

Written evidence submitted by Bounce Back

Bounce Back is a charitable Foundation working with offenders both inside prison and through the gate into the community. We empower participants to improve their skill and qualification levels so that they are able to progress into paid employment as we know that this is one of the main ways they can avoid further offending.

As a participant on one of our programmes said, *“If you have a job, then the rest falls into place and you can change your life.”* We also provide holistic, wraparound support which helps to improve outcomes. It is individualised. Each participant and can cover many things from numeracy and literacy skills, to access to housing and benefits or visitation with their children, as well as all matters relating to training and employment. In 2019/20 Bounce Back worked with over 400 employers and placed 200 participants in jobs. 1000 participants enrolled in vocational skills training and 300 people gained CSCS cards (Construction Skills Certification Scheme) in prisons and online.

Part one of this submission is designed to demonstrate what we have found works and produces results. The second section focusses on the changes we believe are necessary with regard to many of the rules, regulations and various pieces of legislation that prevent organisations like Bounce Back from delivering apprenticeships.

Part One - What We Do and Why It Works:

We currently deliver projects and contracts in a number of prisons across London including HMP Brixton, HMP Isis, HMP Wandsworth, HMP Pentonville and HMP Coldingley. In the 2019/20 academic year, we worked with over 1300 people within prison and delivered a variety of courses and qualifications including Painting and Decorating, Dry Lining, Scaffolding, Multi-Skills, Employability and CSCS cards which are a pre-requisite to work on any construction site.

We have proven that our work drastically reduces re-offending rates and our service users report wider impacts from our work with the majority stating they became more motivated for work, felt greater confidence about work and had improvements in their family relationships. This is a vital achievement as research shows that children with a parent in prison are twice as likely to experience conduct and mental health problems, while 65% of boys with a father in prison will go on to offend later in life.

We believe strongly that partnering with other organisations enhances our offering. To this end, we have developed an extensive network of employers who we work with to change perception so that our participants can overcome discrimination and secure employment. The CIPD estimates that around two thirds of employers routinely exclude ex-offenders when recruiting. This means that, even when they are committed to turning their lives around, they continue to face considerable challenges, with up to 75% of ex-offenders claiming out-of-work benefits following release from prison. With research showing that unemployed ex-offenders are twice as likely to re-offend as those in employment it is clear that many are finding themselves trapped in a vicious circle of unemployment, poverty and re-offending.

Construction industry employers have become hugely supportive of our work, recognising that individuals who are determined to change, make effective and dedicated employees and we are seeing more and more frequently how employers are snapping up our participants even before they leave prison where previously they would not have considered even interviewing them. On an annual basis, pre-covid we were taking approximately 300 employers into prisons to interview and interact with participants.

This employer interaction is crucial - not only from the point of view of changing perception and allowing employers to access a huge pool of labour to fill their shortages - but also for our participants who can begin to see the prospect of a real, paid job and a route out of crime. Our commercial model can easily be translated to other occupations and sectors.

We have also been led by our employer network when deciding which courses to deliver. This ensures that we are training in skills where there are current and future shortages hence there are plentiful jobs for those participants who are able to successfully complete their qualifications. Recent discussions with employers have led us to increase our employability or 'soft skills' support as this has been identified as one of the things most lacking in potential recruits. Participants may hold relevant qualifications, but current feedback is that their soft skills need to be further developed in order for them to compete successfully within the current job market. Our work in this area is leading us to develop digital resources that will complement our current offering and which include an app and digital learning resources.

Whilst much of our work to date has revolved around construction occupations, we are also keen to encourage participants to consider higher level careers. To this end, we have partnered with the Royal Astronomical Society for the last 4 years to bring STEM, space science and astronomy inside prisons and consider occupations where STEM qualifications are necessary. We are also developing work around the Future of Construction and BIM.

The wraparound support we provide through our Case Management programme (which also further develops 'soft' skills) is crucial to the success of our work and the generation of positive outcomes for participants. This is an area that is difficult to fund and to sustain this programme we generally have to look to voluntary funding sources such as trusts and foundations or corporate supporters. Case Management support begins when an individual begins to engage with us within prison and continues through the gate and for as long as the individual needs us (which is often around 12 months after release).

Recognising that some of the most serious challenges are faced by young people involved in crime, we will soon be launching Bounce Back Youth which will build on the success of the DIVERT and the Violent Crime Taskforce (VCTF) Intervention programmes that have been embedded within Bounce Back, in partnership with the Metropolitan Police for the last 2 years. This means that Bounce Back will now have its own programme of engagement with people aged 10 to 18 years and will not only be supporting those in

prison, but actively diverting young people away from crime and helping them to avoid prison.

Part two - Apprenticeships in Prison

There is no resistance to the concept of prisoners starting an apprenticeship. However, the current wording, model and elements of existing legislation prevent organisations like Bounce Back from facilitating their delivery.

Having a sustainable job on release is also the main contributor to preventing re-offending. The Levy system has brought a new impetus and in spite of COVID19, many employers in the construction and other sectors still need good loyal hard working staff. Many accept that prisoners need to be given a chance. They are keen to engage with prisoners near the end of their sentence, prior to starting their work experience and training, so they can bring them straight into their organisations as they leave the prison gates

In common with many other organisations working on the rehabilitation of ex-offenders Bounce Back believes apprenticeships could start while in Prison. The Benefits include:

- Creating a genuine and smooth transitions from custody into work
- Provides certainty
- Allows time for the necessary support mechanisms to be put in place
- Enable Employers to utilise their apprenticeship levy
- Allow genuine employer engagement during custody
- Offers prisoners time to focus on key employability skills, maths and English - skills many prisoners are more likely to lack compared to other groups of apprentices.

These changes would result in a significant reduction in reoffending.

What Are The Barriers?

At the moment prisoners who work and are paid, are subject to specific legislative rules that mean they cannot have contract of employment per se. This is a legal technicality as practically they are working like any other employee.

The current definition of an employee would need to be adapted to allow prisoners to undertake apprenticeships in prison or are on ROTL (Released on Temporary Licence).

MoJ prisoner wage rules would need to be modified to reflect the changes to the definition of employment.

We believe that the wording adopted by the MoJ on these issues were modified, it would remove the two main blockers to prisoners starting as apprentices It would allow models to be developed between providers such as Bounce Back and employers that are deliverable, These relationships cannot be forged under the existing apprenticeship rules..

We would like to see all apprentices paid at least the minimum wage, although we accept that payments to prisoners must continue to be determined using the normal MoJ rules and regulations.

The normal entitlement of an employee to protection against discrimination would need to be reviewed, amended and reframed, to prevent prisoners taking complaints to an Employment Tribunal.

The changes outlined would provide for two main models for the delivery for apprenticeships

- Prisoners released on temporary license – the change in rules would allow these employers (and others willing to support ROTL) to implement an apprenticeship programme quickly and easily.
- Prisoners working in real work environments with training.

A third area for review, which is perhaps more complex, concerns prisoners working in prison, e.g. undertaking furniture making etc., whether there is scope for the introduction of more opportunities for on and off the job training whilst in custody.

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