



Education Select Committee inquiry: Are prisoners being left behind?

University & College Union Response: January 2021

The University and College Union (UCU) is the UK's largest trade union for academic and academic-related staff in higher and further education, representing over 100,000 members working in universities, colleges, training providers, adult education settings and prisons.

As part of this response, we sent a survey to 1000 members working in prison education, and had a response rate of 20%. Statistics quoted in this response relate to this "select committee consultation" survey unless otherwise specified.

In November, we surveyed our prison educators about the second lockdown and received 550 responses. Any statistics that come from this survey are clearly indicated.

We also conducted three focus groups in December 2020, documenting prison educator experiences around the themes raised by this inquiry.

We can provide further details of any of our survey results or focus groups on request.

Equal Access to Education

UCU has been making the case for a number of years that prison education needs to be viewed as an equal educational partner, funded and prioritised the same way as schools, FE colleges or Adult Education providers. We believe the current Prison Education Framework (PEF) commissioning process is failing learners and failing staff. It has become more about managing the contract than its purported aims of delivering meaningful education to reduce reoffending. 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, but is a key feature of restoring dignity and meaning to someone's life.

However, this is not the reality for the majority of UCU members who teach across adult and young offender institutions. In response to a question about resources, one of our members who delivers horticulture in a young offenders institute stated:

"We have no garden to garden in as an extension to the classroom. The garden was bulldozed over to make way for a new build. I have to deliver theory only. I get £50 every 6 months for seeds

(which I had to beg for). We plant seeds in a pot in the classroom, watch them grow and then have to throw them away.”

We believe that this is a sobering metaphor which sadly reflects the education system within prisons. Funding is begrudgingly given, then thought, effort, care and time is invested by learners and teachers and this is wasted because there aren't sufficient or up to date resources or a joined-up approach to ensure that the learning is meaningful to either the individual or society.

What is the purpose of education in prisons?

“The question should be rephrased – rather than what is the purpose of prison education, it should be what is the purpose of education? It should be the same outside or inside the walls. There are similarities but one needs much more help and investment.” UCU Member, Focus Group December 2020

UCU members who have previously taught in other sectors including further education, say that they give exactly the same commitment and content to their learners as they would in other settings. For them seeing the purpose of prison education as exactly the same as for any education endeavor is critical.

Table 1: What is the Purpose of education in Prisons? UCU member select committee survey

Value	Percent	Responses
To help with rehabilitation	93.1%	203
To expand knowledge and understanding of the world	69.7%	152
To enhance social and personal relationships	77.5%	169
To help offenders find employment on release	87.6%	191
To provide transferable skills	82.6%	180
Other - Write In (click to view)	14.2%	31

However, the response to this question will undoubtedly be different for different stakeholders within the prison system. For example, the experience of members as reported in focus groups has been that for some prison governors the purpose of education is to ensure that prisoners are engaged in 'purposeful activity' during their time in prison. Our members reported that at times they have been treated as 'babysitters' and used as nothing more than 'entertainment or distraction'.

Education providers on the whole at least appreciate the role of education as a means to rehabilitate but this often comes second to the financial motivation of prison education

contracts and so the purpose for them is the profitability of prison education. Over the years, most mainstream PEF providers have used the profit obtained from prison education contracts to invest back into their cash-strapped FE colleges.

For learners the purpose of education is wide ranging, with some wanting to acquire new skills whilst in prison to enhance their prospects upon release or have the opportunity to have additional time out of their cells.

Whilst the majority of our members are agreed that rehabilitation is the key purpose of education in prison and this is indeed the ideological purpose, the system is not set up to address individual needs for this to be a reality.

“It is not flexible enough. We find ourselves trying to fit square pegs into round holes”.

“Beyond just employment – life skills. We are not empowered to ask questions about what do you want to learn?”

There is also the view that education provides a way for social and personal relationships to be enhanced via the process of learning.

“The joy of learning should be enough and developing ways in which learners can become integrated more into community”

“There is a lack of choice or breadth or opportunities to progress and why does everything have to end in an exam?”

