

Written evidence submitted by the Association of Employment and Learning Providers

Overview

The Education Select Committee is conducting an inquiry into how well prison education delivers the skills needed by employers throughout the country, focusing particularly on barriers to delivering apprenticeships in a custodial setting.

The Association of Employment and Learning Providers (AELP) has a track record of working with other organizations on issues relating to employment, employability and skills provision for former offenders and individuals within the prison estate.

In September 2016, AELP and the Employment Related Services Association (ERSA) issued a [joint response](#) to the Justice Select Committee inquiry into the Government's programme of prison reforms, which set out twelve key recommendations with a focus on giving individuals within the prison estate skills training that allows them to transition smoothly from inside to outside the prison gates into employment, thereby breaking the reoffending cycle. In May 2019, AELP and ERSA produced a joint paper on the Prisoner Apprenticeship Pathway in response to commitments made by the Ministry of Justice in its 2016 white paper to implement such a programme within prisons, which included further recommendations to break the reoffending cycle and address the UK's skills gap.

Unfortunately, and frustratingly, the Government has so far failed to make progress on this issue over the last two years. Obstinate attitudes on the issue of prisoners' education by influential decision-makers in key government circles, combined with an elitist view on offenders' rehabilitation, have stifled any meaningful progress. This represents an incredible missed opportunity for both the economy and the wider society as a whole.

The UK continues to face a significant shortage of skilled workers which is likely to be exacerbated – at least in the short to medium term – by the introduction of new immigration rules. With the country now out of the EU's single market, the Government should focus on training homegrown learners to fill skills shortages within local communities.

AELP believes that there needs to be a radical change in attitude at the heart of government towards the issue of prisoner education and skills training, which can play a fundamental role in delivering more homegrown workers to plug shortages of skilled labourers in regions across the country.

Benefits of a Prisoner Apprenticeship Pathway (PAP)

Introducing a Prisoner Apprenticeship Pathway (PAP) would be a revolutionary game-changing opportunity that would not just address the issue of skills shortages but would also help break the cycle of reoffending in some of the most economically deprived areas of the country and save the taxpayer almost £15 billion every year.

- **Apprenticeships are a fantastic route into employment**
 - Many ex-prisoners face additional barriers to employment such as employer bias and are more likely to experience prolonged unemployment. This subsequently fuels a cycle of reoffending.
 - An apprenticeship upon release guarantees employment and ensures individuals have better financial stability and there is clear empirical evidence to show how this significantly reduces reoffending rates.

- **An opportunity to address the UK's skills gaps**

- Linking apprenticeships effectively “through the gate” will create more opportunities for employers to fill local skills gaps.
 - With support, employers can improve their recruitment practices and tap into the potential that ex-prisoners have to offer.
 - Tailoring prisoner needs and aspirations with employer requirements will be beneficial to the UK’s workforce particularly in the aftermath of Brexit.
- **A pathway to help reduce reoffending**
 - Employment significantly reduces the likelihood of reoffending.
 - Supporting ex-prisoners into good quality, sustainable employment is key to reducing reoffending rates.

Recommendations

AELP believes that the circumstances created by the outbreak of the Covid-19 pandemic and the introduction of new immigration rules have placed renewed importance on the creation of a Prisoner Apprenticeship Pathway. In particular, the combination of existing skills gaps and increasing unemployment risks inflicting lasting damages to the fabric of society, as well as undermining the economic outlook of the country over the next five years.

However, there are systemic issues that need to be addressed for the PAP to serve its intended purpose of breaking the reoffending circle and introducing homegrown skilled workers into the economy. To that end, AELP has outlined three key, but simple recommendations to ensure that the PAP can function effectively and can unlock this opportunity.

Recommendation 1: Giving employers the option to gift unspent levy funds to finance apprenticeship training for offenders within the prison estate

Several larger employers have publically expressed their willingness to transfer their unspent levy funds to enable prisoners to embark on apprenticeships while they are still serving their sentence behind the prison gates.

Since its inception and introduction in 2017, the apprenticeship levy has unleashed a wide range of new opportunities for employers and learners and it has the potential to do so again when applied in the context of prisoner education.

Giving employers the ability to transfer their respective unspent levy allocation to fund apprenticeship training for prisoners provides a valuable opportunity to begin a new chapter for those individuals within the prison estate. Most importantly, it would benefit employers and the wider economy by front-loading the off-the-job element of apprenticeship training while prisoners are serving their sentence so that they are ready to earn and learn while they complete their programme after they leave prison.

Recommendation 2: Allowing prisoners to begin fulfilling the off-the-job requirement of apprenticeships while serving their sentence.

Allowing prisoners to begin training and complete the off-the-job element of their apprenticeships during their sentence would give individuals in the prison estate a purpose, while also enabling them to start the on-the-job element of the programme as soon as they leave prison.

This measure is perfectly in line with the decision to allow employers in industries such as construction – followed by health and social care – to front-load training for certain apprenticeship standards from April 2021, which the Government unveiled in the 2020 Spending Review.

Recommendation 3: Reclassifying prisoners under the “Alternative English apprenticeship” route to facilitate their transition to apprenticeships outside the prison gates.

Finally and critically another important step to facilitate this step change and unveil the Prisoner Apprenticeship Pathway entails reclassifying the legal status of prisoners under the “Alternative English Apprenticeship” route, which provides other exemptions to other individuals, such as Church Ministers, the Police and apprentices who are made redundant and become unemployed.

The employment status of apprentices remains a key sticking point because apprentices need to be formally employed in order to begin apprenticeship training, an aspect that would be rather complicated when applied to offenders serving a sentence in prison. The only way to open up the way for the PAP lies in classifying offenders under alternative arrangements so that they can be given the chance to begin training while they are still in prison, without being formally employed.

About AELP and Our Members

The Association of Employment and Learning Providers (AELP) is a national membership body with over 800 members. The majority of our members are independent private, not-for-profit and voluntary sector training and employment services organisations with employers, universities, FE colleges, schools and end-point assessment organisations comprising the remainder of the membership.

Our members support employers of all sizes across the full range of occupational sectors in the successful delivery of high quality work based training which equates to 70% of apprenticeships delivered in England, and they also deliver other publicly funded skills and employment programmes.

The growth in apprenticeships over the last decade has been driven by the adaptability of our members to continually respond to and meet the changing needs of employers to support their aspirations to improve their productivity and address their skills needs. AELP members utilise their outstanding links with employers to deliver the vast majority of 16-24 traineeship provision in England, a programme with a fantastic outcome rates for young people. Our members also support adults access their legal educational entitlements, reskill, upskill and/or progress into employment through funding provided through the national and devolved adult education budget (AEB). Alongside work based provision, AELP members also successfully deliver high-quality classroom based provision in the guise of study programmes, which pave the way for young people to progress into further education or into an apprenticeship. Ofsted’s annual breakdown of quality of provision highlights that independent training providers continue to lead the market in the highest average outcomes from inspections and the Department for Education’s annual employer and learner surveys year-after-year provide further evidence of the class-leading service as judged by the end users and beneficiaries of the skills system.

Association of Employment and Learning Providers (AELP)

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