



Youth Justice Board  
Bwrdd Cyfiawnder Ieuenctid

# Barriers to engagement in education, training and employment

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## Executive summary

### **Outline of the research**

This research was commissioned by the Youth Justice Board (YJB) to examine the engagement of young people in education, training and employment (ETE) and consider the barriers to such engagement faced by those in the youth justice system.

Previous evidence suggests that engagement in ETE may be a key protective factor in reducing offending and re-offending. The YJB has a target of '90% of young offenders in suitable full-time ETE' by March 2006.

This research sought to obtain an accurate picture of the current levels of participation in ETE, then to examine the barriers to engagement that are faced both by young people and the staff responsible. The research included:

- a review of the literature on the relationship between young people's engagement in ETE and offending

quantitative data collection in Youth Offending Teams (YOTs), consisting of a census of young people's ETE and analysis of *Asset*

- qualitative data obtained from questionnaires and interviews with staff and young people in the youth justice system.

### **Evidence from the literature**

A number of key factors have been shown to be closely associated with offending by young people (though the causal relationship is unclear):

- detachment from education (including non-attendance, formal and informal exclusion, and limited or part-time alternative provision)
- low attainment (especially in literacy and numeracy skills)
- influence of the school (including lack of a clear school ethos, poor discipline and bullying)
- experience of custody and local authority care, which are associated with detachment from education and low attainment

The evidence suggests that early and sustained intervention to maintain attachment and attainment has a greater chance of success than trying to equip older young people with literacy and numeracy skills once they have become detached from mainstream learning.

Interventions that can successfully address these factors include:

- maintaining attendance at school, through prompt response to absence, providing support, involving parents/carers and quickly arranging alternative full-time programmes for those who have become detached
- learner-centred individualised programmes to motivate young people to gain basic skills
- whole school approaches, which adopt a positive and inclusive ethos and develop strong staff-pupil relationships.

Specific programmes evaluated in the UK that have been shown to reduce the relevant risk factors are:

- pre-school education
- family literacy
- parenting information and support
- reasoning and social skills education
- organisational change in schools
- reading schemes.

### **Scope of the problem**

The census survey conducted is the first attempt to estimate the engagement in education, training and employment of young people in the youth justice system in England and Wales. The census sought to measure both access to and actual participation in ETE provision, and also explore issues relating to the suitability and legitimacy of ETE placements.

Data was obtained from forty-eight YOTs (approximately 30% of YOTs nationally), and on 5,658 young people. Comparison with the demographic and criminological profile of the national youth justice population showed the sample to be largely representative. Approximately 60% of the sample were below school-leaving age, and 40% were above school-leaving age.

In addition to demographic and criminological characteristics of the young people, a range of key measures of ETE status were obtained from two data sources – *Asset* and the census form. The key measures of ETE obtained were:

- The **dosage** of ETE arranged and received for the census **week** in June 2004
- The **type and dosage** of ETE arranged and received for the census **day**
- Their full-time ETE status for the last three months (census form)

- Their ETE status as recorded on their current *Asset* form (measured by ‘main source of education provision in the previous six months’ and ‘situation in regard to employment, training and further education’ on *Asset*)

Using all the data available, the census findings conclude that **on a given day, somewhere between only 35 and 45 per cent of young people in the youth justice system are in receipt of full-time education, training or employment.**

Other headline findings were:

The YOTs in the sample are struggling with very serious access issues to full-time education, training and employment. Only 45% of the young people in the sample had access to full-time provision during the census week, and 28% had no provision arranged at all.

- Young people who are older (particularly those aged 16), female, have been in the care system, have literacy or numeracy difficulties, previous convictions, more serious disposals, or a higher likelihood of reoffending, were significantly less likely to have full-time ETE provision.
- Only around half of those in the sample of statutory school age were reported to have full-time education arranged. For those in their final year of compulsory schooling, there was an even lower proportion in full-time.
- Dubious practices, such as informal exclusions or inappropriate study leave by some schools, coupled with delays and a lack of alternative educational capacity by LEAs were reported in the census.

The census findings suggest that ETE figures reported by YOTs in their quarterly returns to the YJB may be considerable overestimates of the proportion of young people actually in receipt of full-time provision. The corresponding YJB quarterly figures were significantly higher than the percentages obtained in the census, for all YOTs in the sample.

### **What are the main barriers?**

#### *Young people's perspectives*

Fifty young people were interviewed - and 22 interviewed a second time - about their educational experiences. The young people were serving a range of community and custodial sentences. Most had experienced a number of education placements and were currently engaged in ETE provision.

The barriers they identified most commonly were a lack of qualifications and having a criminal record. Many young people assumed personal responsibility for their lack of engagement, mentioning for example lack of achievement, bullying, difficult relationships with teachers and lack of interest in school. Their views reflected the education risk factors identified from the literature:

- **detachment**  
Many young people had been excluded or absented themselves from classes in which they were not doing well, also if they were being bullied or wanted to spend time with friends who were not in school
- **low attainment**  
Many young people felt their educational ability was below that of their peers
- **Influence of the school**  
Bullying and response of teachers and the school to it featured in many of the interviews with young people. Relationships with teachers were important, as were small class sizes.
- **Custody**  
Some young people gave specific examples of custody disrupting their schooling or college courses

*The perspectives of key stakeholders*

41 YOT managers returned questionnaires, and interviews were carried out with 54 members of staff from YOTs, Young Offender Institutions (YOIs) and Local authority secure children's homes (LASCHs).

They identified practical barriers to engagement in ETE, including:

- lack of suitable ETE provision, such as home tuition and places in Pupil Referral Units (PRUs)
- complex rules on benefits and allowances, some of which provide disincentives to engage with training
- lack of continuity for learning between custody and the community
- lack of support and specialist help for young people with identified special educational needs and lack of willingness by educationalists to tackle the causes of behaviour problems
- lack of suitable provision, such as suitable programmes for the least able young people or places on trade courses
- inability of young people to gain access to existing provision, where providers could choose to exclude or remove the more difficult young people from schools

Suggestions for overcoming these barriers included increasing the range of programmes available for young people with special needs or poor literacy and numeracy skills; introducing greater flexibility into the National Curriculum; developing guidelines for the curriculum in alternative education programmes and the qualifications offered; and introducing systems to register and evaluate the work of alternative providers.



Staff from custodial settings identified further ideas for overcoming the barriers, including:

- involving young people in their own target setting when their individual learning plans are being drawn up
- providing one-to-one support in the secure estate, both to deal with problematic behaviour and to assist with learning difficulties and motivation
- increased use of Release on Temporary Licence (RoTL) towards the end of the period in custody
- encouraging prison officers to take a more active interest in the ETE of young people

better liaison between YOIs and YOTs

- ensuring that provision for young people is arranged as quickly as possible when young people are released from custody, or bridging provision while negotiations continue with mainstream providers
- further training for staff in how to motivate disengaged young people

The views of educationalists, obtained through a separate study, identified a different set of barriers. Most managers of further education provision believed colleges to be a suitable option for 10 to 17-year-olds on release from custody. While most staff of secondary schools believed that the attitudes and potential behaviour of the young people were the most important barriers, school teachers also identified their own lack of appropriate knowledge and skills and lack of time as critical barriers.

They suggested that these might be overcome by behavioural support, one-to-one support in lessons, SENCO support, access to further education bridging courses and parents'/carers' support groups.

Inconsistent links between YOTs, Connexions, Local Learning and Skills Councils (LLSCs) and LEAs were also identified as a barrier. More than one-half of YOTs had no protocol agreed with their LLSC. In addition, problems were identified with the funding arrangements for LLSCs, which depend on trainees achieving vocational qualifications. The rules discriminate against those with low attainment levels and records of poor previous participation.

Suggestions from the staff interviewed about improving the situation included:

- better communication between agencies, through formal protocols for joint working, multi-agency panels to discuss the most problematic individuals, liaison with PRUs and school federations working together
- more one-to-one provision, with support, and involvement of the young people in plans
- developing the use of mentors, with Connexions and youth organisations

- strategies to support young people in the transition from custody to community
- adopting a holistic approach which addresses welfare issues alongside ETE.

Strategic barriers to engagement in ETE were also identified:

- **failure to recognise the scale and nature of the problem**

The census identified thousands of young people are not participating in education and training, yet this is not fully recognised or reflected in official statistics. Without agreement on the scale of the problem, at national and local level, it will be difficult to make a step-change in the engagement of these young people.

- **professional lack of knowledge**

Many managers and practitioners in both secondary and further education lack sufficient knowledge about the youth justice system and how to meet the learning needs of young people who offend.

- **conflicting objectives and targets**

The Youth Justice Board's education targets are not recognised by schools and further education (FE) colleges. The youth justice system focuses on the single young person while educational institutions focus on the group. Each agency works to different targets, which often conflict.

- **confused responsibilities**

It is often unclear as to who has responsibility for the education or training of these young people. It can fall between schools, LEAs, custodial institutions and LLSCs, with youth offending teams and Connexions partnerships being intermediaries, often for limited periods of time.

- **ineffective and non-existent protocols**

Agreed protocols between the agencies are required by the Youth Justice Board's *National Standards*, but they are often absent or ineffective where the agencies do not follow the procedures contained in them.

- **limited and tardy transmission of key information.**

YOTs often receive poor information about the educational situation of young people, hampering the effective assessment of need, planning and review. Educationalists in secure establishments also often fail to receive basic information about the special educational needs of those in their care.

Two general recommendations for the YJB arise from this research:

- It should design and introduce an educational framework for those in the youth justice system, akin to that devised for Quality Protects, that could engage both schools and LEAs

- It should lead a communication initiative to raise public and professional awareness of the importance of educational risk factors in offending. The initiative should also promote a new approach to community sentences built around education.

Intensive and sustained efforts will be needed to ensure that key bodies, such as the Secondary Heads Association and the professional associations, take this issue more seriously.

Specific recommendations are to:

- Extend the remit of the annual census to include LEAs as well as LLSCs and Connexions partnerships
- Issue detailed guidance to schools to promote the educational attainment of young people who offend
- Introduce detailed educational reintegration measures for schools

Develop joint training for schools and YOTs, building on ETE In-Service Education and Training (INSET), with an emphasis on effective information exchange

- Bring the further education sector into an effective working relationship with the youth justice system, particularly in the community
- Review guidance that is provided about young people who experience bullying, and ensure that all learning and development programmes incorporate this
- Devise and disseminate standard protocols for inter-agency working and make sure that these are monitored effectively
- Develop effective dissemination of information on education matters to magistrates

Review the quality assurance process surrounding ETE data supplied by the YOTs to the YJB.

## Introduction

This research and evaluation project was commissioned to determine the most effective means of ensuring that young people in the youth justice system are fully engaged in education, training or employment.

The research team was a consortium led by Nottingham Trent University, working with staff from the University of Oxford, Canterbury Christ Church University College and Ecotec Research and Consulting Ltd. The research began in September 2003, and was completed in December 2004.

Evidence suggests that a number of risk factors for the onset and continuation of offending occur within the remit of 'education, training and employment', such as low attainment in literacy and numeracy, and failure to achieve qualifications. Research evidence also suggests that engagement in education and training is most probably the single most important protective factor in reducing offending and reoffending (YJB, 2002; Berridge et al, 2001; Lipsey, 1995; Farrington, 1996).

The challenge of this research was to identify the barriers to young people accessing and participating in education, training and employment. For practitioners working in the youth justice system, the challenge of identifying barriers to access and participation is linked to their need to identify locally the variety of agencies responsible for education and training issues, and to understand the complexity of provision across the regions.

The project employed a range of research methods, which are detailed further in Chapter 2, and drew on primary and secondary data in order to gain greater understanding of the:

- barriers to engagement at both a micro- and macro-level
- scope of the problem
- effectiveness of existing policies
- extent and effectiveness of innovative practice
- strategic implications for future effective practice.

The research project was divided into three strands:

- literature review
- survey of the current situation
- in-depth fieldwork to examine micro- and macro-issues.

This research supports the work of the YJB, which has made education, training and employment a high priority. One of the 2004/07 performance targets for the YJB, which continues to work towards the aim of reducing reoffending, is to 'ensure that at least 90% of young offenders are in suitable, full-time education, training and employment during and at the end of sentence by March 2006'.

The YOTs work with local partner agencies and providers to meet this target. Support is provided to staff working within YOTs, to assist them in understanding the scope of the education, training and employment needs of young people, the range of education, training and employment that may be accessed and how to act as advocate and broker for those young people who are not in education, training and employment. The YJB has developed effective practice INSET for education, training and employment, to support staff within the youth justice system by providing materials that are most relevant to meeting practitioner needs.

It is important to emphasise that the role of the YOTs is primarily to advocate and broker access to education, training and employment both strategically and on behalf of individual young people. The direct control of these services lies outside their remit.

# 1 Aims, objectives and methodology

## ***Aims and objectives***

The aims of this research and evaluation were to:

- analyse existing *Asset* data on young people in the youth justice system
- administer a questionnaire to YOTs that would provide data on the total number of children and young people out of education, training and employment
- identify the barriers preventing access to education, training and employment of young people in the youth justice system

devise a model for an annual census of out of education, training and employment population to be implemented by YOT steering groups in conjunction with LLSCs and Connexions Partnerships

identify models of effective practice regarding sustaining young people at risk in mainstream education and training and the rapid reintegration of those that were outside and involved in the youth justice system so that the YOTs can hit their targets

provide each YOT with baseline data so that they can devise action plans in relation to the 90% target

- establish views on the education, training and employment opportunities for young people in the youth justice system both in community and custodial settings
- explore the nature, implementation and quality of education, training and employment provision
- ascertain practitioner views on access to education, training and employment, and participation and progression of young people

assess the apparent effectiveness of YOT protocols with LEAs and LLSCs.

## ***Literature review***

The literature review sought to examine the existing literature on the relationship between offending by young people and their access to, participation and progression in education, training and employment.

Literature searches were initially conducted over the summer of 2003. The University of Oxford collated the findings of previous research on the links between education, employment and offending, with particular reference to 16 to 18-year-olds and their participation in the labour market. Canterbury Christ Church University College examined the research findings on exclusion and related issues such as absenteeism and appropriateness of substitute education. Nottingham Trent University brought this work together and incorporated the research evidence on young people who offend and the relationship with educational risk and protective factors into the production of the final report.

The main sources of data used for this literature review were: YJB reports, audits and bulletins; Home Office reports and statistics; Social Exclusion Unit reports; the former Department for Education and Employment (DfEE), and DfES bulletins and reports; and previous criminological and educational academic literature on criminality, literacy and numeracy, employment and employability, offending and education and employment, and participation in the labour market. The literature review drew on books, reports and articles from America, Australia and the UK, using bibliographic databases such as the Educational Resources Information Centre (ERIC), Australian Education Index (AEI), and British Education Index (BEI).

A full literature review was prepared and submitted to the YJB in 2004. Chapter 2 provides a summary of that report and relevant additional literature has also been incorporated.

### **Quantitative data**

The rationale for this strand was based on the fact that there is a lack of robust statistical data available for the total out-of-school population either at national, regional or local levels. Without this data, it is difficult to establish which reintegration models work and more importantly, why they work.

### **Census survey**

It was agreed with the YJB that the census survey would take place on 9 June 2004. All YOTs in England and Wales were invited to participate in the census. The census aimed to measure the whole YOT population rather than a sample, including all young people subject to YOT statutory intervention for whom an *Asset* was required. Returns were requested by 30 June, although received up until September 2004.

The census survey was designed to gather selected *Asset* information on young people (namely, their demographic characteristics, criminal history, living arrangements, and education, training and employment backgrounds), record each young person's attendance at education, training and employment on 9 June 2004, and their reasons for non-attendance if available.

In order to complete the census survey exercise, YOTs were offered three different ways of returning the information: by providing hard copies of selected *Asset* data directly plus additional information regarding education, training and employment on the census day; through an electronic summary of *Asset* data plus the census day data; or by completing the entire census form. The YOTs who responded to the survey used all three methods to return data, and the census survey was conducted to various levels of completion. Analysis of preferences in completion methods used by YOTs will be used to guide future census processes.

Census data was entered into a Statistical Package for the Social Sciences (SPSS) database. Each participating YOT received an individual analysis of the data they provided. The data was also analysed to determine to what extent the sample was representative.

### **Qualitative data**

Three methodologies were used to obtain qualitative data for the study:

questionnaire survey of YOT managers

- interviews with a range of education and youth justice professionals
- interviews with young people across prevention, custody and community settings.

Questionnaire survey of YOT managers

Within the same mailing to YOT managers about the census, a YOT managers' questionnaire was also provided. It was designed to examine the individual protocols used by YOTs in their partnerships with other agencies, and the factors that affect the engagement in education, training and employment of young people who offend or who are at risk of offending. Forty-one questionnaires were returned, most of which had been completed fully (representing a 26.5% response rate). The responses were entered into an SPSS database.

### **Interviews with education and youth justice professionals**

Interviews were conducted with a variety of staff across the youth justice sector: heads of learning and skills, responsible for the education, training and learning of young people in YOIs; education staff and caseworkers in YOIs; LASCH managers; YOT managers; and prevention scheme managers and staff. The interview schedules compiled for the staff interviews were broadly similar for all five groups, to enable the comparison of staff responses to the same questions. Some additional questions were included for some participants, according to their particular role and environment. The interviews were transcribed and transferred to a qualitative software package for analysis.

The process of selecting the sample was undertaken in agreement with the YJB. The selection of practitioners to be interviewed was undertaken to ensure a representative sample. However, some practitioners, establishments and YOTs who were approached were unable to assist due to other commitments and, where this occurred, alternative candidates were identified to maintain a balanced representation within the sample.



The selected sample included staff from eight YOIs, 13 YOTs (across the range of YOT families) and 10 LASCHs, totalling 54 staff who were geographically dispersed, working within both custody and community, and operating in a range of functional roles.

Once this research was underway it was felt useful to include the views of additional educationalists; this was not however within the remit of the original commissioning terms. Despite this, the Esmee Fairburn Foundation were happy for the results from their *Unlocking Learning* project (Stephenson 2005a) to be included in order to complement other findings. In addition therefore, this research draws on the findings of surveys of nearly 800 educationalists including head teachers, heads of departments, classroom teachers, learning support assistants (LSAs) and FE college principals and vice-principals. Details can be found specifically in Chapter 5.

### **Interviews with young people across prevention, custody and community settings**

Interviews with young people were conducted to provide insights into their views as to the key factors that might contribute to their successful engagement in education, training and employment, and their perceptions of the barriers they faced to future engagement. The interviews were designed to be informal and minimally structured, to allow opportunities for researchers to explore the issues in depth.

A target sample of 50 young people within the youth justice system was identified for the first interview, with a cross-section of age, gender and criminal history. Young people were accessed through their custodial placement or their YOT. The sample size was too small to claim to be a representative sample, and as a consequence of the focus of other recent research publications the selected sample for this study was deliberately skewed to focus on young people below school-leaving age.

The methodology included an initial interview to obtain educational history and identify education, training and employment plans and aspirations of the young person, with a second interview occurring approximately three months later with those who had consented to one. Researchers also collected relevant information from *Asset*.

The purpose of the second interview was to obtain evidence on the extent to which the young person's plans had been achieved, and identify what barriers they had encountered in achieving their goals. The second interviews also enabled the researchers to clarify any missing/conflicting data, and pursue some of the emerging themes. The rate of attrition between first and second interviews was high. Of the original sample, those who were no longer under YOT supervision frequently refused to take part in the second interview, and a number had returned to custody. Of the original 50 who were interviewed, 48 were identified as being suitable to approach for a second interview. Of these, 14 could not be traced/failed to respond to contact and were no longer under YOT supervision, four refused (or a parent refused), four had returned to custody and four failed to attend the interview at the scheduled time.

Additionally, to achieve a broader picture of young people's post-release experiences of education, training and employment, interviews were arranged with young people who had recently been released from custody. These interviews obtained education history, but also sought to explore the extent to which the expectations of young people of

education, training and employment on release were met, and identify the key challenges faced by the young people as they made the transition from custody.

## 2 Literature review

### ***Background***

Before commencing the field research, a literature review was undertaken to identify the key themes that had emerged from published research evidence on the relationship between young people who offend and engagement in education, training and employment. There has been longstanding acknowledgement in both public and professional opinion of a close relationship between education, training, employment and offending. The connection between young people who do not attend school and are involved in juvenile crime for example, has often been prominent in the media. Similarly, custodial or residential education has a long history of attempting to curb anti-social and criminal behaviour in young people.

The introduction of the YJB brought a renewed focus on these matters. As the YJB's role spans both community and custody, and monitors the performance of key services in fulfilling their duty to prevent offending under the Crime and Disorder Act 1998, a more coherent approach has developed. The literature review undertaken during 2003 tested out the evidence base underpinning the YJB's approach and constructed a framework to explain the relationship between the education and youth justice systems, and between learning and offending.

The literature review draws on books, reports and articles from America, Australia and the UK, selected using bibliographic databases, e.g. Educational Resources Information Centre (ERIC), Australian Education Index (AEI) and British Education Index (BEI). The research was undertaken by Canterbury Christchurch University, The University of Oxford and the Nottingham Trent University. This chapter of the report summarises the findings from the literature review that was produced in 2004 to accompany this study, and notes additional research and publications of 2004 onwards that contribute to the evidence and debate on the relationship between education and offending by young people.

### ***Risk and resiliency framework***

Much criminal justice research has been within the context of a 'what works' approach. This has identified certain risk factors, i.e. particular events, behaviours, and institutional and environmental influences that increase significantly the chances of a young person being involved in offending. Reducing exposure to these risk factors can act to insulate a young person but there are additional protective factors that can prevent an involvement in offending. Resiliency is the ability to surmount adversities and explains why some young people can be successful in extremely difficult circumstances while others may end up involved in substance misuse, crime and unemployment.

In effect, the YJB is promoting a risk and resiliency framework, whereby risks are identified as events, behaviours, and institutional and environmental influences that increase the chances of a young person being involved in offending. Resiliency is defined as the ability to surmount adversities, enabling young people to be successful in difficult circumstances. Interventions with young people who offend are designed to alter their responses to their environment. Also, by influencing the environment itself through the mainstream and specialist services, it is possible to address identified risk factors.

Within this framework, the interventions with young people are shaped by seven key effective practice principles that can be adopted by educationalists and all staff working across the youth justice system (McGuire, 1995):

- risk classification – intervention should be matched to risk – both likelihood of offending and seriousness of offending
- criminogenic need – intervention should focus on criminogenic factors
- responsivity – intervention should take account of the learning style/strategies of the young person
- community-based – the learning from the intervention should take place in a meaningful context
- intervention modality – the intervention should be skills-based, with a cognitive behavioural approach
- programme integrity – the intervention programme should have clear rationale, with the aims linked to the method, and monitoring and evaluation of the intervention
- dosage – the intervention programme should be of sufficient intensity and duration to achieve its aims.

### ***Main findings – evidence of the four elements of risk***

The literature review identified four main elements of risk related to education, training and employment that appear to be closely associated with the onset or continuation of offending by young people:

- detachment from mainstream education, training and employment
- low educational attainment, particularly with respect to literacy and numeracy
- the influence of the school organisation
- the impact of custodial sentences and care episodes.

(Blyth, Hayward and Stephenson, 2004)

Each of these elements of risk could be interrelated to one or more of the others. In combination, they may create a vicious downward spiral. For instance, a young person might become detached from mainstream school (schools can vary significantly in their tendency to exclude) through exclusion or chronic non-attendance; this in turn would lower their attainment relative to their peers. The impact of long periods of time at home, an increased likelihood of anti-social behaviour, possibly occurring within a family under some pressure, could well lead to the young person entering the care system. The well-attested weaknesses in relation to stability of education placement and support for learning would exacerbate further the likelihood of young people remaining detached from school and consequently falling even further behind in terms of attainment.

The lowest attainers at GCSE are more likely not to be participating in education and training between the ages of 16 and 18 which, in itself, is the most important predictor of unemployment at age 21 (Social Exclusion Unit, 1999). The work of Croll and Moses (2003) supports the view that 'early exits from the education system are typically associated with limited career prospects and other restricted life chances'.

What is less clear from all of this evidence is the direction of the relationship between cause and effect with these particular risk factors. Does low attainment make the young person more likely to absent him or herself, or are those who absent themselves more likely to be low attainers? Does being excluded from school lead people into offending, or are actual or potential offenders more likely to be excluded?

It is also unclear as to exactly how exposure to a particular risk factor is translated into committing a crime or how different risk and protective factors interrelate to confer a vulnerability or resilience to offending behaviour. Does being out of school for long periods of time, for example, often lead to increased opportunities for offending by young people being drawn into an older and more delinquent peer group (Berridge et al, 2001; Farrington, 2001), or alternatively through increased exposure to substance misuse? Delays in the provision of alternative educational provision are associated with young people engaging in offending behaviour (Parsons, 2000).