Ultimately the purpose should be as it is anywhere else, to broaden lives, make positive contributions to our families and society and enhance future prospects. All of these things cannot be measured by educational attainment alone.

Education beyond employability

The purpose and value of prison education should be about developing the person as a whole, not just in terms of the qualifications they hold for employment. Education, and the process of engaging in learning, has a value in itself which needs to be recognised and is a mark of a civilised society. A focus on simply reducing recidivism without also considering a prisoner’s right to education and self-development more broadly is simply not sufficient if a sentence is going to be purposefully spent.

Education has a value in itself and it is critical to develop the person as a whole, not just in terms of the qualifications they hold for employment. The breadth of the education curriculum is important and employability skills should not be emphasised to such an extent that the wider benefits of learning are excluded. Furthermore, non-vocational and critical thinking courses may be a more successful route to raising expectations and reducing reoffending.

“Why can’t learners access catering courses as a way of improving independent living and learning to cook and prepare healthy meals for themselves? It shouldn’t just be about employability.”

This echoes entirely with the Coates¹ review findings in that “.....‘employability’ should not drive the entire focus of the curriculum. Many prisoners will have previously had unsatisfactory experiences of the classroom. They will need encouragement and support to take their first learning steps. This should include greater provision of high-quality creative arts provision, and Personal and Social Development (PSD) courses. Both improve self-knowledge, develop self-confidence and therefore help tackle reoffending”

It would be of benefit if the broader value of prison education was acknowledged and resourced accordingly. You can’t put a price on the ability and self-worth of someone being released from prison and being able to go home and read a bed time story to their children.

What data exists to demonstrate the effectiveness of education and training in prisons and on prisoner attainment, and what international comparisons are available?

How well are additional learning needs met by the prison education and youth custody systems, including SEND and language and communication needs?

Sadly, UCU’s experience of representing workers in the sector for over 20 years, (which covers a period of time prior to the commissioning arrangements of OLASS/PEF), and a constant theme throughout the consultation, is that there is a professional workforce that are absolutely trying their best but who are not supported well enough.

UCU’s consultation found that members believed that the current prison education system (and in particular the commissioning model) fails to adequately address the needs of learners with neurodivergent conditions. More than half of respondents (52%) reported that learner’s additional needs were poorly met by the prison education and youth custody systems.

Our survey also reported a worrying lack of trained staff to adequately meet the additional learning needs of some learners including the production of specific resources. “Good SENCOS make resources themselves but there is a lack of qualified SENCOS and a lack of LSA’s with specific training also.”

One provider made a number of SENCOS’s redundant in September 2020 which reduced the number of SENCOS and removed them from being based in prisons to an ‘oversight’ role.

1

"I sit at a computer which asks me to 'tick a box' to say support given' how do I actually give support if am sat on a computer all day in order to fulfil an administrative process?"

Rapid Screening – Assessment on its own is not enough

There has been a mass introduction of 'Rapid Screener tools'. These are short questionnaires with YES/NO responses as a way of identifying additional needs. Members reported widely, that what Additional Learning support (ALS) actually looks like at the moment is in fact an administrative function to process a high number of rapid screenings. This in turn enables providers to access funding. However, there is little to no funding for the staff or physical resources to put in place the support that is identified via this process. It is a hopeless and misleading strategy that doesn't serve the learners at all but meets the targets that governors and providers are working towards.

"All employers chase funding – they spend all day rapid testing because they get paid for the numbers put through the rapid testing. They get paid for fulfilling the contract, not fulfilling learners' needs"

"The whole system needs an overhaul and properly funded – this kind of support cannot be delivered on the cheap"

We would like to see greater investment in support for learners in prison with a Learning Difficulty and/or Disability (LDD) and English for Speakers of Other Languages (ESOL). At present, our members report that assessment and support options for these learners are often very poor.

Consistently members reported that the essential resources are not there to meet the overwhelming needs that learners are presented with.

