAG (information, advice and guidance): The government's ambitious plans for prison/offender education - placing this at the core of rehabilitation and reducing re-offending through enhanced skills and job search and placement - will not be fulfilled without good and robust IAG. This needs to be linked to accurate assessment of the offender's educational level, both at the start of and throughout sentences, and linked to IAG in prisons and in the outside community, so offenders can map out their learning journey towards employment and rehabilitation. It is especially important to get the IAG correct just before prisoners are released from custody, so there is as little a break as possible in learning in and out of prison.

Libraries: good library facilities are essential for good learning. Prison libraries have suffered from under-resourcing for years. They have to accommodate a wide range of purposes and uses of which supporting learning is just one. This is one of the reasons why access to ICT would be so important for prison education. There has recently been discussion of more links between local authority library services and prison libraries. This needs to be fully developed, and will need to be resourced in the future.

Staff development: staff development is a key to meeting the challenges of mainstream post-school education and offender education. Those involved in the latter have to be involved in two sets of professional development: one

relating to their educational and pedagogical work, and one around the particular circumstances in which they work. In prisons, education staff need training in 'jail craft', and around security issues. Yet because of the physical distance that there often is between the educational provider and the actual site of teaching and learning, some prison educators do not get access to the professional development that their employing institution may provide. In addition, they may also not have the same access to prison service training because they are not mainstream prison staff. Those prison education staff that are employed by colleges and local authority services will be subject to the same requirements for professional qualification as mainstream staff, but the circumstances of their employment may make take up of opportunities difficult. It is likely that prison education staff not employed by colleges will be subject to the same professional requirements. Continuing professional development for those working in offender education must be funded properly with sufficient paid time off to study. CPD must not be an add-on to existing workloads.

Pay for education: one of the barriers to prisoners taking up education opportunities is that the rate of pay for attending classes is much less than that for undertaking work opportunities in the prison. As such opportunities are the only ones for payment this is a strong disincentive to take up education classes. It is imperative that the payment rates for education activities are similar to those for work in prisons.

Expansion in and out of custody: one of the greatest threats to the improvement of offender education is the inexorable rise in numbers of prisoners. The UK has one of the highest percentages of people in prison for developed countries, with the exception of the USA. This continuing rise in prison numbers always threatens to swamp the resources available for prison education. Funding in the future must keep pace with the rise in prison numbers. The government is introducing a number of reforms to reduce the numbers of offenders ending up in custody. There are various schemes planned for more offenders to service sentences partly and wholly in the community. It is intended that many of such offenders serving their sentences in the community will be linked to active learning programmes. These are to be organized by NOMS and funded by the LSC. They will involve colleges and voluntary organisations. Again it will be essential that this work is properly funded with adequate resources for CPD that staff teaching on these programmes will need.