Neither is it clear as to why certain groups of young people tend to be more exposed to these particular education and training risk factors, such as boys of all ages being more prone to low attainment than girls, or African Caribbean young men being much more likely to be excluded. The poor performance of the Black Caribbean population in skills level attainment in comparison with other ethnic groups has also been identified (DfES, 2003).

Nevertheless, there is compelling evidence that the exposure of young people to these four elements of risk, acting either singly or in concert, makes it far more likely that they will become involved in offending.

The literature was examined according to each of the four identified elements of risk associated with education, training and employment:

## **a) Detachment**

Evidence from the evaluation of YJB-funded education, training and employment interventions shows a direct correlation between attendance, attainment (particularly in literacy and numeracy) and lower offending rates (YJB, 2003). Attendance levels on post-16 training interventions are a significant factor in predicting future employment.

Detachment can be examined from three perspectives: compulsory schooling; non-participation between the ages of 16 and 18; and unemployment thereafter.

While the links between young people being excluded from school and crime have received a considerable amount of attention in recent years, the majority of young people who were detached from school and involved in offending may not technically have been excluded. Becoming detached from mainstream school for whatever reason (exclusion, authorised or unauthorised absence, not being on a school roll, little or part-time alternative education) represents the real risk factor. Rather than being distracted by the relatively small, formally excluded population, the message from the breadth of research is that social policy needs to focus on the reduction of the total out-of-school population in any given local authority area in order to have most impact on preventing offending. It was reported in the Audit Commission Report (1999) that 'on any one day, just under 400,000 (5%) of the 8 million pupils who should be in school are not there'.

DfES figures published in 2004 (DfES, 2004a) for recorded absence and exclusion report that:

- a. levels of unauthorised absence have remained roughly the same in recent years at just over 1% of secondary school days and just 0.5% of primary school days
- b. the number of permanent exclusions has fallen by a quarter since 1996/97.

Although the level of unauthorised absences may be stable, and the number of permanent exclusions falling, this should not conceal the fact that on any day, large numbers of young people are not attending school.

Potentially large numbers of young people are not within the education system and are therefore not recorded as being absent in DfES figures. The number of these so-called 'missing children' is difficult to estimate but, based on the number identified by Blackpool LEA, a national estimate of the number of 'missing children' is 100,000 (Blackpool LEA, 2003). A Nacro research project on the issues of those young people who were absent from school found that, in the 11 Nacro projects studied, 393 children met the definition of 'missing from education' (Nacro, 2003).<sup>1</sup> Ofsted (the Office for Standards in Education) reported LEA monitoring of young people who are not 'missing' from the education system, but who are attending alternative education provision as being weak (Ofsted, 2004; see also Atkinson et al, 2003).

<sup>1</sup> 'Missing from education' defined as children who are not attending school or any formally approved alternative educational provision, and have had no contact with formal provision or the LEA for at least the preceding six months

The Audit Commission Report (Audit Commission, 2004) recognised that the extent of ‘out of school’ population was unknown and recommended that LEAs should undertake a census of young people not in school, including authorised and unauthorised absences and those not on a school roll.

The Tomlinson Report (DfES, 2004) observed that:

*Disengagement peaks during Key Stage 4 and is manifest in absenteeism, exclusion and bad behaviour. Some of the causes of disengagement are cultural, social and economic and not easily addressed through changes to curriculum and qualifications.*

While recognising that the causes of disengagement may be complex, the Tomlinson Report proposals had the stated aim of raising participation and tackling the educational causes of disengagement through:

- offering a choice of relevant programmes and activities that allow young people to pursue their interests and aspirations
- signposting progression routes within a diploma framework and making it easier for learners to follow a route of their choice
- ensuring that all young people developed the knowledge, skills and attributes needed to access the curriculum
- enabling young people to build confidence by gaining credit for small steps of achievement.

The MORI Youth Survey (2004) provided some interesting findings of the potential link between mainstream education and offending. For example, they found that ‘two-thirds of offenders from mainstream education and seven in 10 excluded offenders who first played truant in Year 6 also committed their first offence aged 11 years or under’ and that ‘excluded young offenders are committing twice as many crimes as their peers in mainstream education’.

Although offering a broad definition of ‘disengagement’, which includes those who fail to achieve their potential and/or who fail to master basic skills but who remain in mainstream school education, Steedman and Stoney (2004) considered the disengagement of 14 to 16-year-olds and the implication on continuation of post-16 learning. They identified a strong negative relationship between persistent socio-economic disadvantage and educational attainment, which could be attributed to an accumulation of risk factors that predispose to poor school performance. The existence of variables that can help overcome adversity (resilience model) and enable a young person to develop their potential were identified as:

- attributes of young people themselves
- characteristics of families
- aspects of the wider social context
- teacher expectations.

- Another key piece of research that included a survey of nearly 800 education staff showed that the majority considered the primary reasons for detachment from education to be young people's attitudes and own previous experiences of education (Unlocking Learning, 2005).

#### **b) Low attainment**

Low attainment, beginning in primary school, increases the likelihood of becoming involved in a criminal lifestyle (Elliot and Voss, 1974; Manguin and Loeber, 1996; Polk et al, 1981; Robins and Hill, 1996; Wolfgang et al, 1972; Yoshikawa, 1994). It is the second most important predictive risk factor in terms of the onset of offending of all those risks associated with the family, community, individual behaviours and education. Failure at school increases the risk of anti-social behaviour and possibly involvement in drug misuse (Gold, 1978; Jessor, 1976; Philips and Kelly, 1979).

From the research evidence, it appears clear that literacy and numeracy skills needs are significantly more prevalent among young people who offend than in the general population. What is not so clear is how to delineate the impact of not being in learning and experiencing learning difficulties (Caddick and Webster, 1998; Prison Reform Trust, 1993), and how these contribute to poor basic skills.

Low attainment is widespread among young people who offend, with previous research showing that at least half who have come to the attention of youth offending teams have been deemed to be under-achieving (Oxford University, 2002). There are particular problems with literacy and numeracy among young people who offend, and very significant numbers with special educational needs (SEN) (Oxford University, 2002).

The educational attainment levels of serious and persistent young offenders are even lower. The average reading age of young people starting ISSPs is five years below their actual age and over half of the young people entering custody (average age 17) have a reading age below the level of an average 11-year-old (YJB, 2002a). Of young people who enter custody, an assessment of those of compulsory school age showed that about half had literacy and numeracy levels expected of an 11-year-old, while 31% had literacy levels at or below that of a 7-year-old, and 40% had numeracy skill levels at or below that of a 7-year-old (Ecotec, 2001).

The problems continue with age; for example, The Prince's Trust, in 2003, examined the aspirations of 900 disadvantaged young people aged 14–25. They found that 41% of the young people interviewed identified a lack of qualifications as being a factor that prevented them from achieving their goals. Recently, Furlong and Cartmel (2004) examined the poor long-term employment opportunities of vulnerable young men:

*The relatively poor qualifications possessed by many often reflected their negative experiences of schooling and were manifest in high rates of absenteeism, bullying, and literacy and numeracy problems that had never been effectively addressed. In turn, their lack of qualifications and basic skills made it difficult for them to secure quality jobs or training on leaving school.*



The extensive Skills for Life Survey (DfES, 2003a), which interviewed 8,730 adults aged over 16, illustrated the long-term implications of poor attainment in literacy and numeracy, on further education/training and employment. There was a strong correlation between a person's level of literacy and numeracy and their education history. Those staying longer in education and achieving higher qualifications tended to have higher level of literacy and numeracy than those who left early. In the field of employment, more than six in 10 of those employed in routine or semi-routine work had Entry 3 or lower numeracy skills.

### **c) Influence of the school**

Although a controversial area requiring more research, it is likely that schools can have both a direct and indirect effect on either increasing risk factors or strengthening the resilience of young people to offending. The 'influence of the school' includes a range of factors, and would include, for example, the school ethos, leadership, the curriculum, disciplinary policy, parental relationships with the school, non-coercive classroom management style, intake balance, etc. The recent Home Office *Crime and Justice Survey* reported that a poor school environment was one of the major risk factors for young people aged 10–16 being involved in anti-social behaviour ('anti-social behaviour' used as a measure as 'research has shown a link between low level delinquency and more serious offending' (Home Office, 2005). Just as schools can have a differential positive impact on attainment and attendance, so too can they affect behaviour and effective relationships with parents (Rutter et al, 1998).

Several studies have found that schools can help young people to acquire, through positive experiences, a greater ability to plan their lives. Young people from high-risk backgrounds who were enabled to adopt this approach were less likely to join peer groups with anti-social behaviour and this had a beneficial impact on their life choices, for example regarding employment (Rutter et al, 1998).

One study which partly focussed on the transition of young people from custody into mainstream education highlighted the responsibility of schools and their lack of appropriate re-integration policies to cater for the effective re-engagement of young people. Where schools had good relationships with YOTs, staff perceived re-integration as more effective. Of some concern was the perception of teachers about the suitability of mainstream schools as well as limited support from LEAs and school governing bodies in supporting re-integration systems for young people who offend (Unlocking Learning 2005).

The frequency and impact of bullying in schools has recently been the subject of much public debate and is a priority for school management. In a recent report, which surveyed 663 12 to 19-year-olds, 87% of 12 to 15-year-olds reported bullying at their school, as did 68% of 16 to 19-year-olds. Those from disadvantaged backgrounds were more likely to report bullying at their schools (Park, Phillips and Johnson, 2004).

#### **d) Custody and care**

Residential care and custodial institutions have a lengthy and intertwined history. Young people who enter the care system may have experienced a range of disadvantages prior to entering care and have complex needs. Young people who are looked after are three times more likely to be involved in offending than the general population, and those who have been in residential care are disproportionately represented in the custodial population. The impact of experiences of both custody and care may include consequent difficulties in gaining access to education and training.

It is now more widely recognised that young people who are looked after are more likely to suffer damaging constraints on their education (Fletcher-Campbell, 1997). Associated social factors make it difficult to tease out specific causes and preventive measures. Additional interlinking factors include, for example, their often high mobility, frequent change of carer, lack of constant nominated social worker and reasons they are in local authority care. Once detached from education, young people are particularly vulnerable to their care placement breaking down, creating problems that fall between social services and education departments.

It is unclear as to the independent effects of care episodes on offending behaviour (YJB, 2002). However, it is clearer that being looked after has an independent effect on both educational attainment and detachment and therefore increases the educational risk factors for offending (SEU, 2003).

Institutional life may lessen the resilience of a young person by weakening or preventing the growth of those protective factors that enable some young people to surmount adversities that defeat others. The possible restricting of autonomy in residential institutions could have such an effect.

The question is whether custody is intrinsically damaging to a young person's development in terms of access to and participation/progression in mainstream education. Positive changes in attitude may occur while in custody (Hobbs and Hook, 2001) but it is unclear whether any change can be supported in the transition into the community.

Custody appears to have three innate weaknesses that diminish protective factors and increase risks (Stephenson, 2005).

- It curtails decision-making and planning skills in those who require them the most.
- Learning is provided in such an abnormal environment that the subsequent application of this learning in the community is extremely limited.
- The removal of young people who have only a tenuous attachment to formal education (even if only a pupil referral unit with part-time provision) causes further dislocation for a young person, their parents/carers and the relevant professionals, as returning to provision is not guaranteed. The *Education (Pupil Registration – Amendment) Regulations (1997)* enable head teachers to remove young people from the school roll on receiving a custodial sentence.

Reintegration into education, training and employment post-custody is a particular challenge – often due to ‘organisational or system failure rather than the fault of the young people concerned’ (Hagell, et al, 2000). The challenge of reintegration was noted by the *Joint Inspection of youth offending teams First Annual Report*, which commented on the challenges of reintegrating young people from custody into education (Inspectorate of Probation, 2004):

*Successful reintegration back into education programmes depended on the availability of appropriate provision and the quality of relationships with providing agencies. Access to education, training or employment provision for 16 to 19-year-olds, particularly those leaving custody on DTOs, was at best patchy.*

### **What works – evidence of effective practice in addressing the elements of risk**

The evidence strongly supports those approaches that enable young people ultimately to gain and sustain employment as one of the best ways of preventing offending. The prerequisites for achieving this outcome are ensuring that attainment is high, particularly with respect to literacy and numeracy, and that young people form a strong attachment to mainstream education.

Those interventions that are not strongly linked to these two key objectives of attainment and detachment have relatively little chance of success. For example, interventions where increasing self-esteem is the primary objective or where learning occurs in a segregated or abnormal environment are likely to be ineffective.

As with other research on effective interventions to reduce recidivism, effective education, training and employment programmes have been found to have a significant impact on reducing recidivism, yet do not constitute a magic bullet.

There are four additional messages from the current literature.

- It is much clearer about what to do than the detail on how to do it
- Reattaching young people to education and training is far harder than preventing detachment in the first place
- There is limited evidence available of the transfer of learning between different environments such as custody to the community
- Delays and poor communication between the education and youth justice systems are a major constraint.

There are two broad approaches to *what works*: reducing the risk factors by, for example, returning young people to full-time education and training; and enhancing the protective factors, for example by helping young people acquire more effective planning and decision-making skills.

While evidence-based practice represents a new cultural approach for youth justice services to adopt, strictly speaking, most approaches to preventing offending in the UK must be deemed ‘promising’ or ‘unknown’ rather than truly effective.

Even when the evidence base is very firm, it must be emphasised that there is no magic solution when it comes to preventing offending. Using the techniques of meta-analysis provides average measures of changes in recidivism. Even with the most effective programmes, recidivism decreased on average by about 40%. Use of averages, of course, disguises a performance range both above and below this central score. The inference that practitioners can draw therefore is that, even when they apply interventions that are rated the most ‘effective’, the outcomes could range from a complete cessation of offending through to a significant increase.

In reality, then, effective practice in this context comprises those interventions that are most likely to result in the prevention of offending.

Table 2.1 shows the importance of education, training and employment initiatives that have been shown to be effective across the full range of risk factors for offending behaviour (YJB, 2001b).

**Table 2.1 Effective educational interventions by youth crime risk factor**

<b>Risk factor</b>	<b>Programme strategy</b>
Poor parental supervision and discipline	Pre-school education, <i>after-school clubs</i> .
Family history of problem behaviour	Family literacy.
Parental involvement in / attitudes condoning problem behaviour	Family literacy.
Low family income / poor housing	<i>After-school clubs</i> .
Low achievement beginning in primary school	Pre-school education, family literacy, reading schemes, reasoning and social skills education, organisational change in schools, <i>after-school clubs</i> , <i>mentoring</i> , <i>youth employment with education</i> , preventing non-attendance and exclusion, further education for disaffected youth.
Aggressive behaviour, including bullying	Pre-school education, reasoning and social skills education, organisational change in schools, <i>mentoring</i> , preventing non-attendance and exclusion, youth work.
Lack of commitment, including non-attendance	Pre-school education, family literacy, reading schemes, reasoning and social skills education, organisational change in schools, <i>mentoring</i> , <i>youth employment with education</i> , preventing non-attendance and exclusion, further education for disaffected youth, youth work.
School disorganisation	Reading schemes, reasoning and social skills education, organisational change in schools, preventing non-attendance and exclusion.
Alienation and lack of social commitment	Parenting information and support, reasoning and social skills education, organisational change in schools, <i>after-school clubs</i> , <i>mentoring</i> , <i>youth employment with education</i> , preventing non-attendance and exclusion, further education for disaffected youth, youth work, peer-led community programmes.
Individual attitudes that condone problem behaviour	Parenting information and support, organisational change in schools, <i>after-school clubs</i> , <i>mentoring</i> , preventing non-attendance and exclusion, youth work, peer-led community programmes.
Early involvement in problem behaviour	Parenting information and support, reasoning and social skills education, organisational change in schools, <i>after-school clubs</i> , <i>mentoring</i> , preventing non-attendance and exclusion, youth work, peer-led community programmes.
Friends involved in problem behaviour	Parenting information support, reasoning and social skills education, organisational change in schools, <i>after-school clubs</i> , <i>mentoring</i> , preventing non-attendance and exclusion, youth work, peer-led community programmes.
Disadvantaged neighbourhood	<i>Youth employment with education</i> .
Community	<i>Youth employment with education</i> , youth work.

<b>disorganisation and neglect</b>	
<b>Availability of drugs</b>	<b>Organisational change in schools</b> , youth work, and peer-led community programmes.
<b>High turnover and lack of neighbourhood attachment</b>	<b>Organisational change in schools</b> , <i><b>after-school clubs, mentoring, youth employment with education</b></i> , further education for disaffected youth, peer-led community programmes.

Source: YJB, 2001b. See reference for further information about the above programmes.

\*Strategies in **bold** are those for which programmes have been evaluated in the UK and have proved to reduce the relevant risk factors.

\*\*Strategies in **bold italics** are those for which programmes have been evaluated outside the UK and have proved to reduce the relevant risk factors.

\*\*\*Strategies in normal type are those that have not undergone either form of evaluation.

#### **a) Detachment – evidence of what works**

For young people who are already engaged in suitable, full-time programmes, it is important to ensure their continued attachment to education, training and employment as a protective factor. This may require the provision of effective support to sustain the placements and attendance of young people at risk of detachment, i.e. those young people who are regularly not attending or who cannot properly access the learning available to them. Support, either in the education setting or from parents and carers, is important to strengthening young people's attachment to school. In relation to absences, a 'same day' response appears to be essential to preventing further non-attendance effectively (DfEE, 1995).

Those interventions that have been evaluated to a high standard and that demonstrated effectiveness in preventing detachment are the same as for tackling low attainment, and include pre-school education, family literacy, intensive reading schemes, reasoning and social skills education, and organisational change in schools.

The involvement of parents/carers in a young person's education has been shown to be one of the most significant factors in strengthening a young person's attachment to school and to learning in general (Treasury, 2003; Bynner, 2001; DfES, 2003b).

A review of the work of the Neighbourhood Support Fund (NSF), a DfES-funded three-year pilot that aimed to re-engage hard-to-reach young people aged 13 to 19 with education, training and employment, claimed that schools valued the support provided by NSF projects (Golden et al, 2004). NSF projects offered alternative provision, which in combination with mainstream school, minimised the risk of the young person detaching from education. Factors of NSF projects that were identified as being central to success in engaging hard to reach young people were:

- outreach work
- building a positive reputation in the neighbourhood and establishing good links with other local experts
- attractive activities

- projects providing information about future options, including getting a job
- projects providing social support and opportunities for young people to meet with their peers.

As quoted in Steedman and Stoney (2004), Schoon (2003) notes that the accumulation of risk factors throughout the school years points to the importance of early intervention. The variables that could operate as protective factors, to prevent detachment of young people at 16 are identified as:

- teachers' expectations
- parental encouragement
- support for further education.

Ensuring swift access to suitable, full-time programmes for those who have detached completely is vital but appears to be the most difficult for education and criminal justice agencies to achieve. The research report (Moore et al, 2004) evaluating the ISSP identified this in that 'practitioners reported particular difficulties in accessing education'.

Steedman and Stoney (2004) found that some young people appear to respond positively to alternative education and training provision. Those who have become detached from mainstream education appear to make some progress in provision that provides one-to-one contact, adopts an adult approach and atmosphere, and provides an opportunity to mark progress through certification. However, there are significant concerns as to the variability of quality on such alternative provision and the often poor success of young people. Those who are 'engaged but failing to achieve their potential' may benefit from provision that takes them out of school into a work-related setting or a setting associated with leisure/cultural activities. The quality of provision, however, may be a cause for concern.

Steedman and Stoney (2004) queried the assumption often made that work-related learning is inherently more motivating to disaffected young people, and suggested that the real issue of disengagement could be to do with teaching style, learning preferences and provision of adequate support in mainstream education. They cited the Swiss experience, which suggests that less academic young people appear to flourish in schools where the curriculum is more broadly based and where a 'nurturing' delivery style exists.

Finally, the importance of financial incentives (NFER, 1997) to encourage young people aged 16 to 19 from low-income families to continue to participate in education and training after completing compulsory education is being considered by the extension of the DfES Education Maintenance Allowance (EMA) to all areas from September 2004. This is part of a 'radically simplified financial support system for 16 to 19-year-olds' regarded as essential in engaging 16 to 19-year-olds in education and training (HM Treasury, 2004).

## **b) Low attainment – evidence of what works**

Interventions that have been evaluated to a high standard and that have demonstrated effectiveness in preventing low attainment include pre-school education, family literacy, intensive reading schemes, reasoning and social skills education, and organisational change in schools.

Programmes that are designed to provide a core of literacy, numeracy and language development, and offer opportunities for achievement of nationally recognised qualifications, are crucial. Evidence of programmes that successfully motivate (Graham and Wiener, 1996; Stipek, 1996) and effective programme design (Sutton, 1992; Kerka, 1995; Tolbert, 2002) recognise that the learner must be offered a learner-centred experience. Such programmes should:

- involve the learner
- use an individualised approach
- involve the learner in formative assessment
- provide formal recognition for progress.

For older young people, particularly those who are serious or persistent offenders, the evaluation of YJB-sponsored education, training and employment projects established a clear link between attainment in literacy and numeracy, gaining qualifications and positive outcomes (such as progression to education, training and employment) and reduced recidivism (YJB, 2003).

## **c) Influence of the school – evidence of what works**

Whole-school approaches to tackling risk factors, e.g. aggressive behaviour, bullying, low attainment, lack of commitment to school and non-attendance, have been shown to be effective. A Home Office development and practice report published in 2004 considered a series of studies on the role of education in promoting life chances and preventing offending. From the four studies examined, some common points consistently appeared as factors for delivery and working with young people. These included the relationship between schools and young people – effective schools being those that are ‘inclusive schools, with a positive ethos, clear leadership and strong management, and positive staff-pupil relationships’. The report concluded from the evidence of a number of studies that: ‘Disruptive behaviour and consistent non-attendance are strongly related to the organisation and ethos of individual schools, irrespective of the kinds of pupils who attend them.’

Schools that have considered the learning needs of all young people, and offer flexible alternative provision, tend to have lower exclusion rates (Osler et al, 2001). Where young people are unable to remain in mainstream school, but are offered alternative, off-site provision; this may often fail to provide the same opportunities for accredited outcomes as mainstream school (Ofsted, 2003)

Interventions that have been evaluated to a high standard and that were features of effective school organisation include intensive reading schemes, reasoning and social skills education, and parenting information and support.



Although the evidence is limited, there has been some research illustrating the impact of the school on offending. School-based counselling and social work was reported as having reduced delinquency in one study (Rose and Marshall, 1974). The recent Safer Schools initiative in England and schemes in other countries emphasise changes in the school environment in order to reduce offending. In Belgium, for instance, one such initiative has defined delinquency in terms of a loss of ‘connectedness’ to the school and also to the wider community (Smith in Barry & Hallett, 1998).

In addition, there are a number of promising practice indicators for further education colleges planning to work with young people at risk (Utting, 1999), such as:

- collaborative bridging/access programmes with local schools, education authorities, and LSCs to create education and training opportunities
- a student-centred approach with the emphasis on learning as opposed to assessment
- curriculum and teaching methods that are sufficiently flexible to take account of individual student needs
- occupational guidance and work experience that are an integral part of each course
- effective support for learning such as one-to-one tutoring and pastoral support
- students following a curriculum that is not only relevant to their current and future needs, but also shows them how they are progressing
- other support services such as help with transport or childcare
- joint training for school and college staff on working with young people at risk.

#### **d) Custody and care – evidence of what works**

A number of research studies have been undertaken that try to measure the effectiveness of custodial educational intervention programmes and most have been compromised by weak research design (Tolbert, 2002).

Some studies (Pearson and Lipton, 1999), however, have found ‘promising’ evidence of the link between custodial educational intervention and reduction in recidivism (Saylor and Gaes, 1997; Steurer, Smith and Tracy, 2001), and provide worthwhile insights into the characteristics of programmes that may be effective. There is some evidence that basic skills interventions can reduce recidivism (YJB, 2003).

If they are to stand a chance of working, these programmes need to have certain characteristic features, such as maintaining programme integrity, being learner centred, providing appropriate assessment, provision of one-to-one support, and providing a community base (NFER [National Foundation for Educational Research], 1997; Tolbert, 2002). Providing a vocational focus also seems to be important in some programmes (Saylor and Gaes, 1997).

## **Conclusions**

The literature review supports the importance placed by the YJB on education and training to reduce recidivism among young people who offend. The emerging research evidence provides broad guidance for principles of effective educational interventions. Several types of intervention have been evaluated as demonstrating a high degree of effectiveness in reducing important risk factors.

The evidence also indicates that early and sustained intervention on the crucial matters of attainment and attachment have a higher chance of success than trying to equip older teenagers who have become completely detached from mainstream learning with literacy and numeracy skills.

