

## Review of education in prisons survey

1. The University and College Union (UCU) is the largest trade union and professional association for academics, lecturers, trainers, researchers and academic-related staff working in further and higher education throughout the UK. UCU has over 3,000 members working in prison education.
2. The UCU vision for prison education is of a stable and effectively resourced prison education system which supports prison educators to deliver a broad and balanced curriculum to students in prison. Ultimately, this vision will ensure the best outcomes for students, society and the economy.

### **Engaging prisoners in learning**

#### **What do we need to change in order to ensure that education and training provisions meets the needs and interests of all potential prison learners?**

3. In order for education and training provision to meet the needs and interests of all potential learners there must be a broad and balanced curriculum across a range of subjects. Such a broad curriculum should be available in accredited and non-accredited courses with a range of qualification levels. We would like to see greater local flexibility around the balance between English and maths, vocational education, informal adult education and personal and social development.

#### *Funding*

4. At present there is a proliferation of low level courses. This has been heightened by the fact that the funding regime effectively discourages learners from taking higher levels of learning which facilitate improved outcomes, including a reduction in reoffending. Prisoners who reported having a qualification were 15 per cent less likely to be reconvicted in the year after release from custody than those having no qualifications.
5. In 2013/14 there was a 57.2 per cent reduction in level 3 participation compared to 2012/13 coinciding with the introduction of advanced learning loans, just 600 level three qualifications were achieved across the adult estate that year. In order to support learners with the best chances of success post-release, it is essential that they are supported to develop relevant and up to date skills and qualifications that support progression to education, employment or training.
6. Offenders are more likely to be highly risk averse to debt than the general population. *Reducing Re-offending by Ex-prisoners* produced by the Social Exclusion Unit showed that whilst 10 per cent of the general population has difficult or multiple debts, 48 per cent of prisoners have a history of debt. The report also highlighted that immediately before entry into prison 72 per cent of prisoners were in receipt of benefits compared to 13.7 per cent of the working age population. Furthermore, once

in prison up to a third of prisoners lose their housing during custody. They are also some of the most disadvantaged members of society by virtue of their social, educational and economic backgrounds.

7. In addition, as highlighted in our charter for prison education<sup>1</sup>, our members have pointed out that the administration required to apply for these loans is not covered under the OLASS contract potentially providing a disincentive for the provider to offer this provision. Members often end up supporting these applications in their own time.
8. We reject the rationale that loans policy must apply to prisoners to support parity with learners in the wider education system. The specific challenges faced by those in prison including time, resource, and additional support mean that learners are at a significant disadvantage which is exacerbated if they are transferred between prisons. The benefits of prisoners gaining higher level qualifications far outweigh the cost if they contribute to successful rehabilitation and a reduction in recidivism. As such the benefits will not just be accrued by the individual, but by society and the economy also.
9. Some older learners, those who already have higher levels of learning, and those on long sentences in particular are cited as being frustrated at the lack of opportunities for progression on to higher levels of qualifications and learning. Indeed, a joint inspectorate report in 2013 found that new arrangements for providing education within prison, under the Offender Learning and Skills Service (OLASS) contract, had significantly reduced the available options for life-sentenced prisoners.
10. Although recidivism may be relatively low among life-sentenced groups, engagement in learning that interests and absorbs prisoners is an important factor in their mental well-being and general behaviour and therefore of benefit, including economic benefit, to the wider prison community, even if in some cases the opportunities for the practical application of their education may be limited.
11. The way in which units are approved for funding by the Skills Funding Agency on the monthly Learning Aims Reference Application (LARA) creates an unstable curriculum in the prison environment. This list is edited on a monthly basis and as such members describe units as being available and then unavailable for funding from one month to the next. This makes longer-term planning very difficult. UCU recommends that a separate prison-only LARA data should be published in March/April for the full academic year ahead.

### *Curriculum*

12. It is important that learners in prison are presented with a wide curriculum, yet the funding methodology lacks the flexibility for providers to be able to fund courses under personal and social development (PSD) and informal adult learning (IAL) to the full extent of need. Whilst it is right that English and maths are strong features of the curriculum offer, there needs to be recognition of the value of art and design and vocational subjects which our members tell us often form an entry way for prisoners

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<sup>1</sup> [http://www.ucu.org.uk/media/pdf/e/g/ucu\\_charterforprisoneducation\\_jul15.pdf](http://www.ucu.org.uk/media/pdf/e/g/ucu_charterforprisoneducation_jul15.pdf)

into longer and higher level courses, and also have a therapeutic value. These courses are successful at both supporting rehabilitation and encouraging students to participate in further learning, and yet the value of these courses fails to be recognised sufficiently through the funding methodology. They are also the first to go when provision is restructured.

