

Written evidence submitted by the Ministry of Justice

YOUTH CUSTODY AND EDUCATIONAL DATA

Many thanks for your letter dated 29 April 2021 regarding the ongoing inquiry into prison education and your request for further information on children in custody and educational attainment. I have also provided an explanation of what data we collect for learners in the adult estate. I have recently received a more detailed request from you regarding this data and I will reply to this in due course.

The youth custodial estate accommodates very complex and often traumatised children, many of whom have been disengaged from formal education, and many of whom have a history of persistent absence, special educational needs, involvement with social services and mental health concerns and/or drug and substance misuse issues. As you will likely be aware, the number of children in custody has been falling in recent years; in the year ending March 2020, there was an average of just over 780 children in custody at any one time during the year. This number has since fallen; latest published monthly statistics show that at the end of March 2021, there were 584 children and young people (including 18-year olds) in the youth secure estate. For context, in 2019/20, of the total number of 'release types' from the youth secure estate, 21% were young people transitioning to the adult estate.

Education and learning are a vital part of rehabilitation. The Ministry of Justice (MoJ) and Youth Custody service (YCS) "Vision for Learning" was agreed by Ministers in July 2018. It sets out the government's ambition to put education at the heart of youth custody, as outlined in the Government response to the Charlie Taylor Review.

The youth secure estate is comprised of three sectors; Young Offender Institutions (YOIs), Secure Training Centres (STCs) and Secure Children's Homes (SCHs). The YCS will make a decision about the most appropriate placement after consideration of each child's individual needs and their Youth Offending Team's (YOT's) placement recommendation, against a view of the available accommodation.

Decisions will be made with children's best interests as a primary consideration, with areas of consideration including (but not limited to) age and gender; previous history; risk of harm (to self and others); family and resettlement; and maturity and resilience.

There are different requirements across the three distinct parts of the youth secure estate, with much of the information around educational needs / requirements held locally within establishments. The different approaches can present challenges in comparing across sectors given the different regulations in place (as well as the differing needs of the children). This is something we are actively looking to address going forwards, as part of our desired approach to increase flexibility of provision and better enable sites and providers to meet the bespoke needs of children by enabling holistic and tailored service delivery. On this

basis, we are looking to embed this principle as part of future provision through the education (learning services) tender, with existing contracts for education services in the four public-sector YOI's expiring in August 2022.

Our ambition is to develop a model of delivery where the education experience is tailored to each child ('needs-based provision') with education forming part of well-rounded experience for children in custody. This is underpinned by a collaborative and integrated whole system approach to trauma and psychologically informed care known as the 'SECURE STAIRS' model, the integrated framework for care jointly led by NHS England, NHS Improvement and the YCS which provides the foundations as to how the YCS works with children. In addition, early discussions have taken place around how to measure and monitor performance, including implementing and adapting a new data management information system, with the new contract to stipulate a requirement for providers to provide regular, robust management information data which will help ensure progress can be actively monitored and assessed, both by the provider and by the YCS centrally.

The available data is provided in Annex A. To answer the questions raised we have used published data, either statistics that are national, official or experimental. We have presented information for population, children and young person support needs, and releases. The section 'further data and information' provides further breakdowns and information to interpret the statistics suitably.

For adults in custody we do not yet collect data in a way that enables us to track the progress of individuals. This is something we are keen to address. However, to support the introduction of the new Prison Education Framework (PEF) contracts, Her Majesty's Prison and Probation Service (HMPPS) have developed a system called 'CURIOUS' which enables them to collect the data they require to manage the PEF contracts. Prior to 2019 data was collected and published by DfE and is available at the link below. <https://www.gov.uk/government/statistical-data-sets/fe-data-library-education-and-training>. We expect to publish data from CURIOUS later this summer.

Data currently stored on CURIOUS includes learner assessment, enrolment, attendance, course completion and qualifications achieved, and withdrawals. Education suppliers are also required to complete Provider Performance Reports on their monthly provision in prisons, which are reviewed and approved by local Governors and national assurance teams for accuracy. This information is used to assess provider performance. Contract measures that impact on payment are currently suspended due to Covid-19. However, when we switch these back on, where providers are found to be underperforming based on these metrics, there are a number of contractual mechanisms available, such as issuing a formal notice for improvement, withholding of 5% of the contract's total value on a quarterly basis, or ultimately terminating the contract.

We plan to expand the use of CURIOUS to capture education data outside the PEF contracts to include information from careers conversations, skills learned in workshops, neurodiversity screening, and education outcomes from provision sourced through smaller contracts. Later this year we plan to test the introduction of measure of progress in English and Maths. This will initially be based on the numbers of prisoners that achieve a higher level of qualification than the level they are initially assessed at but our ambition is to develop more granular measures of progress against a personal learning plan. We are also planning to measure post-release employment outcomes for prisoners.

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