## 3 Scope of the problem

### *Introduction*

This census survey is the first attempt to estimate the engagement in education, training and employment, of young people in the youth justice system in England and Wales. Other studies have indicated particular problems in certain geographical areas (Youth Justice Trust 2003) and for certain young people such as those entering custody or an Intensive Supervision and Surveillance Program (ISSP) (Youth Justice Board 2001a; Hagell et al. 2000), yet none have attempted to measure engagement across the entire youth justice population. Analysis of large samples of *Asset* have provided some indications of the scope of the problem (Baker et al. 2002). However, *Asset* is limited in providing quantitative measures of provision, distinguishing between issues of access and participation, or providing clear ‘point in time’ or up to date data.

As a result, one of the key issues to be explored by the census survey was to distinguish between provision a young person could access (i.e. what had been planned or was nominally available) and their actual participation. There can be considerable divergence between these two. Issues such as non-attendance are clearly of importance for both youth justice and educational practitioners alike. However, it is critical that the issue of absenteeism does not overshadow issues of access to provision for the young person. For some young people there may be no provision available at all.

In addition to issues of access and participation, the suitability and legitimacy of placements is of equal importance and another area that the census aimed to explore where possible. Nominal enrolments, inappropriate allocation of study leave, delays in finding placements, and informal exclusion arrangements are examples of reported practices denying young people access to suitable ETE provision.

Attempting the distinction between access to ETE and actual participation is important for both policy and practice. It is clearly vital from the point of view of both the Youth Justice Board and local steering groups to identify where there is a lack of provision either through physical capacity or through the willingness of schools or other educational institutions to accept a young person. Wrestling with the diverse elements that can bear upon attendance is an inherent part of the supervisory role of YOT practitioners, yet this is often quite distinct from brokering suitable placements with education and training providers and employers.

### *Census methods*

The census sought returns from YOTs for all young people for whom an *Asset* was required, which represents those young people subject to YOT intervention from Final Warning through to supervision while serving the community part of a DTO.

The census survey had to take account of the fact that the YOT practitioners completing the census forms are not direct providers of ETE, and therefore are unlikely to keep detailed daily registers of attendance. The focus of the census was an assessment of the education, training and employment arranged for and received by young people in a particular week (week commencing 7th June 2004). This was supplemented by similar details for a particular day (9th June 2004).

In addition to the questions relating to ETE provision specifically during the census week and census day, two other, more general, measures of the young person's recent ETE provision were obtained. The first of these complementary measures were the ETE-related data recorded on the young person's current *Asset* and the second, a question on the census form on whether the young person had been in full-time ETE for the last three months.

Obtaining these four different measures of ETE provision enabled a more in depth analysis of provision. This approach of collecting 'point in time', longer-term, quantitative and qualitative measures of ETE provision concurrently, again distinguishes this work from previous studies. The use of multiple measures minimised the number of young people in the sample for whom no ETE measure was available and in some cases, enabled informed judgement to be made on an individual's ETE status when response to another measure was not provided (see Appendix 1).

Census forms were completed and returned by 48 YOTs, providing data on 5658 young people. While this represents returns from only one in three YOTs, it was concluded that the sample was broadly representative of the national YOT population when comparing geographical spread, size of YOT and profile of the young people (a detailed assessment of the representativeness of the sample can be found in Appendix 1). The census returns provided a very large dataset with only 69 young people (1.2%) having no measure of their ETE provision provided in their census. The number of responses obtained for each of the key measures of ETE provision requested are shown below:

- weekly census (4807 young people) – this measure refers to the dosage (in hour categories) of education, training and employment, both arranged and received for the week beginning 7 June 2004
- daily census (4345 young people) – this refers to the type and dosage (in hours) of education, training and employment, both arranged and received for the day of the census, 9 June 2004.
- Census recent ETE provision (4990 young people) – this refers to whether the young person had been in full time ETE for last 3 months
- *Asset* recent ETE provision (5280)– this refers to the young person's type (in categories) of 'main source of education provision in the previous six months' or 'situation in regard to education, training and employment'.

## **Main Findings**

Using all the data available, the census findings conclude that on a given day, somewhere between only 35 and 45 per cent of young people in the youth justice system are in receipt of full-time education, training or employment.

Other headline findings were:

The YOTs in the sample are struggling with very serious access issues to full-time education, training and employment.

- Only 45% of the young people in the sample had access to full-time provision during the census week, and 28% had no provision arranged at all.
- Those young people who:
  - are older
  - are female
  - have been in the care system
  - have literacy or numeracy difficulties
  - have previous convictions,
  - have more serious disposals
  - have a higher likelihood of reoffending
- were significantly less likely to have full-time education, training and employment provision arranged for them.
- Only around half of those in the sample of statutory school age were reported to have full-time education arranged. For those in their final year of compulsory schooling, there was an even lower proportion in full-time. One in four of young people of school age had no provision arranged for them at all.
- Dubious practices, such as informal exclusions or inappropriate study leave, by some schools, coupled with delays and a lack of alternative educational capacity by LEAs were reported in the census.

The percentage in education, training and employment figures reported quarterly to the YJB were significantly higher than the percentages obtained in the census for all YOTs in the sample.

## **Access to ETE**

Obviously engagement with education training and employment is dependent on its availability. Data from the census returns underline how serious the shortfall in available provision appears to be. This is manifested not just by those who had nothing arranged, but also by the prevalence of part-time provision. Notions of suitability from either or both the potential provider and the young person may well influence lack of availability.

The key measures of ETE provision obtained in the census present the following picture with regard to young peoples' access to ETE, and specifically to full-time provision:

- 28% of the census sample had no ETE provision at all arranged for them in the census week
- Only 45% of these young people had full-time provision arranged in the census week

Given its statutory nature, it would be expected that a higher proportion of those of school age would have full-time education or training arranged, than those who are older. This is confirmed by the returns for both provision in the census week and the last three months, with about 50 per cent of school-age and 40 per cent of above school-age having full-time ETE arranged for them. Similarly, while nearly one third (31 per cent) of young people over school leaving age had no provision arranged for them at all, about one in four (26 per cent) of those school-age had no placement available.

For those young people in the census who had nothing arranged or received nothing, practitioners had the opportunity to write comments on the census forms. While they are not necessarily representative, they do give insights into the day-to-day experiences of YOTs, both in engaging young people and dealing with education, training and employment providers to arrange provision.

For those dealing with young people of school age, their comments testified to several apparently significant systemic problems including dubious practices by schools, delays by LEAs in arranging placements, the prevalence of part-time provision, which sometimes lowers motivation, and a range of physical, mental and emotional health problems besetting the young people. Considerable frustration was expressed over the cases of young people who were missing several years of their secondary education.

The following provides examples of comments made by YOT practitioners on the census returns in relation to young people who had no ETE arranged or received. Some of these comments were mentioned frequently by YOTs. The majority of the practices described below in relation to schools and LEAs are in breach of DfES guidance and Ofsted advice, if not actual statutory duties. For example, LEAs are required to arrange suitable full-time provision for all young people of compulsory school age that have been excluded for more than 15 days. The comments provided suggest that this requirement is not being met in a number of cases.

## **Schools**

*He is a non-attender – has been taken off school roll because of non-attendance.*

*Not attending due to agreement with school.*

*On school roll but school has requested that mum voluntarily keeps him at home until next term due to behaviour in school.*

*School agreed not to force 'X' to attend when he was not vulnerable and would not pass any exams.*

*School did not want him on site.*

*Full-time exclusion, which was then turned into extended study-leave in the run-up to GCSEs.*

*School not wanting him in.*

*School recommended not to attend due to mental health concerns.*

*The school has not appeared to be very interested in 'X' attending.*

## **Local education authority**

*Excluded from PRU [pupil referral unit] – on roll but not given placement.*

*Excluded from school and no alternative provision in place.*

*No places in PRU – over capacity.*

*No programme offered by out of school provision.*

*On PRU waiting list.*

*This young person lost his school place but was not permanently excluded. The LEA was unable to provide him with another school place or alternative provision during year 11.*

*Young person hasn't been offered anything from LEA.*

*Is non-attender and has been for 2 years. ESW [the education social work service] has just become involved.*

*Transient between LEAs.*

*On roll of another LEA who are unable to explain why ESW has not been involved.*

## **Health**

*Seven-plus months pregnant and has associated health problems.*

*He has oppositional defiance disorder.*

*In hospital – discharge still pending unstable with regards to mental health.*

## **Part-time**

*Refuses current provision of 1 hr per day at PRU.*

*While 'X' has had difficulty in engaging in an educational setting one hour a day as a year 9 pupil is insufficient and at times he views it as pointless going in for just one hour.*

#### **No education long-term**

*Has been out of education since 13.*

*Has been out of school for over 2 years – problems with first school, then went to another but as had been out of school so long could not cope.*

*Has not been in education outside of custody since he was 11.*

*Not been receiving any education throughout year 11.*

*Only input is Connexions. Did not receive any schooling for 2 years.*

*Out of education for two years.*

*'X' has not engaged in any education provision for two years.*

#### **Study leave**

One suspect practice that the census revealed was the inappropriate use of study leave which for some young people appears to have been simply cover for not having them in schools. The DfES guidelines to schools are clear:

*'study leave should be used sparingly and only for year 11 pupils during mock and public examinations'*

Analysis of comments provided for these young people in the census indicates that in fact the use of study leave may be camouflaging young people who are not wanted in schools. A selection of practitioner comments below demonstrate study leave is being used for young people who do not appear to be sitting public examinations and sometimes lasts for many months or longer. It was also being used for young people who are younger than year 11.

The practitioner comments included:

*Exam leave and sick note from school for depression.*

*Exam period – not on school roll.*

*Officially still registered with school although suspended and also on study leave.*

*The school put 'X' on study leave several months ago.*

*Year 11 exam leave – no exams being taken.*

*Study leave – excluded from school and no alternative provision in place.*

*Extended study leave.*

*Study leave/exams – was a non-attende previously.*

*Study leave – due to long-term poor attendance has not been entered for any GCSEs.*

*Exam leave – no exams being taken.*



*Study leave – not attended school this year.*

*Year 11, but was put on extended study leave due to behavioural difficulties in school and attendance issues.*

*In theory would be classed as on exam leave but has not attended a full day since last year.*

While it would clearly be legitimate for some young people to be on study leave preparing for their examinations or actually sitting exams, in reality, this does not appear to be the case for possibly the majority of the 314 young people so recorded.

Given the incidences of interrupted learning through exclusion and non-attendance, and the pervasive problems regarding educational underachievement, exemplified in low levels of literacy and numeracy, it calls into question the nature and appropriateness of study leave.

In any event DfES guidance makes it clear that study leave does not count as educational attendance:

*‘..Study leave is authorised absence and cannot be counted as ‘approved educational activity’ as it is unsupervised. It must be recorded as ‘authorised absence’*

Source: DfES website (<http://www.dfes.gov.uk/schoolattendance/faq/>)

In addition, the DfES comment that:

*‘..many schools are electing to seek alternatives to study leave as there is evidence that a high proportion of students do not have the skills, or are not inclined, to make the best use of large amounts of unsupervised and unstructured revision time’*

Given that this relates to the main body of the pupil population, few of whom will have shared the negative educational experiences that affect most of those in youth justice system, there can be no educational justification for many of these instances of study leave. From a youth justice perspective, the emphasis on supervision that is inherent in most disposals would also seem to support this as an unjustifiable practice. The Youth Justice Board's counting rules with regards to ETE could be amended to make practitioners aware of this guidance, and enable them to challenge schools and LEAs who condone this practice.

### ***Participation in ETE***

Where provision had been arranged, data were examined to explore issues of non-attendance. The *Asset* information indicated that significant numbers of young people in the sample were known to not participate due to regular truancy (42 per cent), and a further 21 per cent being regularly absent from school for other reasons. The weekly and daily returns for hours actually received imply a smaller but still significant attendance issue. Almost 80 per cent (1681 young people) of those who had full-time provision available were reported to have attended for all of the week. This attendance figure is significantly above those reported in many of the ETE projects evaluated for the Youth Justice Board (YJB 2002).

Attendance rates were reportedly higher for those above school age with 86 per cent of those who had full-time ETE available attending full-time during the census week, compared to 74 per cent of those of school age.

In the absence of detailed registers, it may be that there was an element of estimation by some YOT practitioners which may have erred on the generous side. The YJB ETE returns require that:

*‘YOTs must seek verification that young people are actually receiving 25 hours of education, training or employment.’*

However, informal discussions with both YOTs and providers, including a large scale national training provider, indicated that this verification was not always very detailed or frequent and that many absences could be missed.

### ***Educational risk factors***

Analysis of the *Asset* data detailed the educational experiences of young people, and examined the prevalence of the educational risk factors for offending as identified in the literature review and collated into the four groups of: detachment, low attainment, school organisation and custodial / care episodes . These data rely on information as provided on the *Asset*. As such, the data cannot be assumed to be 100% reliable, either in accuracy or completeness<sup>2</sup>. Many of the scorings represent a judgment call made by the practitioner, often relying only on the verbal response of the young person as educational records such as on special educational needs were often not forthcoming from schools or LEAs.

<sup>2</sup> An inspection of YOTs (Probation Inspectorate 2004) stated that 79% of initial assessment was completed to *National Standards*.

**Table 3.1 Asset data: Education risk factor – ‘Detachment’**

<b>Indicator of detachment</b>	<b>% responding ‘Yes’</b>	<b>Total number of respondents</b>
<b>Lack of attachment to school</b>	41%	3,765
<b>Regular truancy</b>	42%	3,826
<b>Regular absence other than truancy</b>	21%	3,577
<b>Negative attitude toward training and education</b>	22%	3,164
<b>Negative attitude towards employment</b>	10%	3,140

In examining additional issues (other than those raised by the census) of detachment from mainstream education and training, Table 3.1 shows that 42% of young people regularly truanted from school, and that 21% were regularly absent from school for reasons other than truancy. It is of no surprise then that YOT staff recorded 41% of young people as lacking attachment to school. In terms of barriers to ETE, 22% appeared to have a negative attitude toward training and education – representing a significant barrier to their future engagement in ETE. Interestingly, the negativity towards employment was lower. This was reflected in the views expressed by many young people in the interviews, who appeared to demonstrate more positive views towards employment than training.

Data on low educational attainment (Table 3.2) as recorded by the YOT staff, showed that YOT staff believed 52% of young people lacked qualifications and skills, although only 29% were identified as having difficulties with basic literacy and numeracy skills. This may well be a significant underestimate. Other studies have indicated that those completing *Asset* are often unaware of the difficulties with regard to literacy and numeracy that many of these young people face. Comparisons between the *Asset* rating and the initial assessment on literacy and numeracy for those entering custody bears this out (YJB 2001a), as does the disparity with the views of the young people themselves in ‘What do you think?’<sup>3</sup> (Baker et al. 2002)

Discrepancy between responses on *Asset* and the census returns also point to a lack of awareness among practitioners of literacy and numeracy difficulties. The census survey asked whether there had been any screening or assessment for literacy and numeracy. Of those who reported on *Asset* that the young person had no literacy or numeracy difficulties, only 27% reported on the census return that they were aware of any screening or assessment even having taken place. This suggests very ad-hoc and seemingly uninformed judgments being made on this important issue.

<sup>3</sup> ‘What do YOU think?’ is a self-assessment form for young people undertaken as part of the *Asset* completion interview and can be used to allow comparison between a practitioner’s assessment and the perspective of a young person.

*Asset* provided information on the special educational needs (SEN) status of young people in the sample. The total response breakdown for this item on *Asset* was: 3134 ‘not thought to be SEN’; 774 ‘SEN with a statement’; 258 ‘SEN without a statement’; and 1492 ‘don’t know’ or no response. SEN was perceived to be present in about 25% of those young people who had information provided for this question on *Asset*. It is suspected that this may be an underestimate of the prevalence of SEN in this population. The most likely reason why this measure may be an underestimate lies in the 1492 cases where YOT staff responded that they did not know. Low identification of SEN could be attributed to lack of expertise among YOT staff in understanding of SEN and what should be recorded, or could be attributed to detachment of young people from mainstream education, thereby preventing the statementing process being commenced or continued. In addition, it is possible that once young people are over school-leaving age, YOT staff do not record SEN as special provision for those over school-leaving age is unlikely to be made.

**Table 3.2 *Asset* data: Education risk factor – ‘Low educational attainment’**

<b>Indicator of attainment</b>	<b>% responding ‘Yes’</b>	<b>Total number of respondents</b>
<b>SEN identified (with or without statement)</b>	25%	4,166
<b>SEN identified (with statement)</b>	19%	4,166
<b>Underachievement</b>	46%	3,636
<b>Difficulties with basic literacy and numeracy skills</b>	29%	3,900
<b>Lack of qualification and skills</b>	52%	3,070

The influence of school organisation encompasses a range of school-based issues as outlined in the literature discussed in Chapter 2. Data on these factors such as discipline policy, attendance monitoring and parental involvement, are not available from the *Asset*. However, some of the information collected on the *Asset* does reflect the school organisation and the relationship between the young person and the school. These data are shown in Table 3.3 below.

**Table 3.3 *Asset* data: Educational risk factor – ‘School organisation’**

<b>Indicators of School organisation</b>	<b>% responding ‘Yes’</b>	<b>Total number of respondents</b>
<b>Bullied at school</b>	13%	3,677
<b>Poor relations with most teachers</b>	37%	3,713
<b>Negative parent/carer attitude</b>	12%	3,632
<b>Other problems with school</b>	27%	3,635

The two most striking figures from this data on aspects of school organisation are firstly, that 37 percent reported poor relationships with teachers – clearly a barrier to future engagement in education and training, and secondly, the 13 percent reported as having experienced bullying. Not all bullying is recorded and there are limitations to recording of this risk factor on *Asset*. The case study interviews undertaken with some of these young people as part of this project revealed many of the young people had experience of bullying. The impact of bullying merits further investigation and raises questions about whether young people are able to identify bullying, what they regard as bullying, and whether they accept acts of bullying as part of normal school life.

Investigation of data relating to the impact of care and custody on ETE provision was limited by the poor data recorded on the census forms for these risk factors. Full data on care and custody episodes are presented in Table 3.4, highlighting the large number of ‘don’t know’ and missing responses. It is worthy of further consideration to identify why in 45% of cases, YOT staff did not know about a young person’s recent care history. In addition, it is unclear why there was such a high level of ‘missing’ responses for previous custodial sentences, despite its importance as an educational and reoffending risk factor and the relative ease in identifying this information.

**Table 3.4 Census data: Education risk factor – ‘Impact of custody/care’**

Indicator of Custody/Care	Yes	No	Don’t know	Missing	Total sample
<b>Entered care system in the last five years</b>	10%	42%	45%	3%	5,658
<b>Previous custodial sentence(s)</b>	6%	63%	0.5%	31%	5,658

**Associations between education, training and employment arranged in census week and risk factors**

A number of demographic and criminological factors were explored for associations with education, training and employment provision arranged for the census week<sup>4</sup>. These included age, gender, ethnicity, offence gravity, previous convictions, previous custodial sentences, recent care episodes, *Asset* score, SEN status, literacy and numeracy difficulties, experience of bullying, rating for reoffending, and urban/rural residence. The statistically significant associations found are outlined below<sup>5</sup>:

**Age**

A statistically significant association was found between age of the young person and hours of ETE arranged in the census week. Chart 3.1 below illustrates this association. Odds ratios (OR) showed that young people aged 15 years or younger were

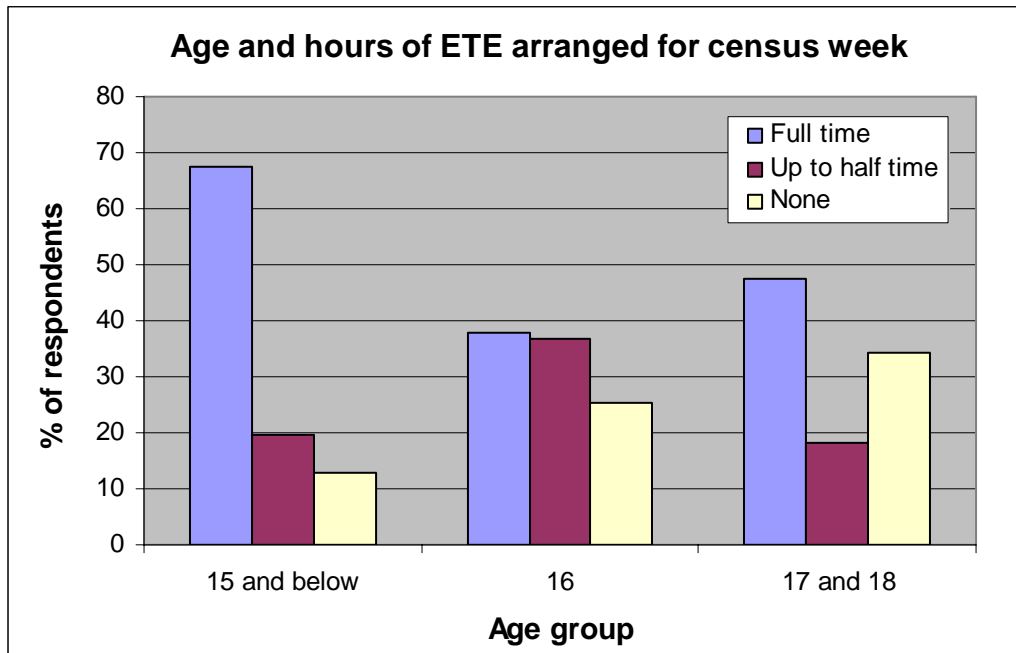
<sup>4</sup> Census week arranged data were selected as the base measure as all reported associations were also found for ETE received during the census week and ETE arranged and received on the census day.

<sup>5</sup> Chi-square tests of association were performed with significance taken at the 0.005 level.

more than three times as likely as those aged 16 years<sup>6</sup> and twice as likely as those aged 17 and 18 years<sup>7</sup> to have full-time ETE arranged. There was a particular problem for those in their last year of compulsory schooling where the availability of full-time provision falls very significantly.

Similarly, analysis by school-leaving age found that those above school-leaving age were more than twice as likely as those below school-leaving age to have no ETE arranged during the census week<sup>8</sup>.

**Chart 3.1 Age and ETE arranged for census week**



**Previous convictions**

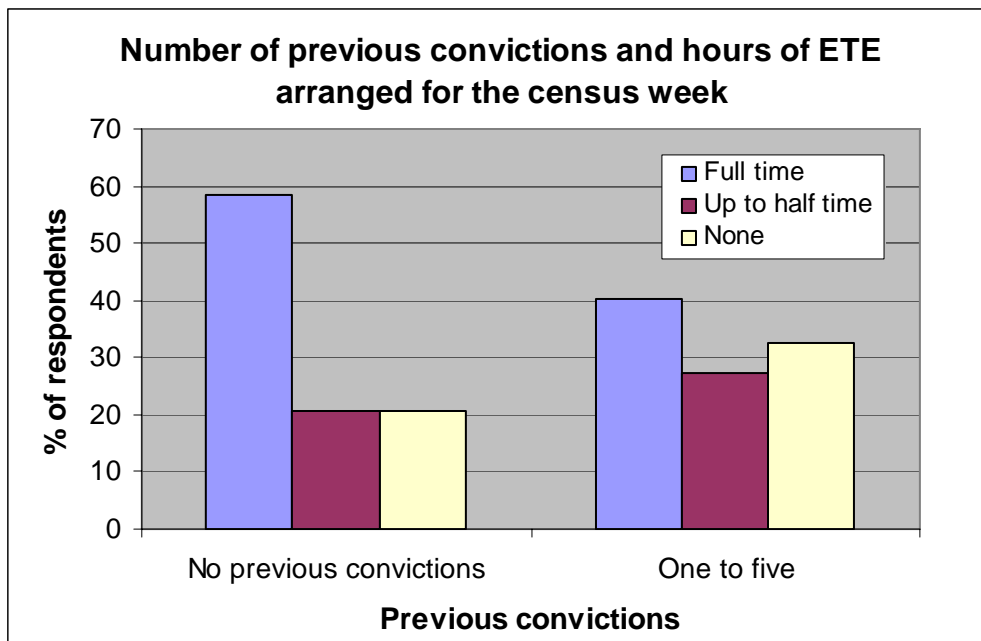
Young people in the census with no previous convictions were significantly more likely to have full-time education, training and employment arranged in the census week and less likely to have none arranged, in comparison with those young people who had previous convictions (see Chart 3.2).

<sup>6</sup> Odds Ratio = 3.14, 95% Confidence Interval = 2.65, 3.72

<sup>7</sup> OR = 2.33, 95% CI = 2.02, 2.69

<sup>8</sup> OR = 2.22, 95% CI = 1.91, 2.59

**Chart 3.2 Previous convictions and education, training and employment arranged for the census week**



More specifically, those young people with between one and five previous convictions were more than twice as likely to have no ETE arranged for the census week than those with no previous convictions<sup>9</sup>.