13. Our members would like to see embedded learning incentivised through the funding formula in a wider range of subjects including creative arts and vocational learning. Funding for informal adult learning and personal and social development requires urgent review. Funding for these should be increased so that prison educators can deliver a broader curriculum than is currently possible to engage students and support the rehabilitation process.
14. There is also a lack of clarity about whether PSD must be accredited or not. Different understandings of the OLASS tender documentation, which states that informal learning should be accredited 'where possible', has led to limited provision in some institutions. Providers should be able to flexibly access funding for both accredited and non-accredited learning in a way that addresses the needs of the population at each institution. Clear signalling from the funding agency is needed here.
15. We would also like to see greater investment in support for students with special educational needs (SEN) and specific learning difficulties (SpLD) and English for Speakers of Other Languages (ESOL). At present assessment and support options for these students are poor and are not standardised across OLASS providers. Learners self-report learning difficulties, we would like to see systematic screening for any specific learning difficulties upon entry to the prison regime.
16. Last, we believe that this review is an ideal opportunity to signal the great potential for establishing genuine apprenticeships in prison. Many prisons have real working environments and supporting learners to undertake apprenticeships pre- and post-release would effectively support them to gain the skills and qualifications needed to progress to employment or further learning in areas where there are employment needs.

### **How could we better incentivise prisoners to participate in education?**

17. Learners in prison are paid a different salary than their counterparts who choose other forms of purposeful activity. Providing the same or higher remuneration for undertaking learning and skills would rebalance the current incentive to undertake unskilled work and show the inherent value in participating in education and training.
18. The minister has made reference to his desire to explore early release for prisoners who achieve qualifications. We would welcome further detail and the opportunity to provide input on this through professional representation. Such a scheme could be called 'early release for educational achievement' and include both the gaining of formal qualifications and the achievement of agreed learning outcomes so as to also be of benefit to those who struggle most to progress in their learning.

19. As already stated, a varied curriculum that supports participation in education at all levels is a key way to incentivise participation. This could be done more broadly by taking into account the importance of prisoners' perceptions of the educational provision available in the establishment. We would welcome systematic introductory, 'taster' sessions for all new entrants, so that they can see the range of provision available, meet tutors and perhaps hear from prisoners who have been successful students. Projecting a positive image of education is crucial in prisons, where 'word of mouth' heavily influences the decisions of potential students.

### **Assessing the effectiveness of education**

#### **How could we better assess and measure the performance and effectiveness of prisoner learning?**

20. Mandatory initial prisoner assessments introduced in 2014 are working well to establish data on the English and maths levels of new prisoners entering the system. Improving the technology so that education and learning upon arrival and upon departure can be captured in an administratively-light way would support an improvement in the quality and consistency of these measures.
21. Performance and effectiveness could also valuably be measured by distance travelled and learner engagement. The measures of the effectiveness of learning should not all be quantitative. Learner feedback, for example, could be valuably taken into account here, with the proviso that such feedback cannot provide unequivocally valid and precise measures of teaching effectiveness, and should therefore be divorced from disciplinary, capability and promotion procedures.
22. UCU has welcomed the data matching of learner records that is being conducted to support the evaluation of OLASS 4, and would like to see this continue in order to support the capture of long-term evidence on how education supports rehabilitation, this data should be made available at an individual institutional level to support improvement.

#### **What are the most effective teaching and delivery models for education in prison settings?**

23. Prison educators are best placed to make decisions about this at a local level. In the context of a wider curriculum and greater autonomy we would like to see our members able to make these decisions. However, we would welcome the development of Ofsted good practice guidance here to support the dissemination of the good practice that exists.
24. We would like to see the current regulation on how prison educators are able to use learning materials to support learning reviewed. Restrictions on bringing in relevant materials seriously limit our members' ability to support learning creatively.