"Everything is tied up with process – lots of mental health/ADHD/ADD learners need someone to give practical support – not a different worksheet. There are a lot of behavioural needs that require additional staffing to help give practical support in the classrooms. Another observed "At the end of the day many of our learners are in prison because they were failed at school"

And returning to the equal access to education principle was the observation that *"There is additional support in FE colleges and schools for these learners so why is it not the same in prison education?"*

Our members also reported that prison governors did not seem to fully understand the differences between assessments and then putting into place the necessary resources to implement access arrangements (thinking it is enough to undertake rapid testing for example). Both teaching and assessment resources are severely limited with not enough suitably qualified staff in place to put appropriate supported learning packages together. Quite simply, if SENCO resources are not adequately funded via commissioning, then any initiative is going to fail. And because additional learning support is not given a high enough priority in the current PEF system, providers or governors will not prioritise it.

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

57% of respondents working in HMPPS thought that education in prisons delivers the skills needed by employers compared with only 36% of those members working for private providers. Again, issues in relation to resources were reported:

“How can we focus on employability when the IT they are expected to train on is so old? We are preparing them for a world that is 10 years out of date!”

“In motor vehicle there are no diagnostic machines in workshops. This is how garages run nowadays.”

The current approach to commissioning and the use of the short-term Direct Purchasing System (DPS) in prison education means that, given the annual nature of contracts, providers have been reluctant to invest in short-term projects. Direct control of local budgets has, for example, seen the stopping of Industrial Cleaning training courses in the middle of a pandemic, when the community need for trained cleaners has never been more critical.

There were also concerns raised by members as to the appropriateness of vocational accreditation being used by some providers and their applicability to the job market.

“Qualifications currently delivered for industrial cleaning - for example Wamitab – is not a well known accreditation out in the real world so it is questionable as to its applicability for it to transfer into a job following release”

“NCFE is not recognised by industry in horticulture and we can’t get City & Guilds because there is no garden area”


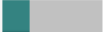


“It is very important we keep vocational training in education as it is being de-professionalised and appropriate accreditation and training if not delivered is not going to serve learners well on the outside as they are already disadvantaged by virtue of their conviction. At least they should be able to go in on an equal footing in terms of training qualifications.”

There should also be serious consideration given to including less traditional vocational areas on the curriculum offer, especially in a post-pandemic world where the job market is going to be highly competitive. As with other areas of post-16 education, UCU is advocating for curricula to embed climate and sustainability and green-skills for green-collar jobs. There is an opportunity to really innovate the prison education curriculum to address the Government’s pledge to create 2 million climate jobs by 2030, for example².

How can successful participation in education be incentivised in prisons?

² <https://www.gov.uk/government/news/uk-government-launches-taskforce-to-support-drive-for-2-million-green-jobs-by-2030>

Table 2: How can participation in education be incentivised? UCU member select committee survey

Value		Percent	Responses
Payment for attending education		75.3%	162
Reduction in prison sentence		27.9%	60
Prison privileges		75.3%	162
Other - Write In (click to view)		14.4%	31

Responses to ‘Other’ in answer to this question included: extra visits; a bonus payment for passing courses and the opportunity of progression to higher level and/or ‘better’ courses (which should be available as a right in any event). Almost all respondents to the survey felt that attendance should be incentivised. There was also an interesting suggestion that working with credit agencies to help improve credit scores (as this is a real disadvantage in prison) could act as an incentive.

The issue of pay for education was one that was raised in the Coates review and is still an issue over four years on.³

How might apprenticeships work for those in custody?

On the whole there was positive response from members to the question ‘Can apprenticeships work for those in Custody?’. Over 90% of respondents felt that apprenticeships would or could work in prisons. However, a number of barriers were identified by members which would need to be addressed if apprenticeships were to meaningfully work in practice. One of the key issues related to the lack of infrastructure to deliver apprenticeships, together with the constant churn and change of learners from one prison to another which impacts significantly on those on remand.

“Apprenticeships need to be targeted at those students who will have both the time and the guarantee that they will be serving their sentence in establishments that can effectively service and manage the apprenticeships or to offer established links to colleges and employers to continue on release”.