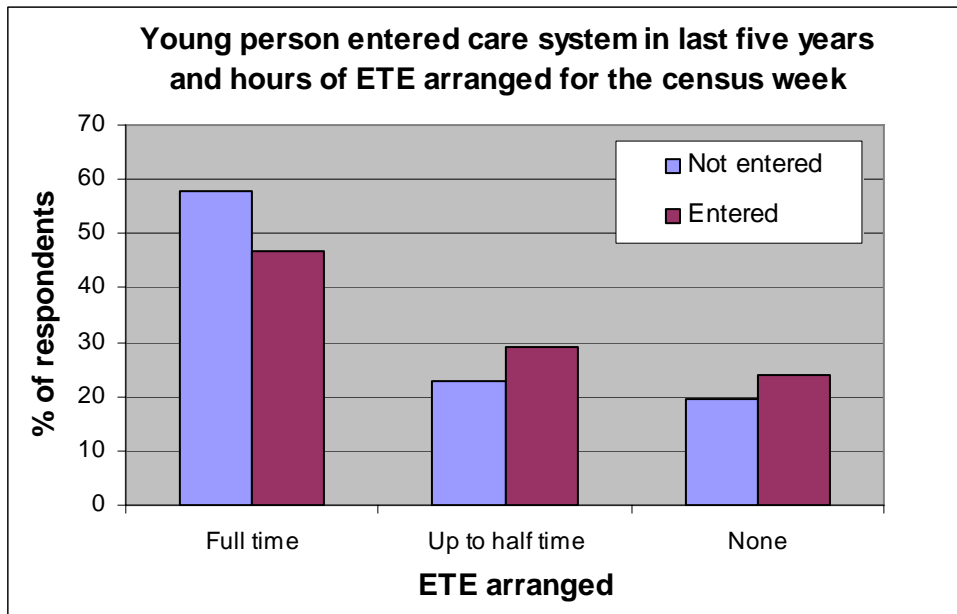
In addition, it was also found that the odds of having ETE arranged, and of receiving ETE, fell as the likelihood of reoffending (derived from total *Asset* scores) rose.

**Care**

Young people who had entered the care system in the last five years were also significantly more likely to have part-time or no education, training and employment arranged in the census week, and less likely to have full-time arranged than those who had not entered the care system in recent years (Chart 3.3).

<sup>9</sup> OR = 2.29, 95% CI = 1.90, 2.77

**Chart 3.3 Entered care system in last five years and education, training and employment arranged for the census week**



The odds ratio shows that young people with care episodes in the last five years were 50% more likely to have no education, training and employment arranged for the census week than those who had not had a recent care episode<sup>10</sup>.

**Literacy and numeracy difficulties**

Literacy and numeracy difficulties also showed to be a significant risk factor for having no education, training and employment provision for the census week (Chart 3.4). Young people in the census who were reported on *Asset* as having basic literacy and numeracy difficulties were 50% more likely to have no ETE arranged for the week than those who were not reported as having such difficulties<sup>11</sup>. Those young people reportedly without literacy and numeracy difficulties were 60% more likely to have full-time ETE than those with such difficulties<sup>12</sup>.

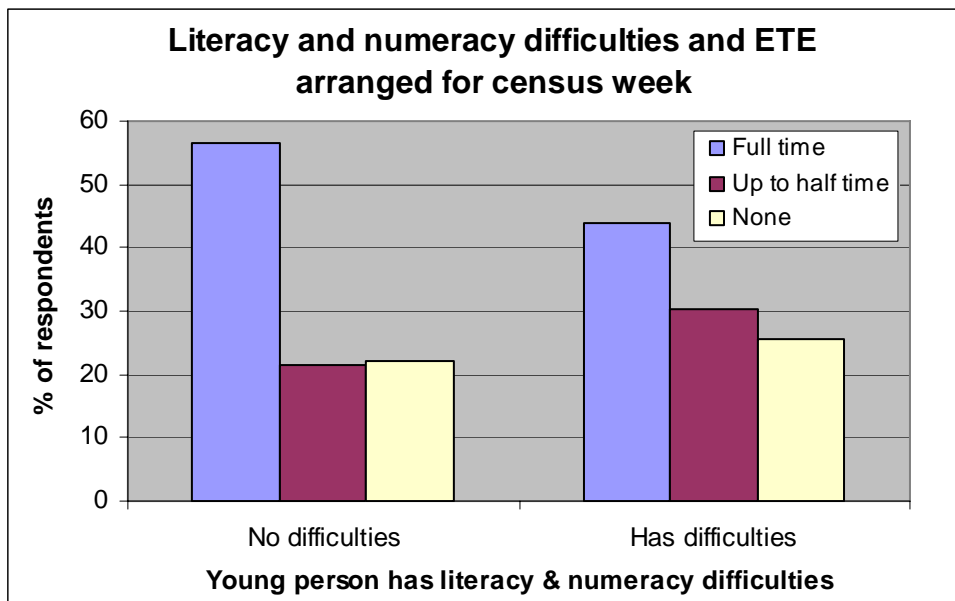
<sup>10</sup> OR = 1.50, 95% CI = 1.13, 1.99

<sup>11</sup> OR = 1.50, 95% CI = 1.22, 1.83

<sup>12</sup> OR = 1.61, 95% CI = 1.38, 1.89



**Chart 3.4 Basic literacy and numeracy difficulties and education, training and employment arranged for the census week**



### Current disposal

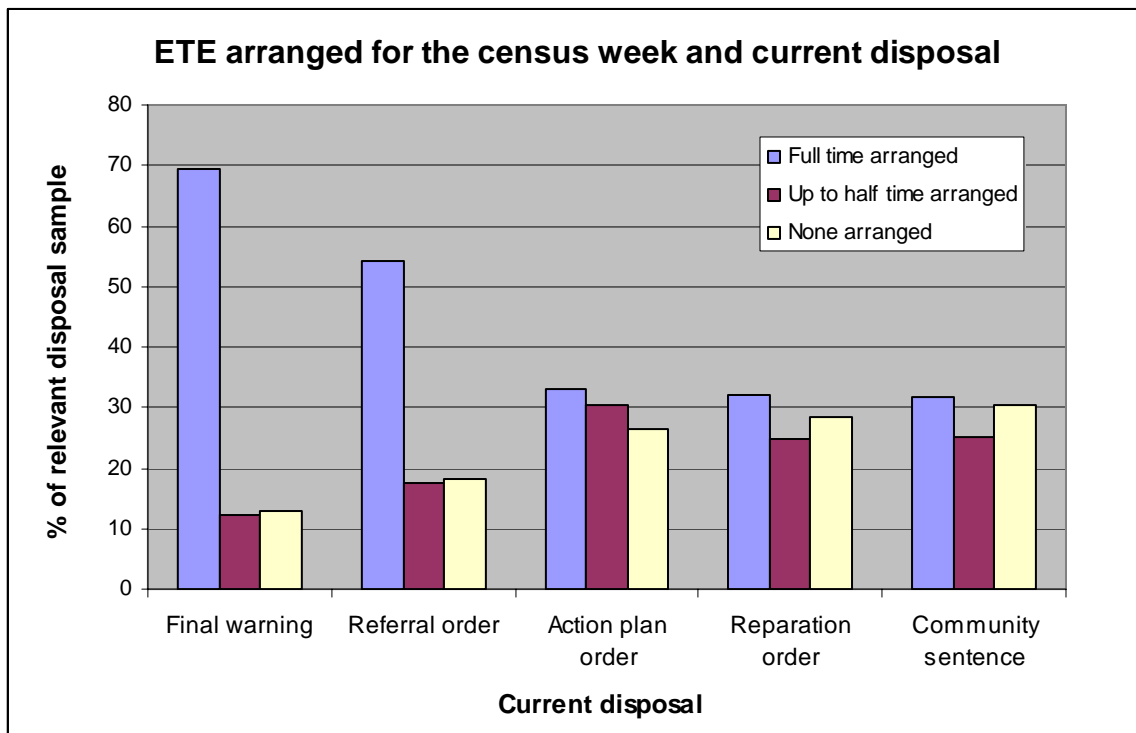
Current disposal of the young people and trends in education, training and employment provision were also analysed (see Charts 3.5). Those young people on a Final Warning were three times more likely to have full-time ETE arranged during the census week than those on other disposals<sup>13</sup>. When comparing young people on Final Warnings and those on community sentences, this difference is even starker with those on Final Warning being five times more likely to have full-time ETE arranged than those on community sentences<sup>14</sup>. Young people in the census on community sentences were also more likely to have no ETE arranged for the week, being almost three times more likely to have none than those with the less serious Final Warnings<sup>15</sup>. Chart 3.5 illustrates the progressive difficulties in arranging provision on the different orders. A similar pattern was found by disposal when examining provision received.

<sup>13</sup> OR = 3.01, 95% CI = 2.48, 3.66

<sup>14</sup> OR = 5.01, 95% CI = 4.00, 6.27

<sup>15</sup> OR = 2.98, 95% CI = 2.25, 3.95

**Chart 3.5 Current disposal and education, training and employment arranged for the census week**



### ***YOT returns to the YJB***

A comparison of the percentage of young people receiving ETE provision as recorded in the weekly census was carried out against the percentages reported in the quarterly YOT returns to the YJB. This comparison revealed a considerable and consistent disparity (see Appendix 1). All the YOTs in the weekly census responded with significantly lower numbers of young people in education, training and employment. The difference ranged between 14 and 65 percentage points, with the average deficit being 37 percentage points (the gap is even greater if percentage difference rather than percentage points difference are examined).

The reasons for this disparity remain speculative but two main issues emerge. Most importantly, the nature of the census returns reveal considerable uncertainty as to exactly what education, training and employment a young person was actually receiving. It may be that some of the YJB returns tend to be more of a rather optimistic interpretation of what may be arranged rather than what a young person is in receipt of. Informal checks with practitioners and ETE providers indicated that systematic validation of attendance, as required in the education, training and employment Key Elements of Effective Practice and the counting rules for the YJB ETE target, is at best patchy and in some areas extremely rare. In addition, the YJB counting rules appear to be counting ETE status at the point of case closure and not throughout the entire duration of the sentence as required by the original framing of the target (YJB 2004).

Given the understandable upward pressure on returns exerted by any centrally set target, coupled with the major access problems experienced by YOT staff over education, training and employment, much more rigorous systems of internal and external validation would be needed if these YJB figures are to be accorded the necessary degree of confidence.

### **Conclusions**

Despite the issues relating to the quality of recording, this is a very significant set of data in terms of both scale and detail. It underlines the challenges faced by YOTs in gaining access to and supporting young people in full-time education and training. It seems clear that the most serious barriers lie within the education system where there appears to be a combination of a shortage of places coupled with an apparent unwillingness by some schools towards finding timely, full-time mainstream placements. In relation to alternative education placements, these returns supported by practitioner comments indicate a significant lack of provision by LEAs to enable timely and full-time access.

## 4 Young people's perspectives

It has long been recognised that there are a number of impediments to engaging young people in education, training and employment; these may be viewed as micro- and macro-barriers to engagement. Micro-barriers are those which are located with the young person or are a feature of how the young person interacts with their immediate environment, e.g. absenteeism, low attainment in literacy and numeracy skills, etc; macro-barriers are those that are a feature of the policies, processes and systems of participation in education, training and employment on a broader scale. There is a danger that in considering barriers to engagement, excessive emphasis is placed on the risk factors of the young person, with a corresponding failure to identify barriers to engagement that are outside their control. This chapter will consider the range of barriers identified by young people within the youth justice system.

From the interviews conducted with young people in both custody and community settings, their perceptions of the nature, type and quality of education, training and employment they received and the extent to which the education, training and employment provision had been tailored to meet their needs was examined. The sample for the case studies was not intended to be representative but to focus on young people who had experienced a breakdown in education provision and faced barriers to engagement.

### *The nature of education, training and employment provision*

The young people interviewed in community settings were undertaking a range of alternative community-based education, training and employment provision. The education, training and employment of young people included a variety of education and training activities,<sup>16</sup> which included community projects such as the YMCA, City Farm/Training Farm, Prince's Trust, Police club, arts centre/arts projects, music project and work-based learning providers as well as entry to employment (E2E), college and voluntary work.

Activities young people were engaged with frequently appeared to be tailored to the needs of the young people in the following ways.

- Projects incorporated support for the subjects in which the young people had low attainment, such as basic skills, e.g. literacy and numeracy support was delivered as part of a range of activities, enabling delivery of basic skills through embedded learning.

<sup>16</sup> Defined as education and training in all programmes included as per YJB education, training and employment counting rules: 'Suitable education, training and employment activities may also include those young people who attend a pupil referral unit, participate in work experience, or attend a leisure diversion programme.'

- The projects enabled young people to pursue activities and subjects that they had previously enjoyed, in a supportive environment which sought to develop both technical and soft skills of young people.
- Vocational classes of practical interest such as design and technology, bricklaying and catering were often a priority for the young people.

The majority of interviewees who were under school-leaving age attended alternative education programmes – these placements were at what the young people termed ‘behaviour schools’ and/or colleges and a few received home tuition. There was a tendency for those under school-leaving age to have education provision arranged on a part-time basis for between two and three days a week, often on alternate days. Some young people attended college (including young people below school-leaving age). For example, the college-school link service enabled one young person to attend college on a part-time basis to acquire certificates in joinery, painting and decorating. Some received some hours of tutorial support at home that tended to focus on key subjects such as English and maths.

There were also young people who undertook employment-related activities, e.g. some helped to look after the animals and grounds at a city farm and one worked at a local garage while studying mechanics on an alternative education placement at college.

### ***Perceptions and experiences of education, training and employment***

In terms of alternative education, training and employment provision received in the community, three key systemic factors appeared to have greatest influence on the perceptions and experiences of ‘alternative’ education provision of the young people interviewed.

The first was that there were smaller classes and therefore a better student-teacher ratio, which made teachers and support staff more available to provide assistance. The majority of young people interviewed cited the fact that they received more staff attention as the reason why they liked their alternative education placements. Young people also commented favourably on being given responsibility in community settings when they acted appropriately. Within custody, prior expectations on entering custody appeared to have some influence on the young people’s perceptions and experiences of education, training and employment within custody. Some interviewees had not expected ‘to go to school’, and they felt that there was too much education provision in custody.

A second factor of apparent importance was the relevance young people attributed to the education, training and employment they received in custody. In contrast to the views of some young people, after reflecting on past experiences of education, training and employment, one young person felt that there should be more education because they have often missed periods in the past and ‘need to catch up’. There was a perception that the education delivered in custody should focus on getting young people ready for their education, training and employment on release.

A third factor that received comment was relationships with teachers, which were a key characteristic, attracting both positive and negative comments on education, training and employment in custody.

### ***Access, participation and progression in education, training and employment***

Young people were asked to outline their aspirations and plans for education, training and employment with the intention that these would be reviewed during the second interview. The extent to which training plans were followed up was considered, alongside the appropriateness of current education, training and employment to meet declared aspirations, and the barriers to progression perceived by the young people.

#### **Interviewees in custody**

The majority of young people in custody developed a training plan for release, which built on education, training and employment undertaken and achieved while in custody (Home Office, 2000). However, some young people either did not have, or were not aware that they had, a training plan.

At the point of the second interview, some young people had experienced changes to the plan in implementation, although this was sometimes due to changes where a young person breached their order. Some young people were waiting to get places at colleges before their plan could be implemented, although others were able to begin new placements immediately after release. Where there were delays in implementing plans, young people often reported they received assistance with placements from agencies such as Connexions.

#### **Interviewees in the community**

Interviewees in the community generally received continuing support from their YOT worker, Connexions or school link worker if applicable. Youth and community workers at projects continued to offer support to young people who chose to remain on projects following completion of orders. Young people expressed mixed views on whether they wanted support or whether they had received sufficient support.

#### **Future aspirations**

There were mixed responses regarding future aspirations for education, training and employment. Some young people had low aspirations and considered that they remained at risk of reoffending. In these cases, their discussions about the future were very short term and expressed in terms of turning up every day for appointments to comply with orders. Others were more positive in the sense that they hoped to continue with current education, training and employment arrangements or ‘whatever work I can get’. Some had very specific ideas about their plans for the future. In these cases, employment was often the preferred option (e.g. being in the army, a builder or mechanic) with training where necessary. From the perspectives of the young people interviewed, one attraction of employment was that it would keep them occupied and therefore lower their chances of offending again.

A number of interviewees planned to progress to further education or employment in subjects that they had accessed while supervised by the youth justice system. Examples include one young man who was studying mechanics at college who planned to get work in a garage and another who decided to work with animals as a consequence of his work experience at a city farm.

### **Barriers to future progression in education, training and employment**

Multiple barriers to plans for future education, training and employment were identified. However, some young people did not believe they faced any barriers to progression, even when prompted. Others cited one or two and some identified numerous barriers. Given that some young people were uncertain about their future plans for education, training and employment, they may have found it hard to conceptualise barriers to progression.

Of those who did identify barriers, those most commonly cited were:

- having a criminal record
- a lack of qualifications.

Other prominent barriers identified included:

- mixing with ‘the wrong crowd’ again
- having a bad reputation in the local area
- experiencing difficulties with personal relationships
- ‘own attitude’
- bullying.

The majority of young people interviewed perceived future progression to be ‘down to them’. Therefore, a number of barriers they identified related to their actions and personal or family circumstances. However, a number of interviewees felt that the actions of other people were barriers and reported that ‘if people stay off my back’, things would be ok.

### ***Four educational risk factors***

The interviews with young people provided plentiful illustrations of the impact of the four identified education risk factors on young people’s education history. These four factors are:

- detachment
- low attainment
- influence of school/college organisation
- care/custody episodes.

## Detachment

Interviewees typically experienced lack of attendance at mainstream school during Years 6 and 7 (aged 10 to 11 years and 11 to 12 years respectively), i.e. their transition from primary school to middle/secondary school. Most of the young people interviewed had attended primary school regularly, although even at this stage there were examples of young people who reported absences, e.g. sickness or holidays. But young people's reports of non-attendance during middle (aged 9–13) and secondary (aged 13 to 16) school stages were common and many individuals described prolonged periods of non-attendance.

Explanations for non-attendance included:

- being sent home
- exclusion from school
- only attending preferred classes in which they felt they were doing well
- being bullied
- wanting to hang out with friends and siblings.

*First year I went all the time, but at 13/14, I started wagging with a girl who was older – went with friends at night to get drugs.*

(YOISM41)

Parents or carers often had some knowledge of non-attendance. Interviewees reported a variety of actions taken by many parents and carers to tackle non-attendance although in some cases no action was taken. Examples included:

- 'grounding' or keeping them at home
- stopping their spending money
- talking about non-attendance and going to school
- taking/walking them to school.

Young people experienced fixed-term or permanent exclusions at all ages, with many experiencing multiple exclusions. Generally, the pattern of exclusion started with fixed-term exclusions, followed by permanent exclusion. Exclusions (fixed-term and permanent) were issued for unauthorised non-attendance, for verbal incidents such as calling teachers and peers names, and physical actions such as throwing bricks at a teacher's car or throwing furniture.

*I was excluded lots of times for doing daft things like not doing as I was told and wagging.*

(YOIAP3)

Interviewees also reported being excluded from more than one school, and one young person reported being excluded from primary school at just five years of age.



All interviewees who had reached school-leaving age had broken any link with mainstream education by then. Any education, training and employment they undertook was facilitated by the YOT through community-based education, training and employment provision or by YOIs for those in custody. An exception was a female interviewee, aged 17, who reported that she was intending to go back to college in order to gain qualifications.

### **Low attainment**

Low attainment in mainstream education affected most of the young people interviewed, with few gaining any qualifications.

Interviewees often perceived their educational ability quite negatively in comparison with their classroom peers and many described themselves as having been the worst in the class at primary and secondary school. Some interviewees identified particular subjects that they felt they were good at – these ranged from gymnastics and boxing to IT, maths, geography and history.

A wide range of subjects was equally liked/disliked at primary school although English was commonly regarded less favourably. Only one young person found English to be an easy subject at secondary school and while two others said they liked English, they found it harder than other subjects. Many experienced some literacy problems, and spelling in particular seemed to cause problems.

### **School/college organisation**

The principal aspect of school, which appeared to influence engagement with education of many young people interviewed, was bullying and the way it was handled (or mishandled) by school/college and teachers in particular. Bullying was experienced by most of the interviewees; however, it is important to note that individual experiences of bullying were varied.

In the most extreme cases, interviewees were subject to both verbal and physical bullying at both primary and secondary school. Peers and occasionally teachers were reported as the perpetrators of bullying.

Teachers reportedly handled bullying in different ways. They either intervened verbally, and would ‘have a word with the bullies’ and ask them to leave the victim alone or they would break up physical fights. In general, victims of bullying felt that teachers should have done more to prevent bullying and that their intervention had not been effective. There were also perceived disparities between school guidelines and actions that were taken.

*Teachers said they would give detentions and send people home but they never did.*

(YOTJS16)

Relationships with teachers were an important factor in young people's experience of mainstream school. In general, the interviewees considered their secondary school teachers to be stricter than at primary school. Interviewees also frequently mentioned the fact that in alternative education programmes, there were more teachers available to smaller class sizes, which meant that they received more attention. Many interviewees attributed negative experiences of school to a dislike of their teacher(s) – 'teachers got on [my] nerves', 'they [teachers] try to make you do what they say', etc.

While some interviewees reported the support they received from specific teachers as the reason for liking school, others felt stigmatised as a result of receiving individual learning support from classroom assistants. This was less of an issue for those young people when undertaking education in custody, as class sizes were generally smaller and the young people tended to be of a similar ability.

### **Care/custody**

#### *Care*

Some young people had experiences of care episodes which has the potential to damage their educational career (Fletcher-Cambell, 1997). Experiences of foster care were usually for short periods of respite care such as over the weekend 'because mum wanted time to herself' (YOTRB25) or, overnight, when a young person had problems at home. However, one interviewee had spent three weeks at a children's home after running away from home and another had resided in supported housing during secondary school.<sup>17</sup>

#### *Custody*

From the interviews with young people in custody, some specific instances of custody disrupting education, training and employment were revealed. One young man had a place on a college course to start in September, but was sentenced to a period in custody in August and on release in October was unable to join the course. Another young man was studying on a college programme before custody but, on release, did not return to that course, although he did find a place on another training programme. Another young man, who was below school-leaving age, was unable to attend education on release, despite his mother trying very hard to get him back into school, and consistently working with the YOT to achieve this while the young man was in custody. At the time of the second interview, he was not receiving any education at all.

### **Case studies of young people**

The following biographies exemplify in personal terms the educational risk factors of young people who offend. Further case studies can be found in Appendix 2 of this report.

<sup>17</sup> Information obtained from *Asset*

## **Case study 1 'John', aged 13**

### *Introduction*

The interviews with John identified a combination of school organisational factors, various forms of detachment and low levels of attainment as contributory factors leading to his offending behaviour. In particular, he recalled that the school system failed to stop persistent systematic bullying, which underpinned his previous educational experiences.

### *Attachment/detachment*

John became detached from primary school through authorised and unauthorised absence. Initially, he attended primary school every day. Early experiences of detachment were a result of his bad behaviour in class. When bullied, he lost his temper and threw chairs. He also defended his brother who was also bullied but 'wasn't a fighter', and classmates used to mock his parents for reasons he did not understand. As a consequence of his behaviour, teachers authorised absence and sent him home early. He remembered teachers saying that they would send the bullies home or give detentions but he did not believe that they did. He did not think that staff were effective in dealing with the bullying that he or his brother experienced at school.

He changed primary schools once when his parents moved house. He missed the occasional lesson or full day when he disliked the subject or the teacher, or when he felt he was shouted at for no reason. Instead, he used to sit in the park by himself or run around the school. The interviewee could not remember if his friends also missed school regularly. He preferred to play with just one or two people because he felt he would get into trouble with a group of young people.

Aged 11, he went to secondary school for two to three weeks, during which time he was sent home twice for losing his temper. Subsequently, he was permanently excluded for fighting with a boy. During the fight, he threw a brick at the boy's head. He understood the reason for exclusion and agreed with the decision. The exclusion did not bother him but did worry his parents. Afterwards, he recalled thinking about the consequences of his actions.

Following exclusion, he spent a year at home and his mainstream school sent work for him to complete. The interviewee committed an offence, while detached from school and became involved with the youth offending team, which managed his supervision order. At this stage, he started attending the city farm for two days a week and helped out by carrying bricks and sweeping leaves.

### *Attainment*

Throughout primary education, the interviewee found all subjects difficult, in particular science, maths, and learning to read and write. Now aged 13, his reading has improved but he still cannot spell. In primary school, he remembered receiving some one-to-one support but also being left on his own in class a lot of the time. He felt that teachers ignored him and LSAs 'had it in for me'.

He did not enjoy his time at primary school because he found subjects hard and was picked on. The interviewee described his behaviour as much worse than others in his class but said that he did his schoolwork most of the time, until someone threw things at him.