## **How can we best deliver education?**

### **How could we make the best use of different prison environments and facilities to deliver education?**

25. We have noted the government's new prison reform programme which will involve closing down some of the older prison estate and building new estates to replace them.
26. The building of new prisons is an opportunity to improve educational facilities and this needs to be built into plans from the start. The best prison education reproduces the normal classroom as far as possible; students enter a distinct area of the prison with its own welcoming atmosphere of calm and serious study – like a good school or college. This can be difficult to achieve in overcrowded or poorly designed buildings.
27. It should also be noted that successful prison education is facilitated by good quality teachers who can create good quality learning environments and effective relationships with learners – the need for greater investment in prison educators is also pressing.
28. We would like to see governors given explicit responsibility for ensuring that education departments and libraries are fully accessible for disabled and/or older learners.

### **What is the potential for increased use of technology to support better prison education?**

29. There is huge potential here. At present, the Virtual Campus is only available to students when they are in the education department. Facilitating students' access to this outside of these times could open up many more opportunities for students to engage in educational and/or purposeful activity whilst they are away from the education unit. It would also support more distance learning opportunities and allow students to continue and consolidate their learning when they are not in the education unit.
30. Innovative ways for learners to continue learning when outside of the education unit would support more and deeper learning. Greater investment in ICT including security-protected laptops and tablets and the Virtual Campus could work to effectively supplement and offer greater opportunity for learning when learners not in the education unit. We propose that this could be trialled and rolled out on a risk-based basis rather than the current blanket ban we see in most prisons. A more realistic use of IT systems would also support re-integration into society upon release. We would like to see greater investment in National Offender Management Service (NOMS) to facilitate this.

### **What needs to change to enable technology to deliver this support?**

31. Our members typically report that IT systems, are all too often, old, in need of repair or simply too limited due to security concerns to support the effective use of technology. We know that it is technically possible to enable prisoners to study ICT

effectively and use technology to support their studies. It is quite simply a case of investment. In today's world, ICT literacy is essential: the benefits of removing barriers to its achievement in prison are enormous.

32. Our joint report with the Institute of Education, *Prison Educators: professionalism against the odds*<sup>2</sup> highlights the range of professional concerns our members have raised in relation to the impact of technology on their professionalism and practice.

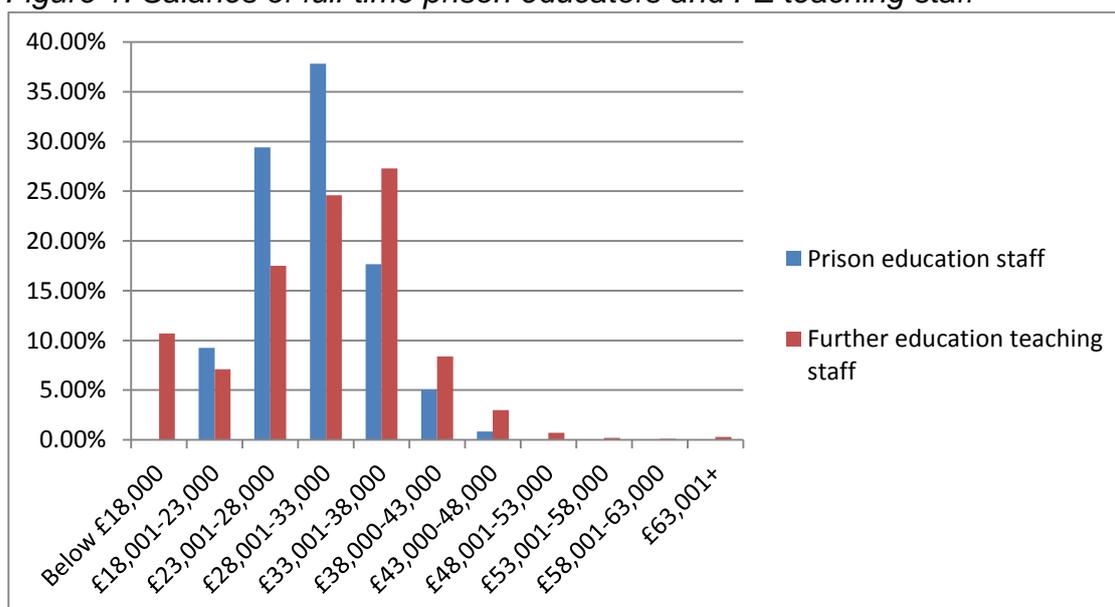
### Improving teaching standards

#### **How could we further improve teaching standards and continue to recruit and retain the best quality teachers in the prison estate?**

##### *Pay and conditions*

33. At present, prison educators do not receive the same salary and terms and conditions as their colleagues performing similar functions in the main college. This coupled with the insecurity engendered by the frequent competitive retendering of prison education contracts can make prison education an unattractive prospect, particularly for those who are new to further and adult education.
34. Allowing for data caveats given the different sizes of both datasets, in the UCU survey *Prison Educators: professionalism against the odds* (2014), a comparison of survey data with the SIR data for teaching and learning staff revealed an overall picture of varying modal salaries for prison education staff and those teaching in FE. There was a higher proportion of salaries at the lower end of the salary scale for prison educators compared to FE staff (see Figure 1). This was accompanied by a higher proportion of salaries for FE staff at the higher ranges of the salary scale than for those working in prison education.

