

Written evidence submitted by Independent Monitoring Boards

Education Select Committee: call for evidence for 'Education: Are prisoners being left behind?' inquiry

About IMBs

Independent Monitoring Boards (IMBs) are an important part of the independent oversight of prisons; they are appointed by ministers under the Prison Act 1952. IMB members are a regular presence, visiting the establishment, monitoring the treatment and conditions of prisoners, reporting what they find to those running the prison, and dealing with queries and concerns from individual prisoners. They are unpaid but have statutory powers that grant them unrestricted access.

IMB monitoring of prisons during COVID-19

During the COVID-19 emergency, IMBs have used new and innovative monitoring processes where visits had to be curtailed or reduced in frequency for public health reasons; including surveys and telephone and email contact with prisoners and a freephone line.

This submission presents IMB findings from the latest published 2019/20 annual reports and regular updates provided by Boards since the beginning of the COVID-19 pandemic in March 2020.

Key points pre-COVID

- The new education contracts that came into place in April 2019 had caused some uncertainty but appeared to be bedding down in many prisons; however, in some areas Boards raised concerns about cuts in education provision.
- There were notable variations within the same provider, which seemed to relate to the effectiveness of the prison's management of the contract and relationship with the provider
- Staff shortages within education or lack of availability of prison staff to escort people to sessions had an impact on attendance levels.
- Young adults' (18-25) engagement with education remained poor.
- Practical alternatives to a wholly classroom-based approach for prisoners, especially those aged under 25, seemed to gain more engagement.
- Education for young people under 18 is a statutory requirement, but delivery remained challenging at young offender institutions (YOIs) due to disruptive behaviour, pupil attendance and the learning environment.
- There were some examples of good practice in relation to prisoners with special needs.

Key points during the COVID-19 pandemic

- Education provision has been patchy and often poor across the adult estate, although there has been some innovative practice, particularly in some private sector prisons and in those public sector prisons where contract management and relationships were good pre-pandemic.
- During the first lockdown in March, provision for young people in under-18 YOIs was initially poor; though this improved later in the year it was still not at the level that was needed, or provided in the community, during the summer and autumn of 2020.
- The loss of education and skills opportunities for an entire year has raised concerns about opportunities for rehabilitation and the effective progression of prisoners through the system.

IMB annual report findings on education in prisons 2019/20 (pre-COVID)

There were some concerns about the new education contracts, but also some positive findings:

- A number of IMBs, such as Woodhill and Stoke Heath, expressed concern about budget cuts, and the ending of some training and education courses. Durham's reduced funding meant the loss of nine staff and training opportunities both for short- and longer-stay prisoners.
- At Belmarsh and Winchester, the IMBs recorded positive changes, including in some cases provision for prisoners with learning disabilities and difficulties, which was also the case at Hatfield open prison. At Winchester, under the leadership of a new education manager, core subjects were taught in a standardised format, facilitating continuity when prisoners were transferred within the region.
- One IMB thought that the new contract offered opportunities as well as challenges: some courses were withdrawn, but there were improvements, and attendance in industries began to reach the 80% target.

Local prisons¹

Availability and access to purposeful activity, however, remained very variable, particularly in prisons taking prisoners directly from court.

For example:

- The Woodhill IMB reported an average cancellation rate of 25% (though this was a significant improvement on the 70% in 2017).

¹ These are prisons that take prisoners directly from court, including those in the long-term high security estate.

- Belmarsh prison had fewer lost days, but only 200 education and work spaces for 800 prisoners; fewer than half the education spaces were taken up and there were few vocational qualifications.
- At Thameside, only one in three of those surveyed by the IMB said they had done an education course and, though there was a wide range of vocational training opportunities, 81% of prisoners in the survey said they had done no training.
- By contrast, Hull, another local prison, offered purposeful activity to 85% of the population, with 83% attendance, and had created links to at least 13 external companies, some of which had offered prisoners employment.
- At Cardiff there was high retention and attainment, with 70% of those attending courses getting qualifications, and all courses accredited. Men had a personal development plan that stayed with them in prison.
- At Bedford, the creation of support plans for prisoners with special education needs, availability of appropriate learning resources and other changes to the curriculum and practice, began to improve attendance for those prisoners.

Training and resettlement prisons

Even training and resettlement prisons sometimes struggled to provide enough, or good enough quality, education and training. Boards identified three principal problems:

- not enough genuine training or education spaces;
- shortage of education staff;
- poor management and liaison with operational staff.