#### *Current education, training and employment*

At the time of the second interview, aged 13, John had started attending a 'behaviour school' on a part-time basis (three half-days a week on alternate days). At the point of interview, his immediate impression of his first day at the new school was positive. The interviewee described the presence of a teacher in every class as 'all right and better than before' because he knew he would be excluded automatically if he lost his temper. He was aware that he would be studying the same subjects as at school and still did not find them easy but described the classes as 'all right' because there were only three people in the group.

The interviewee wanted to stay with this current education, training and employment arrangement because he knew he would be bullied again if he returned to his previous mainstream school. He also felt that his friends would 'egg me on and try to get me to do stuff' so he was trying to avoid spending time with them. He did not want to become a repeat offender.

### **Case study 2 'Claire', aged 17**

#### *Introduction*

This young person is currently working for her uncle as a builder/labourer. She became detached from education at secondary school; however, school organisational factors had a significant impact from primary school. Low attainment was apparent in a number of subjects. Bullying and poor relationships with teachers had the most negative impact on her education, training and employment. Her grandmother became her primary carer at 14 but this did not appear to affect her education greatly.

#### *Detachment*

She attended primary school on a daily basis but was suspended a few times for having a 'bad attitude'. She did not understand why this 'petty excuse' led to temporary exclusions.

At secondary school, she started to non-attend. She attended school between three and four days a week when she had classes in subjects that she enjoyed. In the main, Claire non-attended with people who had already left school and therefore did not think that school friends influenced her non-attendance. When taking unauthorised absence, she admitted drinking alcohol regularly. She was suspended from school aged 11–12, largely due to name-calling. At 13, she was permanently excluded for swearing at a teacher she did not get on with. The interviewee recalled that this happened because the teacher called her 'useless'.

Following exclusion, she cared for her mother before moving in with her grandparents. Following a brief period in a secure training centre, she started a hairdressing course at college but was removed following the advice of her psychiatrist. Consequently, she began taking drugs and drinking again. At 17, she served a custodial sentence at a young offender institution.

#### *Attainment*

The only subjects she found difficult at primary school were maths and English because she did not like the teachers. She found reading and writing a bit harder than others in her class, particularly grammar. She reported being worried about literacy and numeracy at secondary school but again found maths easier. At secondary school, this was because the teacher motivated her and made it interesting, and she recalled feeling that the teacher had faith in her. She was good at IT and art. Following the advice and support from her friend, she approached the school with a request to be entered for art GCSE. She subsequently achieved a B grade.

#### *School organisation*

The interviewee had a poor relationship with her maths teacher at primary school who was critical of her mum's learning difficulties to the extent that her grandparents threatened to remove her from the school. The school responded by replacing her maths lesson with an extra art lesson because that was her favourite subject. She had a positive relationship with her art teacher. She did not receive individual support in other lessons (English was mentioned in particular) for fear of others thinking she was 'thick'. The interviewee also felt singled out by teachers who she believed were always too busy when she asked for help because their standard response was 'in a minute'.

The interviewee was bullied in and out of primary school; however, it stopped outside school when she moved house because she travelled in from a different area. She recalled that there was a perception that a lot of bullying occurred at her primary school for a 'little school'. She recalled being indifferent to bullying at first because it was not happening to her. Her attitude changed when she was wrongly accused of bullying another girl. At this time, she started 'going off the rails'. Her older sister was severely bullied in Year 8 to the extent that she left school permanently and attempted suicide. She described how her sister's experiences encouraged her to make the transition from victim to bully. She did not recall teacher involvement in bullying at either school.

Organisational factors also had an impact in custody. Of her short time at the secure training centre, she said: 'I thought they were having me on' when asked about her aspirations on release and what she wanted to study. She requested hairdressing and this was arranged even though it was not part of core provision. In addition, she expressed an interest in the IT class and challenged the exclusion of girls from the class, which resulted in her admission to the group.

The interviewee did not expect there to be any education in the Young Offenders Institution. She started a business administration course and undertook life skills, IT, PE, English, maths, drug awareness and citizenship. She believed she received enough education but would have liked to do exercise, dance or drama at weekends. Based upon her experiences, she described education in custody as 'better than any other schools'.

*Current education, training and employment*

On release, a training plan was developed, which included a business administration apprenticeship at a city-centre-based training provider. She was anxious about starting at a new place but was looking forward to earning some money.

The interviewee missed her initial interview with the training provider and did not return because she decided it was too far to travel from the north of the city where she lived. She now works for her uncle as a builder/labourer. He is providing 'on-the-job' training and is encouraging her to return to college; she has yet to discuss with her YOT worker. She works four-and-a-half days a week, which she now finds is okay but had found difficult at first. She needed support from her family to achieve her ambitions and hoped for more contact from the YOT worker.

## 5 Key stakeholders' understanding of the importance of education, training and employment

### *Barriers to engagement in education, training and employment identified by staff*

From the interviews with practitioners, it seems that individual barriers to engagement in education, training and employment do not seem to be systematically measured or recorded throughout the youth justice system. In general terms, where they are recorded, they are ascertained on an individual basis, if and when they arise. In custody, education, training and employment needs are identified through a range of assessment tools, including the PLUS<sup>18</sup> initial assessment, dyslexia screening and learning styles assessments.

The focus of the education and training record is usually on the micro- or personal barriers of the individual young person. The process of identification of personal barriers is fairly informal in all settings, although some agencies are beginning to use assessment instruments to identify barriers now, like the Adolescent Coping Scale and the Rickter Scale. The youth justice practitioners interviewed agreed that early identification of barriers is essential to working effectively with young people, in that it enables professionals to support and address a young person's identified needs. Within this, building trust and relationships with young people is regarded as being very important, while accessing previous information from schools is also considered to be essential to inform the continuation of learning and skills development.

#### **Identifying micro-barriers**

In terms of the specific barriers within the young person that were identified by staff, most staff interviewed reported that young people are mostly disinclined to learn because of:

- their previous school experiences
- lack of support from parents
- skills deficits
- lack of social skills
- poor concentration
- resistance due to poor reading skills
- fear of failure
- learning difficulties

<sup>18</sup> The PLUS strategy has the aim of improving the literacy and numeracy skills of young people, and is supported by the YJB, the DfES and the Arts Council, England.

- emotional and behavioural difficulties.

In terms of identified effective practice to overcome barriers to learning, it was reported that this is still very much ‘work in progress’ within most of the agencies. Some examples were noted, however:

- increasing young people’s ownership of their education
- using one-to-one provision and learning support (if available)
- ‘tapping into’ something that the young person is good at
- addressing learning needs
- using relevant materials for young people’s needs
- encouraging small improvements
- providing relevant work experience
- providing accreditation where possible.

In terms of ‘promising practice’ in overcoming barriers to learning, the staff interviewed could only report that it takes place on an individual basis, as such, no overall model or strategy for overcoming barriers to learning was suggested. That said, staff did report a number of success stories in this regard, which had been achieved on an individual basis. Staff in custody made the point that it is difficult to intervene with barriers to learning when young people are only in the establishment for a short period of time on a short sentence. In this regard, while resettlement courses that run in the secure estate can be valuable for addressing barriers to learning, it was reported that their use is limited to how much actual intervention with education, training and employment took place during the course of the young person’s sentence.

### **Identifying macro-barriers**

Unlike the young people, staff clearly recognised that there are macro-barriers to engagement – those factors that are the result of policy, process or systems. Some staff at YOIs felt that young people would be more motivated to learn if provision was vocationally based, while staff on preventive schemes claimed that the lack of appropriate provision, and disinterest in the National curriculum, are barriers for young people in themselves. The issue of the inappropriateness of mainstream education for some young people was also highlighted

Macro barriers could be classified as:

- physical or material barriers to engagement
- structural barriers to engagement.



### **Physical or material barriers**

The YOT managers' questionnaire asked managers a specific question about what they perceived as being the main barriers to learning created by the rules of the financial support system. In the main, it was reported that young people are discouraged from continuing in education and training because of the limited financial income associated with it; this makes the process of finding paid employment all the more important for young people, although they are often too unskilled to do so.

It was also suggested that, although young people are paid to participate in some training courses, the remuneration is not considered to be enough. Ultimately, YOT managers felt that improving the financial incentives given to young people to participate in education, training and employment is crucial.<sup>19</sup>

Other responses were as follows.

- The restrictions applied to benefits when young people commence training can affect the motivation of young people to participate, and can reduce incentives to seek employment (this is particularly so when housing benefits are cut or lost).
- Young people's progress in education and training is not reflected in the benefits they receive – thus, there is limited incentive for young people.
- Those taking part in programmes are very dependent on the support of their families; young people, especially those over 16, who do not have this support are not likely to find training financially feasible.
- Education Maintenance Allowances are only available for people of a certain age, so young people who left school in 2002 or 2003, who have not been re-engaged, are not entitled to Education Maintenance Allowances.<sup>20</sup>
- The rules for young people on Job Seeker's Allowance are very rigid, so participation in anything, such as volunteer schemes, work experience or part-time courses (that amount to more than 16 hours per week) can result in a severe cut or loss of benefit.
- The small difference between the money received from a training allowance and that received on Job Seeker's Allowance does not offer an incentive to take part in training.
- School-leavers cannot access Job Seeker's Allowance straight away, and so remain without income for a number of months. This, it was reported, can increase their propensity to participate in crime, and ultimately lower their willingness to take part in further training.

<sup>19</sup> For a review of financial support for young people in education, see *Supporting Young People To Achieve: Towards A New Deal For Skills, 2004* DfES website

<sup>20</sup> Since September 2004, 16 to 18-year-olds nationwide are eligible to apply for an Education Maintenance Allowance of £30 per week. For a review of the impact on staying on rates of post-16 young people in the EMA pilots, see DfES, 2003.)

These comments reflect the complexity of the interaction of benefits and how they affect young people's engagement with training.

One YOT manager reported that young people are reluctant to undertake the employment opportunities given to them because they do not feel that they are being offered a high enough salary, and have expectations in this regard that are generally unrealistic. For this reason also, they are unwilling to undertake apprenticeships with low starting salaries, despite the future career opportunities they present.

Transport was identified as a barrier for some young people – particularly for young people in rural areas, or outside urban limits. Other physical barriers identified included a lack of places that were appropriate and accessible to young people. As this reflects broader structural issues, they are considered below.

### **Structural barriers**

Structural barriers<sup>21</sup> were noted by the YOT managers:

- The lack of suitable education, training and employment provision for young people, across both the under school-leaving age population and post-16 provision, was a major barrier:
- Colleges and schools are inflexible in accepting young people in the middle of the academic year. A number of practitioners reported that it is difficult, and in some cases impossible, to negotiate with education, training and employment providers to enrol young people in the middle of the academic year, and stressed that the system requires a great deal of elasticity for young people who need to be reengaged at different times of the year. Funding to schools is allocated according to school roll on a particular date – if young people leave the school, or indeed new students wish to join the school, there is no mechanism for the funding provided to the school to be altered immediately.
- It is difficult to provide the requisite 25 hours per week for young people in education, training and employment, particularly when the demand for places is high, e.g. Pupil Referral Units often only offer part-time provision.
- There is a shortage of home tuition for young people.

Providers of 'non-standard' education provision lack financial support. A financial problem highlighted by YOT managers was that of the allocation of funds for alternative provision accessed by young people. It was the opinion of some staff that funds are never reallocated in their area, while other staff suggested that although funds are eventually reallocated, the process could be lengthy, further impeding the speedy access to alternative provision for young people.

<sup>21</sup> An important structural barrier is that of how the agencies in the youth justice system work together to provide education, training and employment for young people. This area will be explored in Chapter 6, and as such will not be included in this section on barriers to engagement.

The difficulties in accessing alternative provision are not just financial. It was reported by one YOT that it has to ‘compete’ for its young people with other young people who require education provision, where young people who offend are seen as being the ‘less desirable’ intake by those education providers who have places to offer. Within this, it was stated that young people who offend do not always ‘fit’ into the criteria that has been specified for access to particular types of education provision. (Note the findings of Atkinson et al, 2003, which found that only about a quarter of LEAs who participated in the study felt that capacity was ‘always’ sufficient to meet the requirements of full-time provision for excluded young people.)

Transitional difficulties were also cited as a barrier, namely:

- the problem of ensuring that education, training and employment provision in custody is matched with that of the community, to facilitate ‘continuation’ and a smooth transition from custody to community
- the difficulty in ensuring that young people who are transferred in and out of the LEA area (through changes in residential care) have access to provision
- the reallocation of school places when young people go into the secure estate, and renegotiating provision for these young people following release.

Within this last point, the issue of revoking SEN statements when young people go into custody was highlighted. This has implications for reinstating provision for young people after custody, in the absence of statements of need. In addition, it was noted that issuing a statement of SEN for young people in custody is very problematic.

The lack of support and specialist help where SEN was identified was not only an issue identified for those young people in custody.

- There are particular problems of where to place young people who have SEN: mainstream provision is deemed ineffective and alternative provision is limited for these young people.
- There is a lack of psychiatric support for young people.
- Behaviour support is used as a ‘dumping ground’ for problem pupils.
- There is a need to tackle root behaviour and problems – a lack of willingness is evident in both education and training organisations to deal with challenging behaviour and the issues that undermine young people’s capacity to engage with education, training and employment, such as homelessness, mental health and poor parenting.

The overall quality of provision also received comment, in terms of the educational value and quality of delivery. Both the relevance of the curriculum and the quality of delivery are important to engaging young people.

- There was a perceived reluctance on the part of young people to engage with the National curriculum, raising questions as to the appropriateness of the curriculum content for the young person's needs. In some cases, young people may be unable to access the National curriculum due to poor literacy and numeracy skills.
- A lack of suitable provision for the least-able young people was noted. It was reported that E2E<sup>22</sup> providers need a more structured programme that gives young people who have under-achieved the opportunity to do something worthwhile and that they are interested in.
- There is a particular lack of places on trade courses – for example, building, bricklaying or plumbing.

Finally, even where YOTs reported that there was adequate education, training and employment provision in the vocational sector in the local area, there is often a lack of placements with employers. In areas of high employment, finding 'meaningful' employment for young people can be difficult. To this end, it was suggested that closer working relations should be developed with the Education Business Partnership, LLSC, Job Centre and E2E providers.

Few YOT staff commented directly on the quality of provision available, although the quality monitoring of 'alternative' education provision to ensure that it meets the learning and special educational needs of the young person has been raised as an issue of importance (Ofsted, 2004; Atkinson et al, 2003)

The YOT managers' responses suggested that not only was lack of provision a barrier, but access to provision that was in place was also a barrier. Where provision may have been in place, the organisational response of schools and LEAs allowed access to be explicitly or implicitly withdrawn. Such barriers include:

the current ease with which mainstream providers can permanently exclude young people for behavioural issues, which causes numerous problems for YOTs (reallocation to alternative provision, resources not always available, etc)

- the informal exclusion of young people by schools, about which the Education Welfare Service (EWS) is powerless to intervene
- the overuse of short-term exclusions in response to poor behaviour, which exacerbates problems of the young person's relationship with the school
- the local management of schools, which results in a lack of cohesive 'ownership' of the problem
- attendance problems (and the response to poor attendance)

<sup>22</sup> E2E schemes are LSC-funded learning programmes available to young people aged 16 to 18 in England who are not yet able to enter Modern Apprenticeship schemes, or further education or employment. Learners attend 16 to 40 hours a week, are paid an allowance of £40 per week, and bonuses are available for positive outcomes. E2E programmes are intended to prepare young people for progression to employment, employment with training, Modern Apprenticeships and further education.

- little, if any, welfare work undertaken by the EWS with young people who are very poor attendees, or non-attendees, at school
- the poor monitoring by schools and the EWS of young people still on the school roll but placed in/attending alternative provision
- parents/carers who remove young people from school (to avoid exclusion, or to ‘educate otherwise/other than at school’), without having secured alternative provision for them.

From the YOT managers’ questionnaires, almost all respondents believe that access to suitable education, training and employment provision (and lack thereof) affects the engagement of young people in education, training and employment, and that this, coupled with poor attendance, are the main barriers. Factors that were regarded as affecting the engagement of young people below school-leaving age in education broke down as follows.

- access to suitable provision – 95%<sup>23</sup>
- sharing information – 34%
- attendance effects – 93%.

Factors that affect the engagement of young people above school-leaving age in education were also cited.

- access to suitable provision – 88%
- sharing information – 22%
- attendance – 83%.

### **Overcoming macro-barriers**

In terms of improving the education, training and employment provision offered, the six key suggestions for improvements were to:

- improve the quality of existing provision – both in terms of the curriculum offered and also the quality of delivery<sup>24</sup>
- increase the range of programmes available to provide more choice and also relieve the pressure of demand exceeding supply of existing programmes, e.g. in some areas European Social Fund is used to fund additional programmes
- improve outcomes from programmes
- offer E2E to the high-need group, e.g. those with very poor skills levels who are unlikely to attain Level 1 basic skills

<sup>23</sup> The definition of what is ‘suitable’ provision was as perceived by the respondent.

<sup>24</sup> See the Audit Commission’s 2004 report, which recommended introduction of more flexibility into the National curriculum, accompanied by guidelines for the curriculum in alternative education programmes, qualifications offered and systems to register and evaluate the work of alternative providers.

- offer specialist placements for those who are hard to place with particular needs, e.g. high-intensiveness support
- provide and improve resources for literacy and numeracy.

Staff thought that these would need to be supported by:

- better and more systematic diagnosis of young people's learning needs, e.g. dyslexia, so that their needs can be addressed
- more individualised support, possibly provided by LSAs
- ensuring literacy and numeracy skills are embedded in vocational qualifications
- developing alternative curriculum models for young people
- more co-operative working between LEAs and LLSCs regarding funding arrangements for young people below school-leaving age who would benefit from accessing E2E-type provision.
- The LLSC cannot fund those below school-leaving age but, where these young people are on a school roll, whether attending or not, it is the school's decision as to whether to fund a young person to attend an alternative curriculum/work skills/vocational placement. More flexible funding arrangements would ensure that young people were able to be located in the best type of education, training and employment provision for them, with the appropriate level of support.

### ***Understanding of other key stakeholders***

Research entitled *Unlocking Learning*, supported by The Esmee Fairbairn Trust, asked a range of educationalists<sup>25</sup> for their views on education and young people at risk of offending (Stephenson, 2005a). Whilst not included in the commissioning for this study, the summary below of some of the findings offers useful comparative evidence, and provides an in depth look at the views of education staff with regard to the relationship between education and young people at risk of re-offending, as well as their perceived barriers to engagement in education, training and employment.

### **Links between schools and the youth justice system**

Several groups of educationalists took part in this research: head teachers and deputy heads, teachers and LSAs from mainstream secondary schools, and principals and vice-principals from further education colleges.

<sup>25</sup> 786 educationalists were surveyed, including head teachers, heads of departments, classroom teachers, learning support assistants, FE principles and vice-principles; as well as 1332 members of the public and 1309 magistrates.

There were some significant differences of view between the educationalists and the general public, as well as considerable differences between groups of educationalists (e.g. teachers and senior managers in both schools and colleges). For example, head teachers and further education principals demonstrated a high degree of knowledge, thought and sympathy to the education needs of young people in the youth justice system, in contrast to teaching staff and LSAs, who were far more neutral and non-committal.

Two-thirds of schools were reportedly working with their local YOTs, but specific links with YOTs appeared weak: only one in three head teachers knew the name of their YOT's education practitioner, as did less than a tenth of teaching staff. The exchange of information was limited but there was a widespread desire to improve the situation. The suggestion of joint training with YOTs was supported by the majority of educationalists; while only 9% of schools had participated in joint training in the last three years, over half of head teachers would welcome doing so.

There was significant interest in the shadowing of YOT practitioners by school staff and 40% of head teachers would welcome the opportunity for their staff to shadow or teach in the juvenile secure estate.

High numbers of heads and teachers identified a range of further roles working with YOT staff, including YOT staff providing support to teachers; acting as mediators between young people and schools; joint work on attendance and punctuality; supporting homework; attending parents' evenings; and providing enrichment activities.

Despite an apparent willingness to work with various partners in the community, only a fifth of head teachers identified their school as having links with YOIs, secure training centres or local authority secure children's homes.

Although joint-working with YOTs was a popular initiative, few school staff had actually been involved in any training with the YOTs. With regard to the issues discussed below, many schools would welcome the opportunity to become more involved with partner agencies, including more than half requesting training with their YOT, and the chance to shadow a YOT worker. Despite not having joint training, half of head teachers professed to having had the opportunity to work in partnership with other professionals and agencies. The organisation that schools had been most involved with was Connexions, with just under 30% of head teachers and of teaching staff having been involved in joint training.

### **Barriers to engagement in education and training**

The *Unlocking Learning* survey of educationalists focused on the transition of young people from custody into mainstream education, but responses to the questions also offered insights into educationalists' attitudes regarding the inclusion of young people who are persistent or serious offenders into schools and further education colleges.

### *Reintegration policy*

Only 2% of secondary schools had a written reintegration policy in place. However, this does not necessarily reflect a lack of readiness of the schools to become more involved. Similarly, for many respondents in secondary education, their views were not based on actual experience, as just over one quarter had had pupils who had received a custodial sentence in the last three years and fewer than one fifth of schools could be certain that they had been involved in the reintegration of young people on release from custody in the last three years. Further education colleges appear to have far more experience in this respect – over three-quarters had been involved in the reintegration of young people on release from custody.

As perhaps expected, head teachers are typically much more involved in the potential reintegration of young people than other secondary school staff. When asked about the extent of their involvement in the reintegration process of a young person who has been released from custody, 83% of head teachers thought they would have a ‘great deal’ or a ‘fair’ amount of involvement, compared to 47% of deputy heads, 39% of teachers and 37% of teaching assistants. Likewise, roughly half of deputy heads, teachers and teaching assistants thought that they would have little or no involvement, in comparison to less than one tenth of head teachers.

### *Suitability*

One of the critical issues is the extent to which educationalists considered mainstream schools and colleges to be suitable for young people who offend (in how far their outlook is inclusive).

There was a marked difference between the outlook of managers of further education provision and those of secondary education. Almost two-thirds (62%) of further education principals and vice-principals believed colleges to be a suitable option for 10 to 17-year-olds on release from custody; only 14% disagreed. Within secondary education, however, although 40% of head teachers considered mainstream secondary school to be appropriate, almost one quarter of respondents disagreed. The situation was reversed among teachers: only just over a quarter were in favour and almost 40% were against. Of further education principals who did not think college was suitable, the main reasons given were that they thought that college does not address fully the needs of the pupils; the attitude of the college was inappropriate, and to a less extent, practical issues such as resources and staff time/responsibility. Some educationalists who believed that secondary school was not a viable option for the reintroduction of education to young people who had offended claimed that they were unable to reintegrate. Second to this was the requirement of a reintegration stage, and lack of resources was also identified as a reason.