Figure 1: Salaries of full-time prison educators and FE teaching staff



<sup>2</sup> [http://www.ucu.org.uk/media/pdf/o/d/prisoneducators-fullreport\\_feb14.pdf](http://www.ucu.org.uk/media/pdf/o/d/prisoneducators-fullreport_feb14.pdf)

35. Aligning the pay and conditions of service with those working in colleges would undoubtedly make prison education more attractive to teachers. We acknowledge that the financial context within which this review is taking place is challenging. However, it is important that teachers' salaries are commensurate with their professional status and remain at a level that ensures teaching is an attractive career choice.
36. The aforementioned survey also found that the workload of prison educators exceeded the hours they were paid to work. Over 85% of respondents worked between five to over 11 unpaid hours per week.

*"I have worked in many colleges and schools and can honestly say it is the most rewarding career I have ever had. I really believe I can make a difference to some people. The paperwork, however and constantly increasing workload for no more reward is stressful and demotivating. It is also physically and mentally exhausting and time off is insufficient compared to school and college educators and other prison staff. This is why I believe it is so stressful."*

#### *Staffing levels*

37. With each iteration of the OLASS contracting process, we have seen a reduction in staffing levels – at one institution this has been reported as a 50 per cent headcount reduction over time. There are clear and established links between stability of teaching teams and quality, and any changes to the delivery of prison education should support this. Our discussions with the OLASS providers and members have made it clear that that sickness leave is significantly higher for prison education staff than those working in the wider college sector. The importance of a healthy workforce must be central to any post-OLASS 4 organisation for education and training.
38. The wider prison regime has also been affected. Since 2010, there has been a 30 per cent reduction in public sector prison staff. This means that members increasingly report learners being late to class, or indeed absent due to a shortage of prison officers to sector them to education. This led to a series of regime changes during summer 2014 where classes were cancelled due to ongoing prison officer shortages. Lack of prison officers also negatively impacts upon prisoners' ability to use library facilities. In some institutions, members report timetabling limitations mean that prisoners sometimes have to decide between having a shower, making a phone call or visiting the library.
39. One survey respondent said:
- "From previously having an officer always present, we now have a patrolling officer who makes an appearance roughly every hour (in theory – in practice it is longer). When calling upon officer support to help deal with troublesome prisoners in non-emergency situations, there is frequently a significant delay following the initial phone call to the wing before an officer appears. In the intervening period, situations often escalate to the point where the lesson is totally disrupted, and/or staff feel threatened."*

40. Our members have real concerns about their health and safety and the increase in the number of 'near-miss' incidences as a result of staffing changes implemented following benchmarking proposals to improve efficiency.

*Stability of teaching teams and quality*

41. Our members report that the instability of funding for prison education has led to a proliferation of casualised and zero-hours contracts in prison education. These contracts are not compatible with developing a professional workforce delivering quality services. They limit the employer's ability to attract and retain high quality staff; potentially reduce the continuity and quality of services provided; and often cause the exclusion of such staff from robust recruitment/induction/training, including for prisoner and staff security/CPD/appraisals. These all have the potential to affect the quality of service provision. We would ask that you ask the OLASS providers to supply data on staff turnover and the employment terms of staff, to give an indication of how severely this affects the prison education sector.
42. UCU believes that learning and skills contracts in prisons should include a requirement for terms and conditions which support parity of esteem between lecturers working in general further education colleges, and those working in prisons. The employment histories of providers of offender learning and skills should also be taken into account. Such a move will also support recruitment to the profession.