Some examples:

- Brixton, a resettlement prison, had insufficient activity places; only around half of them offered education or vocational training, much of it part-time, and when the IMB checked, there were usually around one in seven of the population unemployed.
- At Erlestoke, a training prison, there was concern about the lack of courses geared to employability and a shortage of staff meant that several courses were not running.
- At Onley, also a training prison, a significant proportion of prisoners were on the wings during the day, and there were staff shortages.

- Rochester, Coldingley and Wealstun suffered from recruitment problems and/or staff absences. At Wealstun, only three of the five vocational training courses were running.

Where there was sufficient provision in training prisons, it was not always fully utilised:

- Lancaster Farms had enough activity spaces, but too many were unoccupied during the day: the 'virtual campus' (secure ICT education network) was moribund, and there were too few qualifications or functional skills training in workshops.
- At Guys Marsh, the board reported on a 'lack of motivation from wing staff to get men off the wing' and a decline in the quality of education, which the board attributed to changes and gaps in management.
- Low attendance rates at Wayland were linked to poor interface between operational and educational staff.
- In Stocken, education provision was said to be very good, and nearly all workshops offered qualifications; there were nevertheless issues of punctuality and attendance.

There was a more positive picture among training prisons holding men convicted of sexual offences:

- Education at Whatton was excellent, with more vocational qualifications under the new provider.
- At Stafford there was more purposeful activity, though all but two workshops offered only 'simple, repetitive and routine' work.
- The boards at Ashfield and Bure reported good progress, with virtually full employment and a range of qualifications; though more support was needed for prisoners with learning difficulties and there was some repetitive work.

Women

Among women's prisons, there was usually a wide variety of provision, though sometimes insufficient for the population.

Concerns raised by boards included:

- At Eastwood Park, education was good, but there was not enough classroom and workshop space, which limited the opportunity for vocational qualification, and there were also regime closures due to staff shortages.

- Styal too did not have enough spaces for all the population; under the new contract, there had been a reduction in vocational training, though more workshops were planned.
- Downview had significant staff recruitment problems and was making slow progress.

There were examples of good practice:

- At Bronzefield, between 80% and 90% of women were in education or employment. There were two full-time special educational needs trained staff, linking with mental health and education.
- Foston Hall had a wide range of education and training pathways, including provision for women with learning difficulties, and an effective peer mentoring scheme, though regime restrictions had badly affected attendance. The Board commended the sequencing board, matching women to suitable work, education and training and the proposed retail unit which would enhance employability.
- Drake Hall also provided a wide range of activities and education, with 88% of women in activities and high success rates, though the increase in women with only a short period left to serve was a challenge.

Young adults

Education and training are particularly important for young adults, both to reduce educational deficits and to keep a potentially volatile population occupied.

Board findings in these establishments revealed a mixed picture:

- Deerbolt was trying to integrate literacy and numeracy into workshops, but staff shortages and regime closures severely affected delivery: at one point only around half the courses were delivered.
- Swinfen Hall IMB reported that there had been a substantial improvement in the regime, with 10,000 fewer lost learning hours, but, despite some excellent work in some of the workshops, it was difficult to recruit and retain tutors.
- Prior to the COVID-19 pandemic, Aylesbury IMB reported that a large percentage of young adults stayed locked in their cells each day, rather than taking part in meaningful activity. On average, on any weekday, only 64% of the prisoners were out of their cells when there was apparently capacity for 96% to be out. Additionally, an occasional shortage of staff to escort prisoners to different parts of the prison could limit attendance, as well as the need to separate prisoners from their non-associates.

- The same was true at Feltham B, where cancellations often took place at short notice and there were delays in recruiting qualified instructors. The stretched teaching resources and the appalling state of the workshop buildings all compounded the problem. Even before lockdown, many young adults were opting to stay in their cells during the day rather than take part.