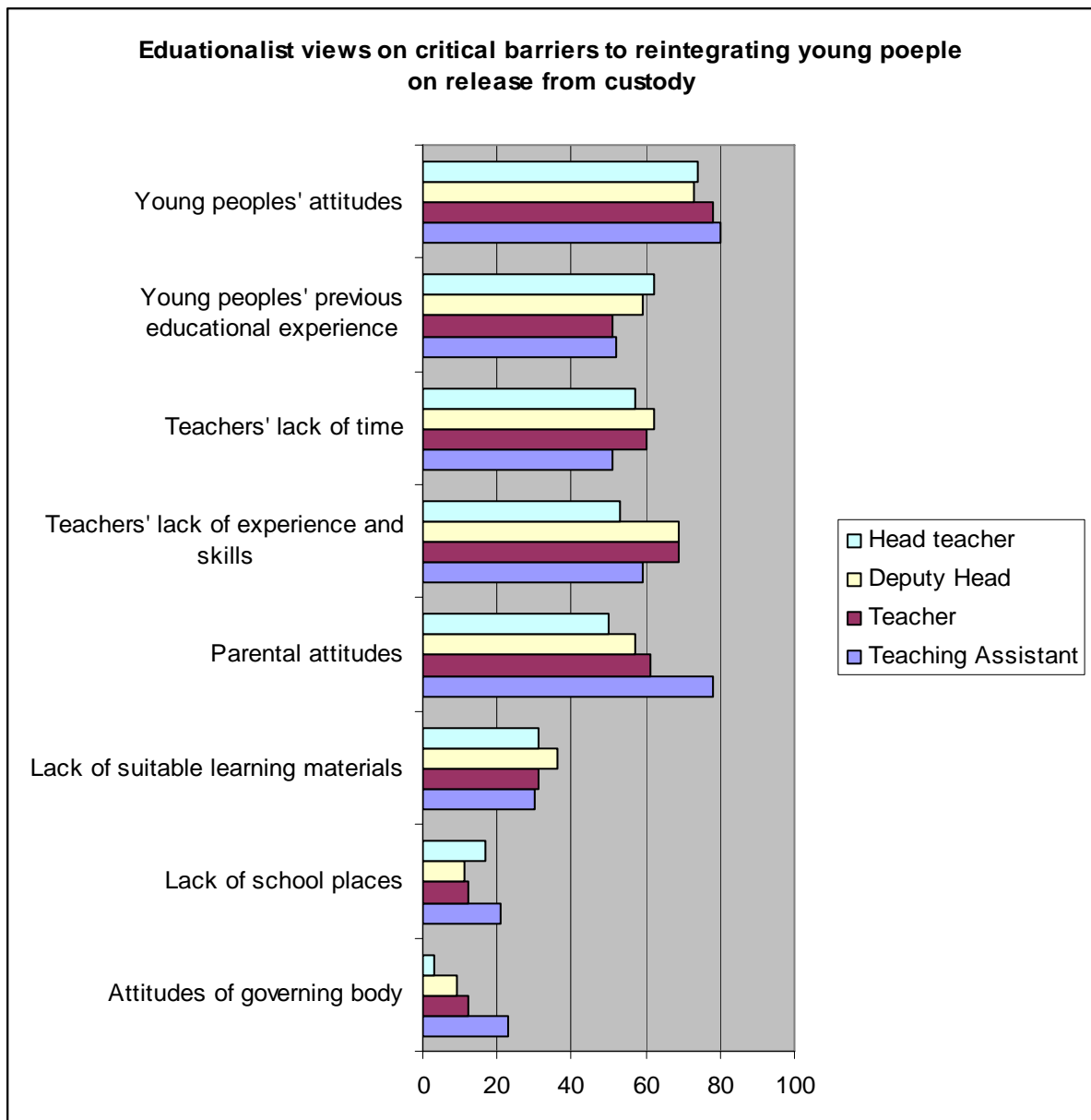
### *Specific barriers*

*Unlocking Learning* respondents identified a list of the critical barriers to the reintegration of young people into mainstream education. Staff in the secondary school sector viewed the attitudes of young people and their previous experiences of education as posing the main barriers. All educationalists perceived young people’s attitudes to be a significant barrier to reintegration, although having said that, the percentages reduced as the job role increased in responsibility.



For example, three-quarters of head teachers and deputy head teachers thought this in comparison to 78% of teachers and 80% of learning support assistants. Despite FE college principals thinking that the attitude of young people was a more significant problem than other factors, still just under 40% identified it as a barrier to reintegration. Other factors such as previous educational experience were identified but to a much lesser extent (a quarter). A quarter of FE principals also thought that the lack of support systems suitable to helping reintegrating young people is significant in the process of reintroduction into education (see Chart 5.1).

**Chart 5.1 Education staff – views on critical barriers to reintegrating young people on release from custody**



Secondary school staff views on the effect of previous educational experience on young people's reintegration reflect a similar pattern, with 62% of head teachers identifying this as an issue, and 52% of LSAs.

Higher numbers of teaching staff than head teachers or learning support staff recognised their lack of appropriate knowledge and skills in meeting the needs of these young people, and that their lack of time may pose difficulties. This further illustrates the point that head teachers recognised the importance of educational factors in relation to offending behaviour in contrast to the teachers, who focused on other aspects of the young person's life, including the attitudes of parents (half of head teachers thought it was relevant, rising to on average 59% for teaching staff and over three-quarters of LSAs).

Other significant barriers, albeit to a less extent, were a lack of suitable learning materials and the availability of school or college places. FE colleges identified a lack of suitable support systems and funding.

As might be expected, while head teachers dealt with more policy-based issues – demonstrating knowledge of the potential links between education and crime – teaching staff showed concerns regarding the practicalities of reintegration. Teachers and classroom assistants had more specific issues, including concerns about the potential effect on peers, support in class, confidentiality and the safety of other pupils.

In order of priority, the following resources and types of support were identified as resources required to overcome barriers:

- behavioural support
- one-to-one support in lessons
- support from Special Educational Needs Co-ordinators (SENCOs)
- access to share information
- access to FE bridging courses (secondary schools)
- parents'/carers' support group.

In addition, the college principals and vice-principals identified support from YOTs as being an important potential resource to facilitate a successful transition from custody to community.

The attitudes of a minority of teachers towards young people who offend also represented a barrier to inclusion:

*Why should decent young kids be exposed to such poor behaviour and influences?* (Class teacher)

*They clearly need specialist help – they need to go to an appropriate institution. We are here to teach, not police.* (Class teacher)

### **Support from the LEA**

A continuous theme emerging throughout the Unlocking Learning research was the poor level of support from LEAs. Almost two-thirds of head teachers had a negative perception of the support they received from their LEA with regards to working with either juvenile offenders or young people at risk of offending. It is significant in this context that 84% of head teachers in the survey were unaware of any service-level agreements or protocols between YOTs and their LEA.

Two-thirds of head teachers interviewed thought that the education welfare service was the most helpful, although some said they needed 'encouraging'. A quarter thought that the education of 'looked-after' children had helped, and a fifth were encouraged by child protection and educational psychologists. Other services from whom support was identified to a less extent included special educational needs, school management, absenteeism and out-of-schools service, Behaviour Support Service, curriculum support and the advisory service.

### **Maintaining school placements**

While the governing body of a school has an unbiased attitude towards young people in the school who are at risk, just over half of head teachers who were surveyed agreed that the governing body did promote support packages in an attempt to keep those young people at risk who are of compulsory school age in school.

Under a quarter of schools had kept young people of compulsory school age who had received a short custodial sentence on their school roll.

Over 80% of the head teachers surveyed believed that establishing effective working relationships with local YOTs would make for a successful transition from custody to the community, and that their schools could help young people of compulsory school age to make the successful transition. There was a commitment, at least in principle, to measures such as ensuring that teachers meet with parents/carers both before and soon after the young person left custody, and undertaking an educational review in conjunction with the YOT before release. The rating for ensuring the continuity of courses and curriculum (76% of head teachers and 54% of teachers) was higher than practical measures such as sending materials (e.g. coursework syllabus) to the young person in custody (55% and 51% respectively). However, there was strong support for enabling the young person to visit the school prior to release on a temporary licence.

### ***Suggestions for improvements to the education, training and employment system***

In this study, nearly all youth justice system staff interviewed reported a belief in the importance of education, training and employment for young people in the youth justice system. It was felt that education, training and employment are central to ensuring that young people are better equipped to find a job. However, interviewees also reported that education, training and employment could often have a greater role than just providing young people with skills for the workforce, playing an important role in:

- improving poor self-esteem
- providing more opportunities to young people
- providing life and social skills
- increasing understanding of responsibilities
- giving people more choices
- increasing aspirations
- improving life chances.

Within this, however, it was stressed that provision for young people must be suitable in order for it to have any positive effects. In this way, it was felt that provision should be more relevant and engaging to the young person. Also, the positive effects of education, training and employment in custody are only temporary if the same provision is continued in the community. Practitioners in custody and community demonstrated different perspectives on the barriers to engagement faced by young people, and their responses are considered separately below. The transition between custody and community was, however, of great importance to staff working in both custody and the community.

#### **Meeting the specific needs of young people on release from custody**

In terms of young people on release from custody, the issue of the suitability of education, training and employment to meet individual needs was identified. It was felt that education, training and employment needs should always be reassessed on leaving custody so that YOTs and community providers can identify appropriate provision. It was reported that basic skills and SEN continued to be a fundamental need of young people being released from custody.

Continuity of provision was highlighted, in that provision in the community should match that in custody as much as is possible. One suggestion was that there should be some sort of ‘roll-on, roll-off’ provision for young people immediately on release so that continuity is maintained.

It was noted that an important need of young people being released was that the provision they receive must be realistic in terms of the qualifications they can achieve. To this end, it was suggested that vocational provision needs to be more widely available.

To improve the process of transition from custody to the community in terms of continuing young people’s education, training and employment, it was suggested that YOTs could benefit from a smoother and quicker flow of information from YOIs on young people, preferably via secure email. The flow of information from community to custody, between custodial institutions, and from custody to community reportedly continues to be a problem.

The idea of immediate, relevant and matching provision was once again highlighted, as was the problem of ensuring that YOTs are present at all DTO meetings. The problems of time, distance and resources in this regard were also mentioned. In addition, it was recommended that more liaison between educationalists in YOTs, and educationalists in custody should take place.

### **Motivating young people to engage in education, training and employment**

#### *Custody perspectives*

YOT staff were asked what they perceive to be the best ways of motivating young people to engage with education, training and employment in custody, and how to motivate them to continue education, training and employment when they are released into the community. Staff highlighted the following factors:

- the provision of vocational courses which young people believe to be relevant to their employment plans
- a national curriculum that is innovative and relevant to young people
- increased use of Release on Temporary Licence (RoTL) towards the end of the period in custody (this enables attendance at outside education, training and employment provision)
- increasing the ‘ownership’ of education by young people (this would have a dual effect, increasing willingness to participate in education, training and employment and moving away from replicating school where many young people feel that education was forced upon them)
- involving young people in their own target setting when their individual learning plans are being drawn up
- providing one-to-one support in the secure estate, both to deal with problematic behaviour and to assist with learning difficulties and motivation (LSAs are believed to be very valuable in helping young people to learn and also in working with young people to improve their motivation to learn)
- continuing use of the Incentives and Earned Privileges Scheme (this is reportedly successful with engaging young people in education, training and employment, although it was conceded by some staff that it is not always ideal in terms of motivating young people to engage)
- encouraging prison officers to take a more active interest in the education, training and employment of young people

- supporting the resettlement process in custody – normally in the form of a resettlement course prior to leaving custody (this was reported as being valuable in encouraging young people to continue to participate in education, training and employment on release. However, for young people serving short sentences, it is unusual for there to be much time in between induction and resettlement for tuition to take place. Within this, however, it was noted that it would be useful if educationalists in custody could be more involved in resettlement courses, and that both educationalists and resettlement workers could be involved in the overall DTO review process)

continuity from custody to the community, with matching provision available on release (problems in relation to liaison between YOIs and YOTs were highlighted in answer to this question, in that the motivation of young people can decrease if an effective transition is not facilitated)

- normalise education as much as possible for the younger age groups, e.g. further education following a GCSE programme.

#### *Community perspectives*

In terms of motivating young people to take part in education, training and employment in the community, it was clear that the fundamental issue here is that there is a lack of appropriate educational provision for young people below school-leaving age. The following factors were highlighted:

- a lack of suitable education, training and employment provision for young people
- the need for a high level of support for young people (this is not always easy to provide, although the use of learning mentors was recommended)
- the need for systems that can respond immediately to ensure that provision for young people is arranged as quickly as possible

the need for a bridging provision when young people are released from custody, while negotiations continue with mainstream providers (this reflects the view by YOTs that arranging education and training provision to start immediately on release is challenging and involves the YOT negotiating with education and training providers)

- raising awareness of education, training and employment for staff, so that they can use their knowledge and what is available to motivate young people to participate (this has a training implication that is currently being addressed by the continuing recruitment and training of suitably qualified trainers for staff in the youth justice system).

Many practitioners commented on the difficulty in addressing education, training and employment needs in isolation – other issues such as accommodation, substance misuse and family might affect the young person’s engagement with education, training and employment.

In terms of motivating young people to take part in education, training and employment, the issue of appropriateness was once again stressed. Staff recognised the value of the guidance in *Key Elements of Effective Practice – Education, Training and Employment* in that a young person's 'age, interests, aspirations and individual learning needs should influence any education, training and employment programme they are given' (YJB, 2002). The young person often described this through the notion of 'ownership' of their education, training and employment. It was felt that young people must be involved in their own target- and goal-setting when education, training and employment plans are being drawn up.

### **Staff training needed to support education, training and employment**

#### *Custody perspectives*

There was general agreement among those interviewed that the staff training needed to support young people in education, training and employment depends very much on the background of staff. Interviewees felt it was important that all staff in custody are aware of the educational system in both their local regions, as well as nationally. This training needs to be continuing professional development to enable staff to keep abreast of education, training and employment changes in the UK. It was also recommended that staff have SEN training and behaviour management training, so that they can intervene more successfully with barriers to learning. At the time of interviews, most education staff had been trained in the core curriculum, although it was felt that this training could be developed upon over time.

Suggestions for further training included:

- how to motivate disengaged young people
- information on the broad education, training and employment landscape to enable them to better access potential education, training and employment opportunities for the young people with whom they work.

#### *Community perspectives*

Again, as with staff in custody, it was felt that it is important for YOT staff to keep abreast of what is available for young people in education, training and employment, and particularly what is available post-16. Training in how to motivate was seen as important, as young people have many issues that operate as barriers to learning that must be addressed.

For managers in both the secure estate and the community, it was believed important that they promote education, training and employment and that appropriate training for staff is provided. Improved communications between custody and the community, and effective information-sharing was also viewed as critical. Also, it was recommended that a comprehensive management information system should be developed for use through the youth justice system to overcome data sharing issues. Most staff expressed concern about resourcing problems for suitable education, training and employment provision.

## **Recommendations of practitioners**

In the staff interviews, participants were asked what they could recommend in terms of changes to practice for three sets of people and agencies: practitioners and tutors; managers in both the secure estate and the community; and strategic bodies and partnerships. The recommendations reflected the responses described above.

### **Practitioners and tutors**

It was recommended that practitioners and tutors should have:

- sufficient knowledge of the operation of the youth justice system
- an understanding of the education, training and employment opportunities available for young people
- a role in the full DTO process, including the transition from custody to community
- skills to support young people in accessing suitable education, training and employment provision in the community
- ability to share information with other agencies as quickly and effectively as possible
- communication channels to liaise with other agencies
- opportunities to share knowledge with other professionals on how to remove barriers to learning
- opportunities to discuss and share best practice in local and national forums.

### **Managers in the secure estate and the community**

The main recommendation made for managers in both settings was that they consistently promote education, training and employment as the focus of work with young people. This should involve providing appropriate training for staff, and ensuring that resources are allocated fairly and efficiently. Management's core responsibility was felt to be to support staff, and to communicate effectively and honestly with them. Other recommendations for management were to:

- ensure the provision of sufficient and suitable education and training in custody
- improve communication between staff in custody and staff in the community
- ensure effective information-sharing protocols are in place between agencies
- make and maintain links with training providers
- be aware of skills shortages in local areas, and attempt to address them
- challenge poor practice with education, training and employment
- access and use standardised assessment for education, training and employment.



### **Strategic bodies and partnerships**

The main recommendation from staff for strategic bodies was that they gain more understanding of what happens ‘on the ground’ in work with young people. To this end, it was felt that more collaboration with the agencies of the criminal justice system could be useful.

Other conclusions were drawn as follows.

- Current monitoring systems are ineffective.
- Ensuring that systems ‘communicate’ with each other in different agencies is difficult. An overall management information system for youth justice should be developed and implemented.<sup>26</sup>
- Current education, training and employment resources are insufficient. This impedes young people receiving suitable education and training. More resources should be allocated to the provision of vocational programmes or funding for those pupils excluded from mainstream school.
- The respective roles of different government bodies should be more clearly defined and disseminated to staff in the youth justice system. For example, a large number of respondents were not familiar with the Offender Learning and Skills Unit, and those who knew of it did not always understand its purpose or remit.
- There is a need to increase the focus on preventive work. Practitioners felt early intervention was more likely to be successful. It was perceived that once young people are persistent or serious offenders, changing behaviour is more difficult.
- More training should be provided for all staff, including continuous training.
- There is a need to curtail the rapid and large movement of young people around the secure estate, which significantly impedes work with education, training and employment.
- The inspection process and auditing should be streamlined. The repeated collection of data and repeated audits use up staff time without directly contributing to the work with young people.

<sup>26</sup> The YJB is undertaking a scoping exercise with the DfES to investigate the potential for interfacing database systems used by respective agencies.

## 6 The effectiveness of partnership-working

### *Partnership-working in the youth justice system*

One recurring issue from staff was that of partnership working. The youth justice system created under the Crime and Disorder Act 1998 established the mechanism for co-operative agency working through the multi-disciplinary youth offending teams led by local authority-led steering groups. The role of these YOTs is to ‘pull together all the relevant agencies in delivery of community-based provision with young offenders’.<sup>27</sup> All the agencies within the Criminal Justice System work with one or more other agencies to varying degrees. However, the extent to which this relationship is formalised varies. It was reported by nearly all staff interviewed in the youth justice system that much of the work with other agencies for education, training and employment is negotiated on a case-by-case basis. Effective multi-agency work is critical to engaging young people successfully in education, training and employment, as was noted in the interim evaluation of the Connexions Frontrunners; but this is still providing challenges for staff working with young people (Hasellwood-Pocsik et al, 2004). The *Joint Inspection of YOTs: First Phase Annual Report 2004* also found that there were ‘continuing issues around multi-agency work’ (Inspectorate of Probation, 2004). These challenges of multi-agency working are reflected in the findings of a study by Ofsted, which found that, although the work of LEAs ‘with the Connexions Service is developing appropriately, the role of the YOT worker is not well understood’ (Ofsted, 2004).

#### Partnerships between custody and YOTs

Custodial establishment staff reported contact with all YOTs that receive young people on the community sentence of their DTO, through the DTO review process, but establishments only appear to have extensive contact with YOTs in their local areas. It was admitted that where young people are being transferred back to YOTs located some distance from the establishment, liaison can be erratic. This is mainly due to resource and time constraints. Some YOIs are attempting to implement video link-ups with YOTs to try to improve this; however, it was recognised that this geographical issue compromises the effectiveness of the DTO review process for many young people. Where custodial establishments have an internal YOT team, i.e. YOT staff based in the establishment, the transfer procedure was reported as being much more effective.

<sup>27</sup> Crime and Disorder Act 1998

YOT staff reported many of the same issues as custodial staff: mainly distance and resources. Again, staff reported that YOTs work better with their local establishments, but that difficulties arise when young people are further away.<sup>28</sup> Both the staff interviewed in custody, and those interviewed in the community, implied that the other agency should be doing more to move young people on in the community. Staff in YOIs maintained that, as it is the statutory responsibility of YOTs to facilitate a smooth transition back into the community for young people, including their continuation of education, training and employment, YOT staff must take responsibility to assist the DTO review process in every way possible. Where YOT participation in this process was lacking, it was felt that the resettlement conditions for young people were being compromised. However, most staff interviewed did recognise the resource implications of this.

### **Partnerships with Connexions**

Both custody and community establishments reported that their links with Connexions were often patchy, but where consistent links had been established with Connexions, they were described as useful and productive, particularly for careers advice for young people. Overall, Connexions links seem to be much better with the YOTs than with custodial establishments. Both custodial and community workers suggested that embedded Connexions workers are the most valuable.

Of the YOT managers who responded to the questionnaire, 87% had a protocol with Connexions, 72% of whom said that the protocol was effective and 28% who reported that it was partially effective.

Although protocols were in place in the majority of YOTs, clearly the effectiveness of protocols is not assured. Information-sharing remains a complex issue in the YOT/Connexions relationship.

Over half (53%) of YOTs reported that sharing information is a factor that negatively affects work with Connexions (YJB, 2004). Examples of effective practice provided by the interviewees were:

having named contacts in YOTs and Connexions who undertook the role of communicating and sharing information

having Connexions staff based within the YOT.

Strategies to share information on a young person's school education history were particularly important as the data collection of previous education, training and employment experience on *Asset* was regarded as poor.

<sup>28</sup> It is worth noting that only some YOTs work with their neighbouring or other YOTs for education, training and employment, although some are in regular contact because they share an ISSP scheme. Where it was reported that collaborations for education, training and employment take place, it was noted that this can be useful for funding purposes and for developing a joint approach to working with young people in education, training and employment.

### **Partnerships with schools and colleges**

Custody and community links with schools and colleges were found to be more complicated, and it is clear that some agencies are doing better than others. In most YOIs, FE colleges provide the education, training and employment tuition, so that there are existing links. However, of primary importance is the extent to which colleges can be used to continue education, training and employment for young people after custody. Contact with a young person's previous school was only done on a case-by-case basis as required. This is particularly pertinent to LASCHs and secure training centres, which generally hold those young people below school-leaving age (YOIs hold young people aged 15 to 18).

Only one YOT reported satisfactory liaisons with schools, which involved having a named person in every secondary school in the area. Another YOT reported that they are currently looking at a multi-agency intervention approach in schools. In the main, however, links between YOTs and schools are haphazard. In terms of liaison with schools for gaining previous records on young people's education, it was reported that this was only really done as requested on a case-by-case basis.

This suggests that YOTs do work with those providers that can offer suitable education, training and employment opportunities for young people in the youth justice system, although these links may be ad hoc in nature.

When interviewed, the staff who work with prevention schemes stated that contact with schools was good, and of all the agencies interviewed, prevention schemes work most closely with schools, both for referrals to the schemes from schools and for reintegration back into schools.

Although there were often reportedly poor relations between YOTs and schools, it should be noted that many schools are attempting to promote inclusion policies and some YOTs are participating in these locally.

Examples of initiatives that support young people in remaining attached to education are:

- multi-agency panels in LEAs, where partner agencies jointly consider support and reintegration action plans for young people
- school federations, where schools formally agree to work together to improve standards, share expertise and facilities, and take joint responsibility for young people
- behaviour and attendance support provided to practitioners through Behaviour and Education Support Teams (BESTs), which work as part of a Behaviour Improvement Programme (extended in 2003 through Excellence in Cities and further extended in 2004 through Excellence Clusters).

### **Partnerships with local education authorities and local learning and skills councils**

The data gathered showed that the links between the agencies in the youth justice system and LEAs and LLSCs were surprisingly weak in many areas.

Within the custodial sector, staff in only one of the YOIs interviewed reported satisfactory links with LEAs and LLSCs, while the remainder reported insufficient links or none at all. In fact, many of the staff interviewed did not seem to know exactly what the roles of LEAs and LLSCs were. Staff in LASCHs tended to have better links with LEAs, contacting them when young people arrived, particularly where young people had SEN statements. Some of the LASCH staff interviewed also noted that, as they are run by the local authority, they automatically have better links with LEAs.

In the main, however, effective liaison is still lacking. According to LASCH staff, the main problem with working with LEAs is that of SEN statements, which lapse when young people enter custody. In addition, it was also reported that problems arise when the statements attached to young people are out of date. Some staff also felt that working with LEAs can be difficult when young people move between LEA areas, and that the disparities in work between LEAs mean that young people become 'lost' in the system.

YOTs appear to work with LEAs and LLSCs much more than do custodial establishments. Some YOTs reported that relationships with LLSCs are improving, although funding remains an issue, with one YOT staff member reporting that liaison has been 'suspended' because of the reduction in funding from the LLSC. The LLSC is working closely with some YOTs on the education, training and employment strategy, and the PLUS strategy. In terms of YOTs' liaison with LEAs, the reports were also generally more positive than they were for the secure establishment – although one YOT staff member described the local LEA as 'difficult'. In general terms, YOTs seem to have regular meetings with LEAs for education, training and employment.

A particular aspect of the YOT relationship with some LLSCs was the problems being caused in placing young people in E2E, as training providers are reportedly reluctant to take on young people who are known to have chaotic lifestyles or poor attendance. It was reported that providers are careful about their selection process so as not to jeopardise their LLSC funding, which is dependent on trainees achieving vocational qualifications. It was felt that the funding discriminates against those of low attainment levels and poor previous participation records, although these are the very people who need more help.

Responses from YOT managers on the effectiveness of the YOT protocol with the LEA showed that 50% reported that the protocol was effective, 20% reported that it was ineffective, and 30% reported that a protocol was not in existence.

When asked about the effectiveness of the YOT protocol or agreement with the LLSC, 36% reported having a protocol in place, while 54% had no protocol in place. Of the YOTs with a protocol in place, 39% of the managers reported that the protocol was effective, 54% reported that it was partially effective, and 7% reported the protocol was ineffective.

A much larger number of YOTs had a protocol with Connexions, with almost 90% of respondents reported that a protocol was in place. Views on protocols with Connexions were most positive, with almost three-quarters of this group reporting that the protocol was effective.

## **Other partnerships**

YOT managers were asked about the effectiveness of protocols between YOTs and other agencies, and about potential barriers to engagement in education, training and employment.<sup>29</sup>

Staff reported that they work with PRUs and other voluntary organisations on a case-by-case basis. Relationships with both are generally good, and voluntary organisations' services for young people to YOTs in particular are good. Of the YOT managers' questionnaire responses, 88% reported that they were working with other voluntary agencies, while 55% said that this work is effective and 45% said that it was partially effective.

## ***The roles of partners***

The roles of partners within the youth justice system were described broadly as threefold: resettlement; collaboration and data-sharing; and the provision of education.