*Improving the profile and status of prison educators*

43. UCU is clear that investing in the professionalism of prison educators has a direct impact on the quality of provision. In our report on professionalism a key finding was that members felt that continuing professional development (CPD) opportunities were either in decline or non-existent. Prison educators need access to specialist qualifications and training. Furthermore, our members report that the lack of a career path in prison education contributes to the difficulty in recruiting, retaining and pass on accumulated expertise and experience in this field. UCU has welcomed the increased and specific support the Education and Training Foundation provides and we continue to work with them to relay feedback from our members on their support needs. We would like to see stronger requirements for OLASS providers to ensure that they fully fund and support staff to undertake CPD.
44. We believe that a nationwide campaign to improve the profile and support recruitment into the prison education profession would improve the status and visibility of prison education as a career. Furthermore there is a need for greater vision about the levels of autonomy and options for progression available to prison educators. Without these, the sector will always be limited in its ability to recruit new staff.

## **Commissioning of education**

### **Who should be responsible for commissioning prison education, and who should be accountable, for its effectiveness and impact?**

45. We would like to see the government collaborate with governors who work together in regional teams responsible for the commissioning of prison education. We would like to see accountability being managed between both the college, or OLASS provider, and the prison governor.
46. Any new commissioning framework should be based upon a set of quality criteria in relation to prison education. It is our view that these criteria should be assessed on a cost-blind basis with the relevant organisations who meet this criteria then assessed on the basis of cost.

### **How could we enable commissioners of prison education to work more effectively with relevant partners?**

47. UCU would like to see education forming part of a prison governor's key performance indicators (KPIs) in order to support a collaborative working environment between the governor and the education provider.
48. UCU believes that in order to support the commissioning of prison education and the development of a coherent education offer for students in prison, the head of education/education manager should be a co-opted member of the senior management team in the same way as heads of healthcare, for example.

## **Increasing employability**

### **Assuming they are not commissioners, how can organisations such as employers, community rehabilitation companies, local colleges, universities and the voluntary sector, contribute to improving the curriculum, education outcomes and employability of offenders on their release?**

49. We believe that it would support improved outcomes if prisons were judged on education, employment or training outcomes 'through-the-gate' for prisoners. In addition to the education and training distance travelled whilst in prison.
50. At present, there is no accountability for through-the-gate progression to education, employment or training. We believe that including this statistic as a performance measure for the prison would encourage the greater prioritisation of education in prison, encouraging learning that takes place in prison to be harnessed to support progression to education, employment or training.
51. We would like to see governors appoint lead people responsible for brokering a relationship between the learner and local colleges or universities, community rehabilitation companies, the voluntary sector and employers.
52. It is fair to say that investment in prison education is limited and potentially wasted if it stops at the prison gate. Effective integration with the relevant agencies is essential and this requires co-ordination and clear lines of accountability. This will

not work unless an agency has lead responsibility for ensuring that the education and training received in prison translates into employment and further education and training outside prison.

53. This should have been a role for Community Rehabilitation Companies (CRCs) however, this was not written into their 10-year contracting agreement and so at present, this happens rarely rather than systematically. Failure to get this right breeds cynicism among offenders and the public about the value of engaging in prison education and training.
54. We would also like to see a mechanism introduced to give prison educators feedback about the achievements of their ex-students. They are entitled to know about the value of the work that they do and be inspired by it to value and develop their own professionalism. They could also use these anonymised examples to inspire their students.

**Is there anything further that you would like to add that may fall outside the scope of the previous questions, if so please add any additional comments below.**

55. OLASS 4 is the fourth iteration of Offender Learning and Skills Service (OLASS) in its relatively short ten-year history. The current OLASS contracts will come to an end in July 2016 following the decision to extend the current contracts by a year. UCU recommends that government should extend them by a further year to July 2017. Postponing the retendering competition will reduce the costs and disruption inherent in the procurement process and afford ministers the opportunity to take a considered approach that delivers real improvements for prisoners, society and the economy.
56. The current model for competitive retendering is an expensive and inefficient methodology. The frequent change and inherent instability in such processes mean that the longer term issues of workforce planning and refreshing infrastructure to improve student outcomes never get addressed, because there is a lack of long-term accountability. UCU's ultimate recommendation is that competitive retendering in prison education is replaced with a longer term, secure offer that mimics the stability afforded to colleagues employed by and working within general further education colleges. If it is decided that contracting is the best way forward, then we would like to see longer contracts of five years to support effective evaluation and reduce the instability caused in the interim. Terms and conditions of service must be protected, including pension plans.
57. There is an obvious tension here between stable and high quality provision for this extremely vulnerable cohort, reducing costs and private provider-led provision. The recent example of a private contractor ending its contract to deliver education and training in the London region on the basis that it was unable to make a profit is testament to this.