³*prisoners should be paid at least the same, if not more, than for their other activities. Paying more for education shows that this is what is valued, and also creates additional incentives for prisoners to attend classes. As one respondent to the review explained: “The pay in education is one of the lowest in the prison. Those learners without access to private funds tend to want to work in the production workshops where they can earn more money”* p31. *Coates Review: Unlocking Potential*

Members repeatedly identified the need to establish local links with FE colleges, local businesses, employers and communities. *"If a prisoner moves prison at the moment or they are released, there is a real risk that they lose any qualifications they were working towards as there is hardly any joined up thinking"*

Members reported trying to innovate around this at their establishments – looking to collaborate with local businesses and universities (for progression students). *"I was either ignored or told to stop. There is a need to cut out the 'middle man' and let educators educate"*

Other responses identified that the curriculum vocational offer does not reflect local job markets and a *"real need to start asking learners what it is that they want to do? E.g. plumbing/electrical etc. This is what you would do on the 'out'"*

Another area of concern highlighted was the fact that often a lack of literacy skills was being used to prevent access to vocational courses which our members were deeply uncomfortable with.

"Functional skills is used as a punishment to learners who have already struggled with mainstream education. This isn't an incentive to learn if what they actually want to do is get a job in plastering when they are released from prison. In that respect, functional skills is far from functional."

UCU also has evidence of brick workshops being closed down rather than upgraded and renovated after the union raised concerns about lack of ventilation on health and safety grounds. Unless significant investment is made into developing fit for purpose learning spaces for apprenticeships and education treated as a priority then it is doubtful that the objectives will be realised in any meaningful way.

In addition to the lack of physical resources being a key barrier, the lack of qualified staff to deliver apprenticeships was also raised. *"There are real issues in recruiting appropriately qualified staff as you can earn two or three times the wages in vocational subjects on the job – and we are losing staff to FE or PRUs"*.

The recruitment and retention of suitably qualified and experienced prison educators is already a challenge in vocational areas. We are aware that the increased costs to employers from the FE sector of providing the Teachers' Pension Scheme (TPS) will mean that delivering the PEF contract in the future will be unaffordable. If TPS access is lost, then this will make prison education less of an attractive career option than it is already. Urgent steps need taken to address the pay, terms and conditions of prison education staff, making them comparable to the rest of the education sector. Without such investment, it will be impossible to recruit the skilled staff needed to resource and run the education that prisons and prisoners so desperately need.

Are current resources for prison learning meeting need?

Over three-quarters of members responding to our survey (77%) believe that there aren't adequate numbers of staff to support student needs.

Most education staff reported that they didn't have enough time to support student needs (84%), and there weren't sufficient learning resources to meet student needs (73%). Insufficient learning resources were reported by a higher proportion of members working in HMPPS than in private providers (74% vs 59% respectively).

Yet there are still the same expectations of prison educators as there would be of any teacher:

"Ofsted still expect the same sparkle and shine in prison education as they do elsewhere but without the same access to quality resources".

Prison educators are expected to deliver up to 1200 contact hours (in the case of some vocational tutors) which is 300 more than expected from tutors in the FE college within the same organisation.

Due to financial pressures, in September 2020, one PEF provider reduced prison education staffing by almost 100 and at the same time attempted to increase contact hours for staff from 999 to 1100 hours per year. Increasing the workload in such a drastic way, can only ever result in a reduction to the quality of the provision on offer to learners and does nothing to help with the retention and recruitment of qualified staff who can choose to work in a sector without the additional challenges that face prison educators.

The lack of good quality CPD (or time to undertake CPD) was also referenced *"Ideally, there needs to be at least some shutdown to regimes so that we can access CPD or collaborate with colleagues (we are expected to get any CPD in our lunchbreak)!"*

The implementation of the Prison Education Framework (PEF) in 2019, has unfortunately further entrenched prison education in a 'for profit' commissioning model. The latest funding model has seen the budget of £130 million taken from the then Department of Business, Innovation and Skills and placed directly under the control of the Ministry of Justice. Given the contractual nature of prison education now, there is no incentive for providers to make any long-term capital investments (or investments in their staffing resources) that would show returns beyond their existing contract length. Providers and HMPPS spend a large proportion of the contractual cycle bidding for the next contract or monitoring the existing contract respectively. The system is resourced to allow all of this to happen. The result is that money that should be used to deliver education on the front-line is, in fact, invested in contract management - an industry in, and of, itself.