### **Resettlement**

The most important issue of all for young people who experienced custody is to ensure that they are effectively resettled back into the community. This includes 'ensuring immediate access to full-time, suitable education, training and employment opportunities' (YJB, 2003). Where possible, this should involve suitable placements in education, training and employment. It was felt by staff in custody and the community that more should be done to ensure that this transition is as smooth as possible, although geographical and resource concerns were perceived as barriers.

It is widely accepted in youth justice that education, training and employment should be a central facet of the work done with young people. Within this, however, it was stressed that the process of incorporating it into each young person's sentence plan should be commenced as early in the sentence as possible. Where this worked best in custody, it was maintained that good collaboration existed between the education team and sentence-planning team in the establishment, and that all relevant individuals, from both custody and the YOT, attended DTO reviews. Also of importance was that the focus was on employability at the end of the custodial period. Realistic and relevant individual learning plans for young people were believed to be central to effective work with young people in education, training and employment, both in and out of custody.

In LASCHs, education is integral to the institution and, as such, forms the core part of the sentence for all young people. However, staff in LASCHs echoed the problems experienced in YOIs of YOT staff failing reportedly to attend review meetings of the DTO review process.

<sup>29</sup> Youth justice system *National Standards* make YOT managers responsible for developing protocols with education and training providers.

From the YOTs' perspective, ensuring that education, training and employment is central to sentence-planning and consistent both in and out of the establishment presents a number of difficulties. As resources and availability of provision differ from custody to the community, and provision differs across geographical areas, it was reported that doing this can be complex and difficult to achieve if a young person is outside the mainstream school service. Often the lack of vocational provision in the community made it difficult for young people to continue training commenced in custody. It was reported that young people were becoming highly motivated to engage in education, training and employment while in custody, then finding it hard to sustain these levels of motivation in the community, particularly in the absence of matched provision. FE colleges were believed to be invaluable, although a number of respondents reported that links with colleges were not as good as they should be.

To ensure immediacy of provision of education, training and employment following release, it was felt that it was effective to have a 'bridging provision' available immediately post-custody so that a young person has constructive education, training and employment while more suitable provision can be found.

It was seen as essential that planning for release is commenced as early as the pre-sentence report stage with young people, if it is fairly certain that a custodial sentence will be received, to ensure that a place is available for young people in education, training and employment on release.

#### **Collaboration and data-sharing**

Collaboration includes a number of forms of joint-working. Collaboration was viewed more favourably in terms of inter-agency working, e.g. provision of information about education, training and employment opportunities to the secure estate based on local knowledge, particularly from Connexions. This worked best where Connexions was part of the DTO review process with young people. Where this input is lacking, secure establishments have more difficulty trying to ensure the continuation of education, training and employment for young people.

Collaboration was also felt to be important through effective communications between custody and the agencies who receive young people back into the community. Interviewees in secure establishments often felt that this is lacking, both before and after the young person's release. Feedback post-release was believed to be important so that custodial establishments could make improvements to the transition process.

Additionally custody staff reported that they would benefit from receiving more information on young people from YOTs when they arrived at the establishment. Many YOIs and LASCHs reported having to 'start from scratch' with their work with young people, and it was felt that YOTs could assist in providing more information and back-up in the form of background information on young people. However, YOTs reported that they too have difficulty in accessing background information, and both agencies have difficulty accessing information from schools. There is recognition that data-sharing is a continuing issue for all agencies. In the Connexions research brief, *Tackling NEETs* (those not in education, training or employment), it was found that it often took months for data-sharing protocols to be agreed, and attributed this to cultural differences and conflict over confidentiality issues (Connexions, 2003).

Overall, collaboration was not felt to be systematic. It was reported that one of the single most important reasons for young people ‘dropping out of the system’ was because of poor collaboration – communication and co-ordination of response – between relevant agencies. Respondents admitted that there are often costly resource implications involved in this as well, but that the welfare of young people can be compromised because of this.

### **Provision of education**

In the community, it is perceived to be the role of LEAs, LLSCs, schools and colleges to provide education and training for young people; however, it was felt that this responsibility was not always met.

One of the main problems cited by staff was the ease with which schools can remove young people from the school roll when they are taken into custody. It was felt that this seriously jeopardises any chances of reintegration for young people, and further compounds the problem of providing young people with education on release. In addition, it was reported that the practice of LEAs ‘suspending’ SEN statements on young people when they are in custody causes a large number of problems for education workers in the secure estate, and also for YOTs working with young people in the community, as on release from custody, statements of SEN do not appear to be reactivated.

Reintegration of young people into mainstream education, training and employment who have no provision in place was felt to be difficult. For young people under school-leaving age, schools are reportedly unwilling to accept young people who have spent time in custody or served a community sentence on to their school rolls. For those over school-leaving age, staff thought that lack of suitable and flexible training and employment provision was the issue. It was felt that these issues need to be addressed at a local, regional and national level.

### ***Barriers to partnership-working***

In order to try to understand why partnerships are not in place, or are not as effective as they should be, it is useful to look at some of the barriers to working with partners that were reported by respondents:

- competing agendas or a conflict of interests  
Agencies often experience a conflict of interests when dealing with young people, and this can lead to competition for pushing individual agendas forward. One head of learning and skills interviewed remarked that very often, because there are so many agencies involved in working with young people, it is impossible to bring them all together in a cohesive format for working.
- a lack of clear expectations and understanding of roles and procedures between workers and agencies
- geographical limitations



- amount of paperwork required  
This can sometimes overlap between agencies, and was described as ‘too much red tape’.

In terms of facilitating effective working practices with partners, and trying to overcome barriers to working with partners, it was noted that communication seems to be key. Communication was most effective where a designated person was in charge of partnership liaison. Frequent meetings between partners were also recommended.

It was also noted by a number of staff interviewed that having service-level and information-sharing agreements in place between agencies is important for effective working, but that staff must know that such agreements exist, and must also be made aware of the responsibilities they and partner agencies have under those agreements.

Sharing information, a key element of protocols, was apparently a source of many difficulties. YOTs were more likely to operate under the requirements of the Crime and Disorder Act (Section 115), and the Data Protection Act. Some YOTs also included information-sharing in their service-level agreements with other agencies – although nearly all agreed that the process of information-sharing needs to become more formalised throughout. In addition, it was noted that there is still some confusion between agencies (particularly YOTs and schools) on what information can be shared – shared ownership of, and access to, data seems to be a priority.

## **Conclusion**

The target of 90% of young people in suitable full-time education, training and employment is being pursued by the YOTs, with evident clarity by YOT practitioners as to the importance of this target in addressing a key risk factor for young people. However, there was found to be some frustration among YOT staff interviewed that they often have to ‘negotiate’ with LEAs and LLSCs for suitable provision to be made available to young people, and that any ‘right’ to education appears to be illusory.

From the interviews, it is apparent that the YOTs in the sample appear to be making greater progress than custodial establishments in forging links with education, training and employment providers, Connexions Services, LEAs and LLSCs. However, a lack of both strategic agreement (protocols) and operational working were identified, as agencies struggle to work effectively together in resettlement of young people and information-sharing. Effective multi-agency working, where agencies understand the priorities, cultures and procedures of other agencies, was not yet found to be in place among the agencies involved in the research.

## 7 The extent and effectiveness of innovative practice

### *Practitioner views of effective innovative practice*

Most of the staff interviewed described their work with education, training and employment as ‘work in progress’, admitting that there are still a large number of gaps in provision, and in the youth justice system’s ability to broker adequate education, training and employment for young people. This, it was conceded, is also because there is a general lack of suitable education, training and employment provision.

Notwithstanding the challenges faced, staff reported a number of initiatives and approaches that they perceived as being effective in addressing barriers to engagement:

- improved working with other agencies/providers

creating a monthly education and YOT panel (multi-agency) to discuss the most entrenched and challenging cases of disaffection, absence and exclusion, resulting in actions being agreed and key workers being identified

- liaison with PRUs, which can provide immediate access for permanently excluded pupils
  - school federations working together to ensure school places are available for young people
  - making links with further education colleges, which offer short ‘feeder’ courses with multiple entry points during the academic year for those young people who are hardest to reach
  - having a named person in schools for accessing education records of young people, and/or negotiating placements for young people being released from custody or those permanently excluded.
- improved quality of provision
    - using one-to-one provision for the most disaffected young people, where appropriate
    - ensuring that young people (and their families) have ‘ownership’ of the education, training and employment process, being consulted on what they would like to do, and included in the planning process
    - variety of support to those young people who are victims of bullying, through school support, confidence building activities and out-of-school activities
    - multi-agency support/intervention available in schools to support young people.
  - mentoring
    - Developing an education, training and employment mentoring scheme with youth associations to assist young people

- basing volunteer mentors within the local Connexions service, thus providing an opportunity to plan and develop suitable mentoring support for both school and college-age young people, with a view to forming ‘employment coaching’ for new E2E users and those disengaged from employment.
- custody and transition to the community
  - establishing a ‘continuous curriculum’ project with a local YOI for young people on DTOs, focusing on providing a sessional tutor for young people (one hour per week in the last four weeks of custody) through the early stages of resettlement, during which literacy and numeracy support is provided and, where necessary, support in accessing further education, E2E, employment, or reengagement with school
  - employing learning mentors to guide young people out of custody and into provision in the community
  - placing the focus on the employability of young people on release from prison, by devising goals and targets strategically in the sentence plan
  - small teaching groups that enable young people to receive adequate support

all relevant parties (key worker/guidance worker/education worker in custody and YOT workers) attend all stages of the DTO review process with a view to planning the transition process and future placements promptly

- ensuring that every young person has a named Connexions personal adviser in custody to facilitate transition in the community
- providing ‘citizenship’ courses in custody for young people who are disruptive in class to work on problem behaviour before reintroducing them to education and training
- offer ‘short’ accreditation courses on first arrival in the secure estate, so that young people’s motivation to continue to engage is sustained, ensuring such accreditation is useful for seeking training or employment outside.

Suggestions for future developments in this area were provided by staff. These included:

- using the voluntary sector to combine accommodation with suitable education, training and employment provision for homeless, post-16 young people
- development of a database and an effective protocol with voluntary organisations
- more recruitment of volunteer mentors for young people
- better links with agencies willing to work with this client group
- development of working arrangements to offer specialist provision for ‘hard-to-reach’ young people, and to gain resources for specialist packages through the LLSC

location of the YOT database system within the LEA’s education social work service and the PRU service, working with the education officer for social inclusion to complement the development of a centralised pupil information exchange system

closer links between YOTs and the '14-to-19 LSC and LEA working groups' to widen and deliver alternative curriculum provision for young people

- introduction of psychological screening, assessment and support for the most challenging and disengaged learners, through the independent psychological services, recently commissioned by a local LSC.

### ***Models of partnership-working and implications for future practice***

#### **Partnership-working**

Most of the staff interviewed saw that there are many advantages to working with partnership organisations, namely:

- sharing expertise in working with young people
- providing extra scope for working with young people
- having local knowledge for young people released from custody
- arranging prompt and suitable placements for young people on release from custody
- facilitating a 'seamless' transition from custody to the community
- passing on a consistent message to young people, and reinforcing the importance of education, training and employment
- assisting with reintegrating young people back into education, training and employment in the community.

However, it was also reported that, while the above is the theoretical underpinning of partnership-working, it does not always happen in practice, as discussed in the previous chapter. Barriers to partnership-working include:

- the distance between custodial institutions and the areas to which young people will return
- difficulties in 'joining up' the work of all partner agencies
- competing agendas and roles, and conflicts of interests
- spreading education, training and employment provision and resources too thinly.

#### **Implications for future practice**

In terms of addressing the problems encountered in partnership-working, the following appeared to be priorities among the staff included in this sample.

YOTs and custodial establishments do not seem to work as well together as they could and as is desirable for the continuity of education, training and employment for young people on release. Custodial establishments need to receive feedback on the progress of young people post-release from custody – practitioners working in custody reportedly are often unable to evaluate the effectiveness of their work with young people in arranging education, training and employment placements.<sup>30</sup> YOT staff must also be committed to full participation in the review process.

Both YOTs and custodial establishments would benefit from closer working with LLSCs and LEAs. The LEA and schools should remain responsible for the education of those below school-leaving age, notwithstanding that education may be disrupted by custody. LLSCs should ensure that there are places available on suitable training programmes to meet the needs of young people.

Connexions, when used, provides a valuable means of ensuring that young people are moved on. Where the Connexions Partnerships had effective working relationships both with custody and YOTs, the benefits of ensuring continuity of support for the young person was evident. However strong working relationships with Connexions Partnerships were not universal, and in some areas there was apparent friction between the agencies working with young people. Although the importance of agencies working together is recognised, there seem to be difficulties at either (or both) strategic or operational levels in effecting such collaborative working (Connexions, 2003).

The use of protocols was surprisingly erratic. Even where protocols existed, it was often reported that the process to achieving agreement had not been smooth. Once in place, protocols were found to be helpful, but as negotiated at a strategic level, there are questions raised as to the extent to which operational staff were aware of the contents, and their responsibilities under the protocol. Data-sharing is a particular source of friction – agencies being concerned about their liabilities for data protection. As noted in the First Phase Joint Inspection of YOTs 2004: ‘YOTs would be assisted by model protocols and further national guidance on staff arrangements’ (Inspectorate of Probation, 2004). Clear guidance on the content of protocols and permitted data-sharing would be welcomed.

Notwithstanding formal responsibilities attaching to parties in collaborative working, staff reported that in terms of what facilitates effective working practices with partners, the following were important:

- open and honest communication
- regular meetings about expectations, agendas and roles
- prompt addressing of issues.

<sup>30</sup> The interim evaluation on Connexions Frontrunners reported that YOIs expect feedback on post-release education, training and employment development of trainees (Hasellwood-Pocsik et al, 2004).

Despite the challenges often faced by YOTs in placing young people in suitable education, training and employment provision, the interviews with young people did provide some examples of the positive outcomes that have been achieved. Positive strategies were employed to engage young people in education, training and employment both following their custodial sentences and also in the community in order to prevent them from becoming completely disengaged.

The success of young people attending full-time education, training and employment appeared to lie in their ability to remain engaged with some sort of education, training and employment activity, even when their initial plans changed. Maintaining attendance is a critical issue in maintaining engagement in education, training and employment, but one which is perhaps not given the emphasis needed. YOT managers identified attendance rates as a factor affecting engagement, but there appears to be a lack of clarity about how agencies should work together to ensure attendance.

It was felt that co-operation between agencies should focus not only on accessing an appropriate education, training and employment placement for young people, but also in monitoring and supporting continued attendance.

## 8 Main findings and recommendations

### *Scope of the problem*

On the basis of the very substantial census exercise it appeared that:

- The various ETE measures obtained suggest that on a given day, only around 35 – 40% of the young people in the youth justice system are in receipt of full-time ETE provision.

YOTs are struggling with very serious access issues to full-time ETE, with only 45% of the young people in the sample having access to such provision and 28% having no provision available at all.

- Only around half of those of statutory school age appeared to have full-time ETE arranged for them. This is a particularly serious issue for those in their final year of compulsory schooling, with those aged 15 years and younger being three times more likely to have full-time arranged than those aged 16 years.
- Those who had been in the care system recently were 50% more likely to have no access to ETE than those who had not.
- Young people with literacy or numeracy difficulties reported were 50% more likely to have no access to ETE than those who had no difficulties.
- Young people with previous convictions were more than twice as likely to have ETE arranged than those with no previous convictions.
- Those young people on the more serious community disposals were three times more likely to have no access to ETE than those on Final Warnings

Dubious practices such as informal exclusions and inappropriate study leave by some schools, coupled with delays and a lack of alternative educational capacity by LEAs were reported in the census, causing frustration for YOT staff attempting to secure access to provision.

The quarterly percentage of young people in education, training and employment figures reported to the YJB were significantly higher than the percentages obtained in the census for all YOTs in the sample.

### *The young people's perspective*

The interviews suggested that young people tended to locate barriers to engagement in education, training and employment primarily within themselves, unlike practitioners, who were more able to identify structural barriers preventing young people from engaging in education, training and employment.

The young people interviewed were engaged in a range of primarily alternative education, training and employment. It appears that the YOTs were often instrumental in pursuing ‘alternative’ education, training and employment options for young people. Although not a representative sample, some common barriers to engaging in education, training and employment emerged from the interviews. All those interviewed had experienced a breakdown in their mainstream school education.

In the following, we use the education risk factors to classify the evidence from the interviews:

- **detachment**

Exclusion from school was common, and exclusions were often repeated, even as a young person changed schools. Absenteeism was also common – either selective absenteeism (according to lesson preferences, i.e. would attend only classes where they did well) or general absenteeism (due to bullying or in order to spend time with friends who were often older and not attending school).

- **low attainment**

Young people often perceived their educational ability negatively in comparison with their peers. English was often described as the least favourite subject and the most difficult. Where young people reported difficulties with English while at school, they felt they still had literacy problems and their needs had never been addressed.

- **school organisation**

Bullying, and specifically how the teachers/school responded to it, was a particular feature of the responses. Relationships with teachers were very important, as were small class sizes where young people could receive sufficient attention without that attention being one-to-one, which some felt had a stigma attached.

Young people generally valued the opportunity to engage in ‘alternative’ education, training and employment provision – commenting positively on the level of staff attention they received and welcoming being given responsibility for their own learning and work. The importance of a positive relationship with staff was also reflected in the interviews with young people who had been in custody.

Young people generally were more enthusiastic about being in work rather than education and training. They perceived the main barriers to their engaging in education, training and employment as being their criminal record and lack of qualifications.

## ***Understanding of key stakeholders***

### *Youth justice staff*

Individual barriers to engagement in education, training and employment are not currently measured in a systematic way in the youth justice system.

The main personal barriers highlighted by staff were to do with previous schooling, lack of skills, lack of parental support, fear of failure, learning difficulties, and emotional and behavioural difficulties. Suggestions for how to respond to these personal barriers included:



- increasing young people’s ‘ownership’ of their education, training and employment
- using individual support
- using a young person’s interests and skills
- addressing learning needs
- encouraging small improvements
- providing accreditation
- using relevant learning materials
- work experience.

Staff identified the main systemic barriers as:

- the lack of suitable education, training and employment provision, particularly vocational provision, and the lack of resources available for alternative provision
- the lack of financial assistance to engage young people in training
- the complexity of benefits and the likelihood that benefits would be cut or lost if young people did participate in training
- the belief that the financial remuneration for low-paid employment or apprenticeships was not sufficient
- the inflexibility of schools and colleges in accepting young people at more than one entry point in the academic year
- the difficulty of transitions for the young people, both between custody and the community, and also across LEAs (through changes in residential care)
- lack of specialist support for young people with SEN, behavioural issues, welfare needs or who need psychiatric support
- the quality of provision (e.g. the suitability of the National curriculum, provision for the least able young people, vocational training places)
- access issues, through formal and informal exclusion, and poor monitoring of attendance.

The commitment to education and training was recognised as a key protective factor for young people. The YJB’s *Key Elements of Effective Practice – Education, Training and Employment* identifies three themes that underpin effective practice – engagement, achievement and employability (YJB, 2002). Of these, engagement and employability were frequently mentioned. Practitioners felt that education, training and employment were important, primarily for young people to find and maintain employment, but also to have more choices and opportunities later on in life.

To overcome these barriers, the key recommendations were to:

- increase the range of programmes offered, including E2E places for the high-need group and other placements for those hard to place
- improve the quality of programmes and the quality of their outcomes
- provide and improve resources to support literacy and numeracy.

#### *Education staff*

In comparison with the views expressed by youth justice practitioners, data from the Esmee Fairburn-sponsored research *Unlocking Learning* suggested that education practitioners are more likely to identify barriers to education, training and employment as being located in the young person than in the system. Education staff appeared to recognise the need for education services to work more closely with practitioners in the youth justice system. School head teachers and further education college principals demonstrated a high degree of knowledge and sympathy with the educational needs of young people in the youth justice system. However, although school staff believed that they were working with YOTs, specific links with YOTs appeared limited. Secondary schools acknowledged weak links with YOTs. Links between schools and the secure estate were even weaker. The views of education staff therefore appear to reflect those of youth justice practitioners, that the links between schools and YOTs and the secure estate are generally poor. Head teachers expressed strong interest in developing a much closer and more effective relationship with the youth justice system. Support from the LEA in this area was felt to be poor and there was little evidence that the YOT Steering Groups have engaged schools. Educationalists generally expressed a desire to know far more about the youth justice system.

The further education sector appears to have considerable potential and willingness to provide appropriate full-time education opportunities.

While there was a tendency to identify the attitudes of young people as providing the biggest barrier (particularly where secondary school teachers were concerned), there was also a strong emphasis on the part of senior managers, particularly in further education, on the need to instil appropriate knowledge and skills in staff in order to achieve effective inclusion.

Managers and staff at schools and colleges identified a coherent range of barriers that hindered both the reintegration of young people from custody and the work done with the wider group of young people whose offending is serious or persistent. It is noteworthy that lack of school places was not seen as a major barrier, which appears to contradict the experience of many YOT managers and practitioners. The findings from the YOT managers' questionnaires were that they regard lack of suitable education, training and employment places as a major barrier, although this appears to be a much less significant issue for schools and further education providers, perhaps suggesting that providers do not perceive placement as their responsibility.

#### *Youth justice practitioners – suggestions for improvement*

In addition to the points identified above, specific youth justice practitioner recommendations were to:

- overcome barriers to engagement in education, training and employment in custody
- provide vocational courses
- use RoTL
- continue to use one-to-one support
- involve officers
- support the resettlement process throughout custody
- normalise education for the younger age groups
- train staff in the education landscape of community education.
- overcome the barriers to engagement in education, training and employment in the community, especially for those young people making the transition from custody to community
  - ensure reassessment at transition points
  - ensure that education, training and employment provision is immediate (with ‘bridging’ provision in place if necessary)
  - make available more ‘suitable’ provision
  - provide a high level of individual support, e.g. through learning mentors
  - provide continuing staff training.

The main recommendations made by interviewees were:

- for practitioners:
  - knowledge of the youth justice system and the education, training and employment opportunities for young people
  - skills to support young people accessing education, training and employment in the community
  - opportunity to participate in the DTO review process
  - improved communication with other agencies, through better communication channels, sharing of information, sharing of knowledge and best practice.
- for managers:
  - in custody, provide sufficient and suitable education and training opportunities
  - in the community, direct resources to meeting skills shortages
  - improve communication between staff, both staff within youth justice system in custody and the community, but also staff in the youth justice system and staff delivering education, training and employment, including information-sharing protocols
  - challenge poor practice in education, training and employment

- use standardised assessment for education, training and employment.
- for strategic bodies and partnerships:
  - support inter-agency co-operation through clarity of their respective roles, ensuring information and monitoring systems use the same information, and streamlining data collection and auditing
  - increase the resources available to increase education, training and employment provision for young people
  - increase the focus on preventive work
  - reduce the frequency of movement of young people around the secure estate
  - support more training for staff.

### ***Effectiveness of existing strategies***

All the agencies involved in the research work with each other to varying degrees. However, these liaisons often seemed to take place in a relatively informal way. Liaisons between many of the agencies were described generally as being on a case-by-case basis, when necessary.

In the working relationship between custody and YOTs, liaison is erratic, primarily according to distances involved, although linking by video may assist. Where YOT teams are embedded within a YOI, this was reported as being most effective.

Links with Connexions were reported as inconsistent for both secure and community agencies, although the links between YOTs and Connexions were generally better than those between Connexions and custody. Connexions was found to be useful for advice and resettlement. YOTs generally reported that their relationship with Connexions was effective, although information-sharing continued to be an issue.

Partnership-working between custodial establishments/YOTs and schools/colleges appears to be more complicated and highly variable, making it difficult to draw conclusions. Contact is generally on an ad hoc basis, although some YOTs are developing systematic contact with education and training providers.

Custodial institution links with LLSCs and LEAs are very weak in places, although LASCHs tend to make better use of LEAs. Links between YOTs and LEAs/LLSCs are improving, but 30% of YOTs in the sample did not have a protocol in place with their LEA and 54% did not have a protocol with their LLSC. Obtaining information from LEAs about previous educational history or a young person was a problem encountered by both YOTs and custody.

The main roles cited for partners were those of ensuring effective resettlement for young people into the community after custody, collaboration in terms of sharing information and promising practice, and ensuring access of young people to suitable education provision. Full participation in the DTO review process on the part of all relevant agencies was stressed as important but was not always achieved. The difficulties in co-ordinating smooth transition from custody to community education, training and employment were repeated. Collaboration and data-sharing, between all agencies, was seen to be important but reported as lacking, compromising the welfare of the young person.

The main barriers reported for partnership-working were:

- a lack of collaboration
- competing agendas
- geographical limitations
- a lack of clear expectations and roles.

To this end, effective communication at operational and not just management levels seems to be key. Service-level and information-sharing agreements and protocols do not universally exist between partner agencies and creating these might be regarded as important first steps to addressing cross-agency barriers.