Young people

Education should be central to the work of establishments holding young people under 18. Boards again reported a mixed picture:

- Attendance had been poor in Feltham A, due to regime shutdowns following violent incidents; young people were allowed to drop afternoon education in favour of association and exercise. This improved considerably during the year, with earlier assessments and better allocation procedures, so that attendance and average time in education doubled to 74% and 17.5 hours respectively.
- Cookham Wood IMB reported high levels of educational attainment, but access to education was restricted due to slow movements off the wings and lockdowns caused by staff shortages. Young people had the chance to achieve construction skills and barista qualifications: the new café was described as an 'outstanding success story'.
- At Werrington, education attendance was running at an impressive 93-95% during most of the reporting period. The Board also reported that cancellations were fewer during the year but noted a lack of engagement by young people in some education classes, compared to those that also offered vocational skills.
- At Wetherby, young people who did not attend were supported by various agencies to help them re-engage with education. In September 2019, Board questionnaires found that young people's satisfaction level, at 23%, was the lowest recorded over the previous four years, though this rose in succeeding months to an average of 40%. Young people repeatedly told the Board that they did not like unpredictability, when, for example, lessons were suddenly cancelled. For many young people a classroom-based lesson of almost three hours could be a challenge and many preferred practical classes.

IMB findings on education provision in prisons during the COVID-19 pandemic

Since March 2020, education in all prisons has been seriously affected by the measures taken in response to the COVID pandemic. There were three phases: the initial lockdown, in which nearly all prisoners, including some of those under 18, were

locked in their cells for around 23 hours a day, and education staff withdrew; some relaxation in many prisons, particularly in under-18 establishments, as 2020 progressed, and the return to tight restrictions during the national lockdown in early 2021. Progress was slowed or reversed by COVID outbreaks, staff absences and regime restrictions, though education was given a greater priority in adult prisons than during the first lockdown. In some cases, boards were told that the teaching staff wanted to resume face-to-face contact with prisoners but were not permitted to do so.

Therefore, for nearly a year, one of the key elements of prisoner rehabilitation has been severely damaged. While this impacted on the quantity and quality of delivery in all prisons, it was also clear that those where provision and management was strongest pre-pandemic were also able to mitigate some of the damage and retain some elements of targeted individual learning.

In the early days of the first lockdown, even some under-18 establishments were able to provide very little, and though this improved it was still significantly less than what had previously been provided, or was needed.

- Initially, the IMB at Cookham Wood reported that young people were out of their cells for only 40 minutes a day, and that the education provider had withdrawn without any alternative provision. Later, there were gradual improvements when restrictions began to ease in July 2020 and classroom-based learning resumed, so that by September, young people had over eight hours of classroom education a week, with attendance at over 90%. This rose to 12 hours a week by February 2021, in spite of the logistical challenges involved in getting the young people to classes. However, at best, education and physical education sessions only filled half of the core week, amounting to two and a half days. The Board also raised concerns about the lack of face-to-face education for young people held in the segregation unit and those self-isolating due to safety fears, who only received in-cell education packs.
- By contrast, at Parc (the only private sector under-18 YOI), even during the first lockdown, young people were out of their cell for over three hours each day, with some face-to-face education provision. As of February 2021, young people spent 45 hours out of cell a week, which included 14 hours of education, in groups of six to eight.
- At Feltham A, education staff remained on site to provide remote learning, which included staff delivering daily work packs to all young people. These were collected and marked, with incentives for those who completed packs. The opportunity was taken to also review the curriculum offered to the young people for the future. Once back in the classroom in July 2020, small-group teaching was well received and most notably, attendance improved to a rate higher than it had been prior to lockdown.

In the adult estate, as lockdown restrictions gradually eased, many education providers still delivered only a limited service, often sporadic and generic, designed to provide distraction rather than formal education geared to individual learning plans and qualifications. There were reports of packs being delivered under cell doors by uniformed staff or 'dumped' on wings.

- At Cardiff, the learning and skills department and education induction/assessment process had not been operating, so by August 2020 no structured learning had been provided since March. There were a minority of prisoners continuing to complete the Open University structured distance learning courses.
- In Maidstone (a foreign national prison), such packs were available only in English.
- At Feltham B, holding young adults aged 18 to 21, the Board remained extremely concerned that, by October 2020, there was still no offer of face-to-face education sessions or any type of vocational training available.
- At Coldingley, education provision had been negligible since the start of the pandemic. The board reported that, whilst a variety of packs had since been made available for prisoners, they did not answer the need. Prisoners could not gain accreditations from this material, so motivation and take-up had been low.
- At Featherstone, the Board had repeatedly raised concerns about the poor performance of the education provider before the pandemic, pointing to continued underperformance and provision that was 'in turmoil'. During COVID, by October 2020 there was still scant provision of educational services apart from limited in-cell materials, delivered by the prison education team, and the IMB expressed serious concern about the progression opportunities available for prisoners (see below for progression under new leadership).
- Similarly, at Brinsford, the Board reported that the education contract did not meet the needs of the prison prior to the COVID pandemic, and subsequent to the lockdown, the provider failed to deliver any meaningful service to prisoners, who were behind their doors for up to 23 hours a day.