The example cited in the introduction of this submission which relates to horticulture being carried out without a garden is a stark illustration of how resources are failing to meet learner needs.

Curriculum failing to meet learners' needs

In response to a question of why the curriculum fails to meet learner needs, respondents gave the following examples:

"Because the curriculum is not always met due to staff shortages, materials and the environment not allowing for study time and classroom. It is hindered all the time by [provider] cutting back on cover tutors. Too much responsibility for one tutor to deal with prisoners' complex needs."

"The framework for Functional Skills sets out that a student must complete the course within 55 hours. I teach entry level English and many of my students have additional needs that make the course many hours longer than this. HMPPS put pressure on us to complete the learners faster, which causes the prisoners to lose confidence, don't want to progress or try other courses"

"The English curriculum itself could meet students' needs if it wasn't so time-limited and there wasn't so much emphasis on passing very narrow exams. A more flexible curriculum would be beneficial. Generally, there is only a relatively narrow range of subjects on offer. To my mind, education is about engendering a love of learning. A more diverse selection of subjects would help to engage more learners. Initial taster sessions might be more appropriate for some rather than immediately enrolling them on exam-based courses."

Members also reported the fact that they are not given the resources or time to adequately teach non-English-speaking learners. *"Many ESOL students end up taking Functional Skills English in our prison. This sometimes works out, but they often get to a point where they really struggle. Some would be far better off with a greater range of ESOL classes"*.

Again, UCU believes that the PEF commissioning model has diverted resources away from the development, design and delivery of truly meaningful and diverse education because it has a narrow target-based curriculum at the heart of the funding model. We need to see the development of a fit for purpose innovative prison curriculum that sees the education provision being designed around social, cultural and educational needs, and which helps to reduce reoffending as opposed to contractual restrictions aimed at delivering a profit.

What should happen when prison education is assessed as not meeting standards?

It is very difficult to begin to answer this question without firstly addressing the flaws in the system which the commissioning model creates. For example, UCU has received reports from members that the quality of in-cell learning packs is currently being measured by the quantity of pages, not the quality of learning experience. Furthermore, we understand that it is not always teachers or educational professionals within the MoJ who are assessing standards; this is of grave concern and we have already flagged as an issue with providers the fact that some governors are carrying out lesson observations. Research by the Prisoner Learning Alliance on

Leadership in Prison Education⁴ highlighted that Heads of Learning and Skills/Learning and Skills Managers did not always come from an education background and that there is also a lack of educational professionals acting as Heads of Learning & Skills within establishments. Further, “No Governors had a professional education background and only one person talked about this”.

Table 3: What should happen when prison education is assessed as not meeting standards? UCU member select committee survey

Value	Percent	Responses
A regularly monitored improvement strategy is agreed with the current provider	56.1%	120
A new prison education provider is brought in to run things	5.1%	11
The local FE College is given the funding and support to run the provision	10.3%	22
HMPPS/DfE takes over the service	17.3%	37
Other - Write In (click to view)	11.2%	24
		Totals: 214

‘Other’ responses included:

“An improvement plan needs to be made but there needs to be a root cause analysis done on why the provision is poor and money invested to improve it. Otherwise, micromanagement takes place and the learners' needs get lost”

“Allow the tutors to have a bigger say in the curriculum as it's them that are on the front line, not the managers or prison staff”

“Whatever happens, teaching staff will be blamed and lose jobs”

“As education depends heavily on prison cooperation with learners, this needs to be taken into consideration. Not all governors see education as essential. Education should be judged on its own merits, this can be monitored and improved on, but the prison has to do its part. It frequently does not.”