Good practice

In general, education delivery appears to have been better during the pandemic in private prisons, some of which had their own education provision:

- Bronzefield IMB reported that education staff were employed directly by Sodexo, the company which runs the prison, and continued to work throughout lockdown. At the start of the first national lockdown, prisoners were provided with education packs according to their educational levels in mathematics and English. Approximately 60–70% initially chose to continue with these fortnightly packs, which contained work that was marked with feedback. However, this dropped to about 33% by July 2020. Prisoners with learning disabilities and difficulties received tailored packs.
- Oakwood IMB reported that nearly 500 in-cell course packs were distributed in September and October 2020, with a return of 335 completed packs. However, there had been delays to awarding bodies sending out certificates due to COVID-19 restrictions and issues with the distribution and collection of course materials to and from the house blocks. This led to frustrations among prisoners, education staff and prison officers.

There were also some exceptions to the general picture in public sector prisons, showing what can be achieved under good local leadership, though there were still challenges:

- By August 2020, provision had significantly improved at Stafford, with a curriculum for in-cell use, supported by a range of course-specific cell packs, monitored for quality by the head of learning and skills. Wing staff could invigilate and administer exams, and assessments for a cleaning course were being done face to face. In February, 135 of the 652 prisoners were engaged in in-cell learning and tutors were visiting wings to provide a short intervention for those requiring additional face-to-face support.
- The IMB at Lindholme reported that education had been galvanised into action following the arrival of a new prison manager overseeing the education contract; indeed more prisoners were able to be engaged in education than before lockdown, and there was even some face-to-face provision on the wings.
- Similarly at Birmingham, the IMB reported that under a new head of learning and skills, personalised packs were being provided and external courses facilitated, in contrast to the earlier period when little but distraction materials were provided.
- Featherstone IMB recently noted that the situation had significantly improved since the writing of its annual report in October 2020 (see above). There had been a change of management within the prison and, as a result, the approach was more flexible. In January 2021, a detailed prospectus, outlining various courses, was widely circulated throughout the prison. The Board

reported that in-cell packs were being delivered and returned marked, albeit with some delay.

- At Winchester, the Board reported that the prison had achieved the most education starts, out of 103 prisons nationally, up until January 2021. However, since becoming a COVID-19 outbreak site in January, tutors had been unable to visit wings, which negatively impacted distribution of learning/distraction resources. In the first week of February, over 30 staff members were on leave due to COVID, 79 prisoners had tested positive and the regime was severely restricted with only one new education start.
- At Styal, the Board reported some positive education initiatives, including increasingly personalised study packs as lockdown progressed. By June 2020, these were collected for marking and feedback by tutors and by September, packs were further developed to cover course criteria. However, students learning English as a second language and those less able and less motivated have been most affected by the lack of face-to-face teaching and encouragement. More general concerns were also raised about women who had completed a course but required some face-to-face input in order to adequately prepare for exams.

Conclusion

Some progress was made through the new education contracts pre-COVID but there were significant inconsistencies, often driven by staffing problems within both the provider and in the wider prison, or insufficiently strong leadership within the prison. IMB findings for prisons holding young adults and young people indicate that more thought needs to be given to education in non-traditional/vocational, rather than purely classroom, settings. Examples of good practice which showed innovation and creativity in difficult circumstances did not seem to be easily replicated across the estate or even within the same provider. There are some questions about the national management of the quality, as well as the quantity, of education provision. Good quality local leadership, through education managers in individual prisons, appeared to be key in driving through improvements.

Post-COVID, it is too early to fully determine the lasting effects of the pandemic and the interruption of education delivery on the progression of prisoners, but it has essentially been a stress test that has exposed and deepened some of the concerns about consistency, quality and management referred to above. As of February 2021, there still does not seem to be effective management of the wider national education contracts, or proactive attempts to provide individualised remote learning, in many public sector prisons across England and Wales. Those prisoners struggling before the pandemic to fully engage in education programmes, for example due to low literacy levels, language or learning difficulties, have been further disadvantaged by this disruption.

Dame Anne Owers

National Chair

Independent Monitoring Boards

February 2021

February 2021