⁴ <https://prisonerlearningalliance.org.uk/wp-content/uploads/2020/02/PLA-FETL-Leadership-in-Prison-Education-report.pdf> “There was no typical route to the position with nearly half (five) of those interviewed coming from an operational background, with two having also had experience in teaching. Three had an education background although only one had prior experience of working in prison education. Three others had previously been in non-operational roles in the prison (administration and industries)” pg40.

The frustration of prison educators whose performance is tirelessly measured is also clear: “How do we meet standards when we can’t do the job without the resources we need?”

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

The infrastructure ranges from good in some establishments, to not fit for purpose in others, but three key issues cover both new build and the older prison estates. This one quote from a focus group member provides a woeful summary:

*“Resources are inadequate – temperature too hot in the summer too cold in the winter, dirty, small rooms, IT not enough computers for staff and out of date/power cuts and virtual campus doesn’t work, no working photocopier for resources. Printer out of order for over a month. **We work with almost nothing.**”*

At one of the new build prisons, HMP Berwyn for example, the ventilation system in the Education Department has been problematic since opening in 2017 and is still not resolved despite ventilation being a key control measure during the current pandemic.

Access to Technology

The current pandemic has highlighted a fundamental failure of infrastructure relating to access to digital technology in prisons. It has been pretty tough for our members to continue to deliver learning safely during lockdown, with the majority of prisoners not having adequate access to teachers (as has been the case in FE and HE).

We asked our members about access to technology in our November survey about the 2nd lockdown. From the 550 responses we received, fewer than 1 in 5 members had access to any in-cell technology to deliver learning. More than half of members (56%) had no access to learners (via a phone or another means).

“Through the pandemic we have been told to deliver blended learning. Blended learning isn’t worksheets. Significant investment is needed in IT for prison education. If that had been made before now then education could have continued at a greater level than it has done”

“Virtual campus⁵ is a joke – it isn’t fit for purpose”

⁵ The Virtual Campus is a secure intranet system, which has been developed for use in prisons in England and Wales, which allows students to access a range of information, communication facilities and other resources which would otherwise only be available online (e.g to View audio-visual material, Take part in the module quizzes and interactive activities, Contact their tutor through a secure relay messaging service). Virtual Campus advisers (such as prison tutors, personal officers and probation officers) can also use it to: create and manage learner action plans, send 'secure relay messages' to the learner, view statistics for cohorts of students.

Worryingly, 81% of respondents to the November lockdown survey said they had no experience of Virtual Campus 2 at all.

Issues with remote access to learning during the Coronavirus crisis aside, access to technology in prisons is not a new thing. Indeed, the Coates review made extensive recommendations in this regard⁶.

88% of respondents to the UCU member select committee survey reported that IT resources were not sufficient for staff and student need, and that technological infrastructure in prisons impacted on student learning (87%).

“Our prison education department has had water damaged computers yet the prison won’t replace them and the provider won’t replace them. There is a constant battle of who pays for what equipment when it is broken and needs replacing or repairing. The commissioning model has become all about the financial burden which is then argued over”.

“We are expected to prepare quality learning materials without access to on-line resources and on IT from the 1990’s”

“The interactive whiteboards in 3 out of 6 classrooms don’t work”

Another significant and long-standing issue relates to the constant challenge for prison education staff to access the prison quantum machines⁷ and internet. With many staff not permitted to prepare teaching materials at home, there are often ‘queues’ of staff waiting to get on the limited number of quantum machines in any one education department. This leads to staff having to work longer hours, high levels of work-related stress and significant levels of frustration that they are prevented from getting on with doing their jobs and able to produce quality learning materials by accessing a wealth of on-line resources.

Access to Learning Spaces

Long-standing areas of concern which have huge health and safety issues for both staff and learners have been around lack of adequate and regular cleaning, pest control, inadequate ventilation in workshops, overcrowding and poor temperature regulation.

⁶ Digital literacy is a key functional skill paving the way to further learning, employment and access to services in the modern world. The relevance and quality of ICT training in prison is every bit as important as that provided in maths, English and vocational skills provision. ICT and digital systems in prison must support more flexible access to learning that is tailored to the needs of individual learners and enables participation in distance and other learning” page 44, Coates Review: Unlocking Potential

⁷ Quantum Machines are on site prison computers which can access HMPPS intranet and provides access to whitelisted internet sites. There are very limited availability for education departments.

“The classrooms are not fit for purpose, they are small and claustrophobic and distressing for learners who already find learning difficult. A learner said to me once that we needed to get a bulldozer to knock down a wall to make the classroom bigger.”

“Lack of space is a real issue for prisoner dignity. There was a bucket under a leaking ceiling in education department for a decade.”

“Heating goes on in the summer with windows that don’t open and can get up to 30 degrees and staff and learners become ill.”

Prisons are not safe

The Joint Unions in Prisons Alliance (JUPA) report 2019⁸ highlighted a prison system that is failing to meet the basic health and safety needs of the prison workforce. If staff do not feel safe in prisons, then in turn neither will people who are in prison. As such, the rehabilitation process breaks down and prisons are unable to perform their policy intent. This has to change. It would not be tolerated in a school, in a college or a university.

How does provision compare in public sector and privately run prisons?

Please note that we had a small number of responses from private providers (23 responses vs 195 from HMPPS).

Some of these points have been made elsewhere in the response but to summarise, more respondents in HMPPS reported insufficient learning resources (74% vs 59% in private providers).

However, when talking about curriculum quality, more respondents in HMPPS agreed that prison education delivered the skills needed by employers (57% vs 36% in private providers), and a higher proportion in HMPPS thought that the curriculum met student needs (53% in HMPPS vs 36% in private providers).

How effective and flexible is prison education and training in dealing with different lengths of sentences and the movement of prisoners across the estate?

Our members report that when prisoners are transferred, they are passed from one commercial organisation to another, with each organisation trying to maximise the funding from the individual before transfer. This means that some learners find themselves in a situation where it is no longer economically viable for the new provider to continue their course and are directed

⁸ https://www.ucu.org.uk/media/10304/Safe-inside-JUPA-report-on-health-and-safety-in-prisons/pdf/JUPA_safe-inside_health-and-safety-in-prisons_report_Jun19.pdf

into courses that are more financially beneficial for the provider. Clearly, the learners’ needs and aspirations are not being met under these current practices.

The Coates review made a number of recommendations concerning a more joined up approach to education and employability through the gate. For example, the review suggested a framework to ensure education providers develop links with local or specialist colleges and universities to enable prisoners to continue education on release.

We would like to see a comprehensive review of the recommendations from the Coates review in order to address the current failings in the system

Table 4: How effective and flexible is prison education in dealing with different lengths of sentences and the movement of prisoners across the estate? UCU member select committee survey

Value	Percent	Responses
Very effective and flexible	10.1%	22
Somewhat effective and flexible	24.0%	52
Sometimes effective and flexible	48.8%	106
Never effective and flexible	17.1%	37
		Totals: 217

Additional Observations:

Race Disparity

We would like to see further exploration and consideration of how a revised and decolonised curriculum could go towards addressing the differential outcomes experienced by black and other ethnic minority groups in prison populations.

“A comprehensive approach is needed and this should start by decolonising the curriculum. There is a wide variety of prisoners from different cultural backgrounds and this is never thought of, teachers individually do at times address different cultural influences, however this needs to come from the education providers showing they are invested in changing the dynamic.”

There needs to be more consideration of diverse prison populations – one respondent to our survey who delivers hairdressing in a women’s prison stated: *“We need afro hair products and the ability to gain afro hairdressing units with City and Guilds.”*

As a priority, there needs to be an urgent review as to how ‘British values’ are taught in prisons

which at the moment is not meaningful or reflective of the life experiences of prison communities.

Conclusion

Prisons are some of the toughest environments to work in, let alone places within which to deliver good and meaningful education. The process of commissioning education for profit in prisons has created a fragmented workforce who face many challenges, including their own terms and conditions. In addition, the commissioning model has arguably diverted resources away from the development, design and delivery of truly meaningful education.

The education of prisoners must be one of the central priorities for education funding. The rehabilitation of offenders shows that society is trying to reach and help those at its extremes, to help them make positive contributions to their own lives and to society's.

The failure of the market in education can be seen at its worse in prison education. Like further education, prison education has gone through its own marketisation since 1993 going through four OLASS (Offender Learning and Skills Service) iterations and has now entered the Prison Education Framework (PEF) in its fifth form. In the initial stages, this process was seen as a cash cow for the public and private education providers with the budget reaching a peak of £146.68 million in 2014 -2015.

This process has also led to a culture of trying to please the commissioner by doing more for less and a steady reduction of the terms and conditions of those working in the profession. These tighter margins led to a private provider withdrawing from several London prisons as the contract was no longer economically viable. The retendering in OLASS 1 to 4 was an expensive and inefficient process. The frequent change and instability in the process meant that the issues of workforce planning and refreshing infrastructure were never properly addressed as there was no long-term accountability.

The latest funding model (PEF) has seen the budget of £130 million taken from the then Department of Business, Innovation and Skills and placed directly under the control of the Ministry of Justice. This led to a commissioning model with two main strands, the Prison Education Framework and the Dynamic Purchasing System. The former being concerned with the core subjects and running for the length of the contract and the latter for bespoke provision with contracts up to a maximum of one year. All of these contracts were to be in direct control of individual prison governors who were expected to manage their provider's performance and apply contractual sanctions and retender where necessary.

In reality this has led to those working in prison education being in a constantly precarious position, with their jobs under threat on an annual basis and the constant disruption of being TUPE'd (transferred) from one provider to the next at each contract renewal point. It will become increasingly difficult to recruit the staff into prison education if they are under annual threats of losing their jobs or losing their access to the Teachers' Pension Scheme.

Key Recommendations:

The commissioning model approach to prison education, and in particular this current iteration, the PEF, is failing both learners and staff. If prison education is indeed going to be reformed (as it should be) then we need to seriously consider an approach to prison education that places equal access to education at its heart (and this includes making learning spaces safe and fit for purpose). We believe that a key way to address the previous pattern of disjointed and confused decision-making that has shaped the prison education sector in the past would be best achieved by the following:

- a) Nationalisation of a prison education service⁹ that provides educators with a 'national contract' that cannot be used by providers to make a profit or outbid competitors. This is essential if we are to train and retain qualified and experienced staff, especially in vocational areas.
- b) Prison Education returned to the auspices of Department for Education with delivery of education within prisons being coordinated centrally. Local FE colleges becoming more involved in delivery of prison education, which is especially important for through the gate services.
- c) UCU would like to see a comprehensive review of the recommendations from the Coates review as we do not believe that many of those recommendations have been implemented or carried through. There have been proposals to introduce a Prison Education Service¹⁰ which were cited in passing in the Justice White Paper: A Smarter Approach to Sentencing and there is a risk that the extensive work carried out as part of the Coates review will be lost. UCU would like to see a comprehensive review of the current operation of Prison Education Framework and the prison education curriculum which should inform future strategy.
- d) The voice of professional educators in prison education has been all but drowned out by the demands of delivering a contract where the curriculum has become almost irrelevant. If there is to be the development of a truly fit for purpose, innovative prison education curriculum that sees the education provision being designed and delivered around educational needs and aspirations as opposed to narrow-target based contractual restrictions, then the voices of those who teach and those who learn behind the walls, need to be heard.

For further information please contact:

Marianne Quick – UCU Bargaining and Negotiations Official mquick@ucu.org.uk

Will Pickering – UCU Public Affairs and Press Officer wpickering@ucu.org.uk

Rachel Remedios – UCU Research Officer rremedios@ucu.org.uk

⁹ following the decision to re-nationalise the Probation Service

¹⁰ <https://www.tes.com/news/conservatives-unveil-prison-education-service-plans>