### ***Extent and effectiveness of innovative practices***

Although staff described their work with education, training and employment as ‘work in progress’, some useful suggestions were made, deserving of further investigation and evaluation. These included:

- developing the use of learning mentors or a mentoring scheme

co-operative working between agencies and providers (e.g. by creating a monthly education and YOT panel, agreements to place young people, feeder courses with multiple entry points throughout the year, and named persons to negotiate provision of information and placements)

- improved quality of provision, particularly to address bullying and give young people a stake in their own learning
- supporting the custody to community transition (e.g. by establishing a continuous curriculum project with local YOIs, ensuring named Connexions personal advisers allocated to young people in custody, focus on employability, attendance at DTO reviews)

information-sharing (e.g. location of YOT data information system within LEAs education/social work service)

- comprehensive support to address welfare issues of post-16 young people, and provide other support (e.g. accommodation, psychological services).

Partnership-working continued to be difficult to achieve in many areas. Shared working occurs gradually and, although practitioners recognise the benefits, there were reportedly conflicts in achieving this as agencies work to different agendas and targets.

Practitioners felt it important that protocols exist, resulting in regular, open and honest communication. The existence of protocols was apparently erratic, however, and, although they were seen as helpful once in place, they were also seen as requiring operational commitment to make them effective. There was recognition that YOTs and custodial institutions did not work together as well as they should, and that co-operative work with LEAs and LLSCs needed development. Where relationships with Connexions were working well, the Connexions service was felt to be valuable.

## **Conclusions**

The salient features behind some of the problems identified in this study are:

- **failure to recognise the scale and nature of the problem**

The census has emphasised that there remains a serious problem for a large number of young people in gaining access and participating in education and training, yet this is not adequately recognised or reflected in official statistics. The reality is obscured by the current definitions and counting methods employed by the DfES, LEAs, LLSCs and Connexions Partnerships. Without agreement at a national and local level on the scale of the problem, it will be almost impossible to make a step-change in the engagement of these young people. The evidence indicates that many educationalists see the main problem as being the behaviour of the young people themselves rather than the availability and suitability of education and training provision. This is in contrast to many managers and practitioners in the youth justice system and again impedes devising and implementing solutions.

- **lack of professional knowledge**

The level of knowledge regarding the youth justice system possessed by the majority of managers and practitioners in both secondary education and, to a less extent, further education is limited. This is compounded by a lack of understanding of the skills, knowledge and working methods deployed by those in the youth justice system. This is paralleled within youth justice. On a practical level, many practitioners are unaware of the educational and training entitlements of young people and also may be lacking in the brokerage skills to gain them on their behalf. Knowledge and understanding of each other's assessment systems is clearly very limited. Despite working with the same young people, albeit at different points in their educational career, there is virtually no professional cross-pollination between youth justice and education.

- **conflicting objectives and targets**

Again the research found that there is a lack of knowledge of the priorities and specific targets placed on each other. For instance, awareness of the YJB's education targets within schools and further education colleges is likely to be almost non-existent. There is an ever-present tension between the focus of the youth justice system on the single young person and management of the group that characterises educational institutions. There appears to be little synchronisation between sentence length and, for example, examination and course commencement.

- **confused accountability**

Responsibility for the education or training of young people appears to be a baton that is regularly passed and frequently dropped between schools, LEAs, custodial institutions and LLSCs, with youth offending teams and Connexions Partnerships being rather inconsistent intermediaries. Diffused accountability contributes directly to the lack of ownership, which is displayed by many of the institutions in this research towards the continuing education of these young people. Ineffective and non-existent protocols despite being required by the YJB's national standards of steering groups is a disappointing comment on this lack of institutional ownership.

- **limited and tardy transmission of key information**

Effective assessment of need, planning and review appears to be compromised within the youth justice system by the paucity of educational information. Sentencing practice can be hampered and magistrates are often in ignorance of the educational antecedents, current and planned provision, and educational outcomes. Similarly, educationalists and other practitioners within secure establishments are often reportedly frustrated in their attempts to provide a coherent and positive learning experience for young people without the most basic of information, particularly that relating to SEN.

It is an over-simplification to portray the divide as simply between education on the one hand and youth justice on the other. Within schools, for example, there are significant differences of opinion between head teachers and classroom teachers as to the suitability of mainstream secondary school for young people returning from custody. Again, further education colleges demonstrate a much higher level of experience of providing for young people who have offended and appear to display more inclusive attitudes.

Equally, within the youth justice system, there appear to be major divisions between community and custody and sentencers that are variations of the broader cultural mismatch described above.

As illustrated by the case studies in 'young peoples perspectives' within the context of the four identified risk factors, the experience of bullying and its effect on attachment to school and attainment is striking.

## **Recommendations**

The challenge for the YJB is that facing an individual YOT writ large regarding access to appropriate education and training: how to bring about significant changes in both policy and practice when they are outside its direct control?

Although it is a daunting challenge, there are two reasons for hope. Significant, although by no means complete, success in policy and practice change were brought about for the education of young people being looked after following a similar process of identification of need and policy promotion. Within this research, there are indications of a willingness on the part of some elements of the education system to work together more closely to span this divide.

It will be important, however, to reframe the basic question from ‘how do we engage these young people in education?’ to ‘how do we engage the education and training system in meeting the needs of young people at risk of offending or reoffending?’

Changing the behaviour of institutions and professions is widely recognised as being extremely challenging and so there is no one easy solution to the problem of ensuring the educational access, participation and progression of young people within the youth justice system. While the recommendations of the Audit Commission’s review of the youth justice system – if fully implemented – would go a long way to bridging this divide, there is more that could be done (Audit Commission, 2004).

Two general recommendations have come out of this research:

- the design and introduction of an educational framework akin to that devised for Quality Protects for those in the youth justice system that could engage both schools and LEAs
- a communication initiative led by the YJB to raise public and professional awareness of how instrumental educational risk factors can be in offending, and to promote a new approach to increase public confidence in community sentences built around education (this would mean intensive and sustained efforts to ensure that key influencers in education such as the Secondary Heads Association and the professional associations began to take this issue more seriously).

Recommendations for the YJB:

- amend counting rules for YJB and ETE returns with regard to study leave
- devise and disseminate standard protocols for LEAs and LLSCs and make sure that these are monitored effectively

review the current education, training and employment returns from YOTs to the YJB to ensure both their validation and applicability to measuring the YJB’s target

- develop effective dissemination of information on education matters to magistrates through, for instance, training and the Youth Court Bench Book so that they can act more confidently on access, participation and progression issues and be more encouraged to use community sentences.
- The YJB in conjunction with DfES should consider the extensive lack of access to full-time provision for statutory school-age young people who are in the youth justice system, and undertake the following:
  - extend the remit of the annual census to include LEAs as well as LLSCs and Connexions Partnerships



- issue guidance to schools to promote the educational participation and attainment of young people who offend, which would cover curriculum and assessment, welfare, guidance and continuity, study-leave and would contain detailed policies and measures relating to staffing
- devise and introduce detailed educational reintegration measures taking account of the educational issues identified in these surveys

develop joint training for schools and YOTs (building on education, training and employment INSET) with an emphasis on effective information exchange on educational access, participation and progression

- bring the further education sector both formally and informally into a close effective working relationship with the youth justice system, particularly in the community
- review existing guidance in relation to young people who have or are experiencing bullying and ensure that all learning and development programmes incorporate this

The danger is that, in identifying barriers to young people participating in education, training and employment, the ‘problem’ of lack of engagement is located with the young person, with a corresponding failure to recognise the extent to which the system is creating barriers to engagement. Strategic managers in youth justice and education should seek to identify and overcome the systemic barriers to reengagement identified.

## Appendix 1 Methodological issues

This is the first attempt of measuring the educational demographics of the youth justice population in England and Wales. Accordingly, there is no agreed methodology for this, coupled with the fact that this is a relatively new area for YOT practitioners (most of whom are not educationalists) to report on. Therefore, we requested ETE data from both *Asset* and the census week and census day period. Inevitably, some practitioners had difficulty supplying all of the data requested. Whilst educational data was supplied on over 98% of the young people in the sample, it is important to explore the potential impact of any incomplete or missing returns. In addition, there are other issues such as the timing of the census and the response rate from YOTs that also need consideration. Some responses given for questions on the nature and quantity of ETE provision required a level of interpretation and assessment. A conservative approach was taken wherever possible in this assessment, to ensure the results of the census represent the 'base' or minimum percentage of young people out of full-time ETE.

The following issues relate to aspects of the census methodology that potentially may have impacted on the key findings. Discussion below has aimed to explore this potential impact, and wherever possible further analysis has been carried out to isolate and remove any potential bias in the results.

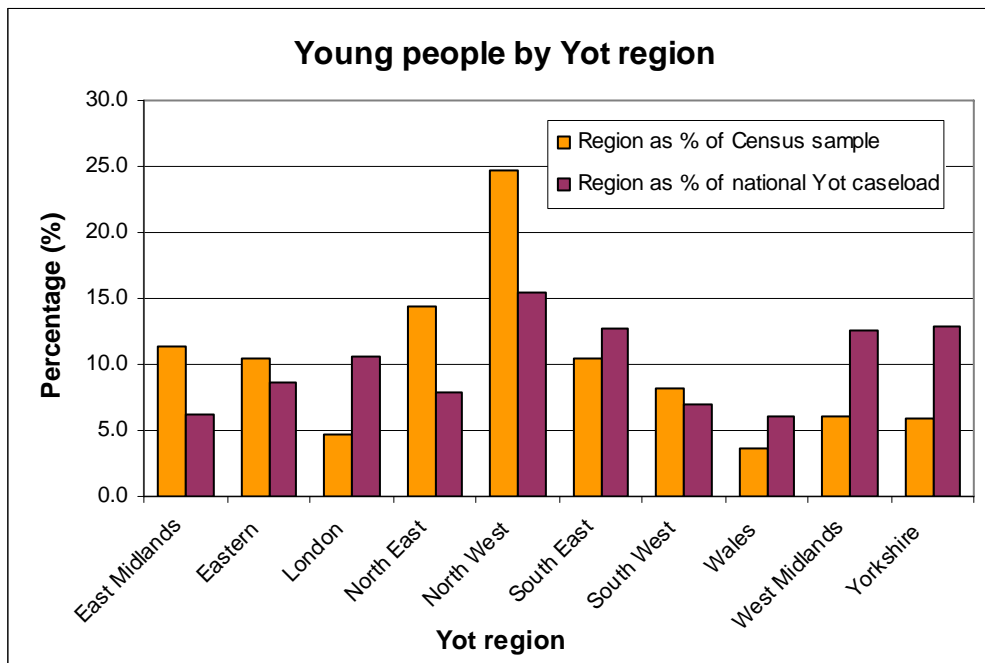
### ***Representativeness of the sample***

The census survey aimed to measure the entire population of the national YOT caseload across the UK. There are 155 YOTs nationally, yet only 48 YOTs (30%) responded to the census.

This response rate may potentially limit the research findings and consideration of reasons why it occurred is important for future censuses. The lack of response may well have been the result of YOTs being overburdened with other demands and not having time to participate in the census. However, access to education has been reported in previous research as a high priority issue among YOT managers, and one in need of urgent attention (Audit Commission 2004). It would also be reasonable to assume that the time required to collate and return data for the census, should not be significantly above and beyond the monitoring systems already in place for the YOTs detailed ETE data returns to the YJB. Therefore, it is also a possibility that some YOTs have inadequately detailed monitoring systems for ETE provision.

While the response rate is low, the nature of this sector and the lack of national research in this area to date, reinforce the importance of this census dataset. The census represents one in three YOTs nationally. Responses came from a reasonable geographical spread, and regions were represented in the census in similar proportions to their take of the quarterly national YOT caseload (see Chart A1), although London, West Midlands and Yorkshire were under-represented in the census sample. It is not possible to determine the exact proportion of the YOT caseload that the census data represents, as national figures record quarterly throughput whereas the census is based on weekly and daily counts.

Chart A1 Young people by YOT region



The representativeness of the census sample was also analysed in terms of YJB data on YOT participation in ETE rates. Every quarter, all YOTs are required to return data forms to the YJB detailing the numbers and proportion of young people receiving ETE provision in their YOT. Under the YJB counting rules, the young person must be in full-time provision (25 hours per week) to be counted as ‘in ETE’ for their quarterly ETE returns. In addition, the rules state that for the week:

*‘YOTs must seek verification that young people are actually receiving 25 hours of ETE, and not count the number of hours planned for education, training or employment activities, where the young person fails to attend, as constituting part of the 25 hour requirement, but only those hours received’*

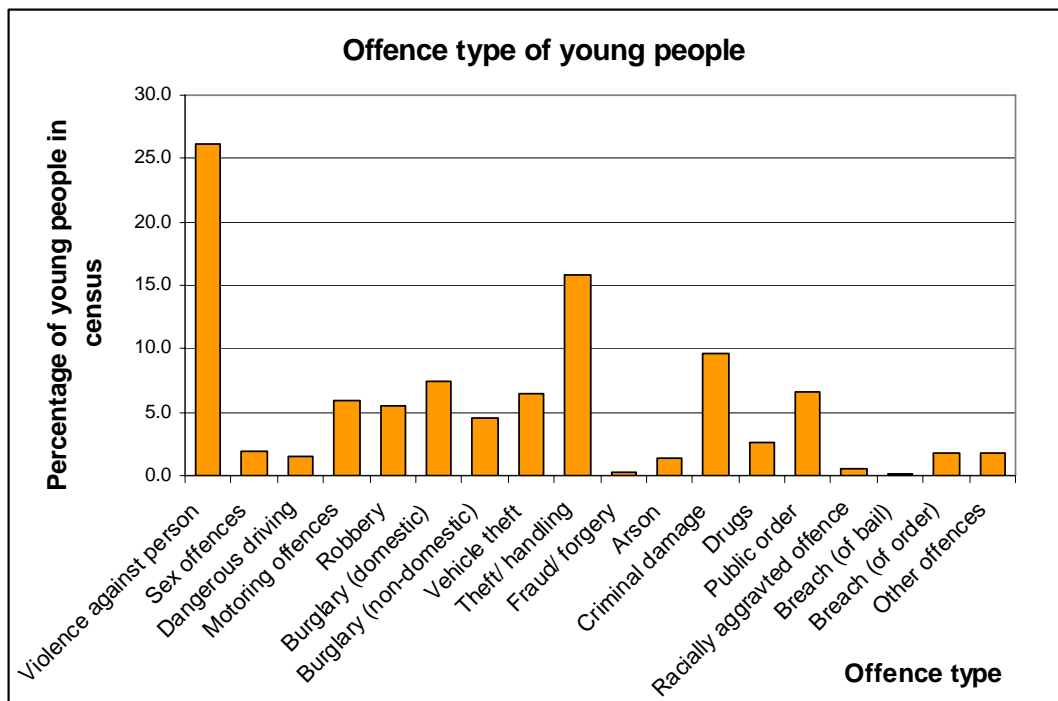
*(YJB 2003)*

Informal discussions with YOT managers, practitioners and some ETE providers (including one national training provider working with one in five YOTs nationally), cast doubt on the adequacy of these verification processes in some areas.

Based on these rules, a comparison was made for each YOT between the percentage in ETE from YJB returns for the census period, and the percentage receiving full-time ETE from the census data (see Table A1 at the end of this appendix). The YOTs responding to the census came from an even spread of high, medium and low rank positions on the YJB returns 'league table'. No statistically significant difference was found between the positions of those that responded and those that did not.

Lastly, analysis gave a broadly consistent picture across the 48 responding YOTs and no statistically significant differences by YOT were found for a range of demographic and criminological characteristics. A number of comparisons based on age, gender, ethnicity and offence type, were made between the profile of the census sample and that of the national YOT population. The distributions nationally and in the census sample were very similar for gender, age and offence type. There was a slightly higher proportion of young people from white ethnic backgrounds in the census sample, most likely due to the lower representation of the ethnically diverse London YOT region. These comparisons are important in demonstrating that the young people in the sample were not significantly different in terms of these characteristics from those in the youth justice population generally, and hence bias is not likely to be a significant issue for the census results.

**Chart A2 Census data – offence type by young people in sample**



### **Timing of the census**

The timing of a census can have considerable impact on the results obtained, if coinciding with atypical events. The census was originally planned for mid-May, in the first half of the summer school term. However, due to other demands on YOTs at the time, the YJB advised the census date would need to be put back until the start of June. The later date of the 9<sup>th</sup> June 2004 was ultimately agreed upon by the research team and the YJB in order to avoid the half-term school holidays break at the start of June. While the census date was towards the end of the school year, students are required to attend up until 30<sup>th</sup> June in the school year. In addition, the question on the census form relating to full-time ETE in the last 3 months also provided further insight into whether the census week was typical of their recent provision.

Although the school holiday period was avoided, the census week did coincide with exam time and study leave for those young people studying for their GCSEs or other public examinations. Analysis of the data suggests that the impact of this on the key findings of the census was limited. This is primarily as participation in these exams is generally low among this target group of young people. Only 314 (5.5%) of the 5658 young people for whom data was provided on in the census, were reported as being on study or exam leave during the census week.

DfES regulations on study leave clearly state that study leave hours should not be recorded as hours of ETE provision. Officially;

*..Study leave is authorised absence and cannot be counted as ‘approved educational activity’ as it is unsupervised. It must be recorded as ‘authorised absence’.*

DfES website (<http://www.dfes.gov.uk/schoolattendance/faq/>)

In addition, the DfES comment that:

*..‘many schools are electing to seek alternatives to study leave as there is evidence that a high proportion of students do not have the skills, or are not inclined, to make the best use of large amounts of unsupervised and unstructured revision time’*

Some of the returns for those on study or exam leave reported that the young person was actually in receipt of hours of ETE for the census period. However, given the above considerations, the 314 young people on study leave were coded in the dataset as having zero hours of provision received for the census period, in line with DfES guidelines.

In addition to study leave not being an ‘approved educational activity’, qualitative comments provided on the census form and *Asset* data raise suspicion over the legitimacy and appropriateness of study leave for some of these young people. For example, of those who were reported to be on study leave and also had *Asset* data available (259 of the 314 on study leave), over 40% were assessed on *Asset* as having problems of ‘underachievement’ and nearly 20% were assessed as having ‘basic literacy and numeracy difficulties’.

The DfES guidelines also state that:

*‘study leave should be used sparingly and only for year 11 pupils during mock and public examinations’*

The qualitative comments provided described young people being on exam leave but not taking any exams, and others being on ‘extended’ study leave, some for several months or the whole school year (see Chapter 3, p40 for quotes relating to study leave).

### **Completion of census forms and extent of missing data**

The census forms were completed by YOTs to varying degrees of quality. In particular, the questions requesting specific details of hours of ETE arranged and received in the census period were poorly completed by some YOTs, and again this raises issues of the quality of their verification processes. Where this occurred, qualitative comments on the form were sometimes able to provide sufficient information to confidently conclude that the young person was or was not in ETE provision on the census day or week. For example, there were young people for whom no response was given for hours arranged or received, but comments were provided stating the young person was currently ‘unemployed’ or ‘excluded’.

Cases were only recorded as zero hours if the comments made it absolutely clear that there was no provision. Almost 700 young people had qualitative responses on their forms about their ETE provision during the census week and day, but had no answer provided for the specific questions on hours arranged and received. The qualitative data was used to correctly code the ETE provision of these young people where possible, and minimise the ‘missing’ data for the census.

For each young person in the census, there were six measures of ETE status that the research team aimed to collect. The first measure was sourced from the pre-existing *Asset* form, while the other five measures of ETE were from the census form.

Analysis of missing data identified different groups of young people in the census, based on varying degrees of completeness in their ETE data. The main finding from this analysis is that while the number of missing data for some of the key ETE measures is notable, the number of young people who had no information provided at all for any of the ETE measures (or no response to any of the census hours questions specifically) is minimal. Out of the total sample of 5658, there were only 69 young people who had no response provided for any of the key ETE measures, from both *Asset* and the census, and hence, no data to indicate their current or recent ETE status. The issue appears to be more of incompleteness of particular questions in the census form, rather than non-response altogether.

Interestingly, there were 209 young people who had measures of their ETE status provided as per their *Asset* form and their response to being 'in full time ETE for the last 3 months' on the census form, but had no data provided for the questions on specific hours arranged and received in the census. This would appear to suggest that the ETE hours for these young people are not known or not adequately recorded by their YOT, despite this being a requirement of the YJB counting rules. In addition, 87% of this group of 209 young people were reported on their census form as not being in full time ETE for the last 3 months, and 46% were stated as not being in any ETE on their *Asset* form. These additional ETE measures provide some evidence to imply that these may not be just missing cases due to poor ETE monitoring, but rather additional cases of no ETE provision during the census period, and hence further evidence that the proportion reported as not being in ETE may be an underestimate.

### ***Profile of the young people with missing data and impact on results***

There were 777 young people who had no response for the census questions on hours of ETE arranged or received in the census week or day. The demographic and criminological profile of these young people were analysed in more detail to explore the potential impact of their missing data.

#### **Age, gender and ethnicity**

While the gender split among this group missing census hours data was similar to that for the whole sample, the distribution by age and ethnicity differed for this group. There were half below school-leaving age and half above school-leaving age among those with no data provided for the census hours questions. In comparison with the sample as a whole where the split was 60% below and 40% above, there were a slightly greater proportion of older young people in the group missing the census hours data. Analysis of ethnicity among this missing data group found a higher proportion of young people of non-white ethnic backgrounds, and in particular a significantly higher proportion of those of black or mixed black ethnicity compared to the census sample as a whole.

Other research has found older young people less likely to be in ETE, and particularly full-time ETE (Baker et al. 2002). Additionally, some studies have found young people of black or mixed black ethnicity to be more likely to be permanently excluded (DfES 2005) and less likely to be in mainstream education (Baker et al. 2002). As a result, this profile of young people who were missing the census hours data suggest again, that the census results may underestimate the proportion of young people not in ETE provision.

YOT

More than half the young people who had census hours data missing, were from two YOTs, Oxfordshire (242 young people) and Leicester City (209). Other YOTs among this group of young people were Bristol (48), North Yorkshire (33), Sutton (26), South Tyneside (25), Blackpool (21), Lancashire (22) and Sandwell (20). Examining the YOTs of these young people missing census data may give some indication of the likelihood they were in ETE. Importantly, 71% of young people who did not have a response for the census hours questions were from YOTs at the bottom end of the YJB returns 'league table'<sup>31</sup>. Oxfordshire represented nearly a third of this 'missing data' group, and as per the YJB league table, this YOT has a very low participation rate with only 37% of their caseload reported as being in ETE. Again, this profile suggests that the census findings may show an underestimate of the proportion not in ETE provision.

### **Care history**

Those without data for census hours were more likely to have entered the care system in the last five year (31% compared to 19% among the census sample). Again, these young people have been shown in other research to be less likely to be in ETE provision, and add further argument that the missing data may have resulted in an underestimate of those not in ETE (SEU 2003).

### **Other measures of ETE status and type**

A slightly larger percentage in this group had no data provided for the ETE measures on *Asset* (11% vs. 7% for whole sample). Of those who did provide this data, a smaller proportion was in ETE among those missing census hours data than among the sample as a whole (70% vs. 76% respectively). Most (71%) of those young people with no data on hours of ETE in the census, also had no data provided for the census question about being 'in full time ETE for last 3 months'.

Analysis of additional comments provided on the census form showed that those with census hours data missing were also more likely to be in custody, home tuition, part-time, casual or agency employment or on study-leave. Each of these types of ETE provision have been found to be less likely to involve full-time hours.

### **Reliability of data sources**

In addition to the issue of missing data, there are some considerations required for assessing the accuracy and reliability of the data provided in both the census and *Asset* forms.

Some YOTs were providing *Asset* data and completing some sections of the census form, but leaving the detailed questions about specific hours of ETE provision. This would tend to suggest that either this specific data is not recorded appropriately and readily available, or that the data is not recorded at all. Informal discussions with a major national training provider suggested that, in their experience, they have very little contact with YOT staff to verify attendance.

<sup>31</sup> YOTs considered to be positioned at the lower end of the 'league table' were taken as those reporting 63% or lower in ETE.



Similarly, the census relied on self-report by YOT managers in gathering this data on provision and where adequate registers and recording systems are not in place, such methods are open to response bias. It is possible, and perhaps likely, that pressure to report high rates of participation in ETE to the YJB (whom participants knew was the funding body behind the census project) may have caused some YOTs to overestimate their hours of ETE provision for individuals and led again to an upward bias (overestimate) in measures of young people in ETE. In many cases, daily hours appear to have included in some cases non-educational hours such as lunch times and travel time and may also include activities that may only loosely be described as educational.

Lastly, some caution is needed when using measures of ETE provision as recorded on *Asset*. For the purpose of determining the current ETE status of a young person and quantifying the amount of provision, *ASSET* is a relatively unwieldy and often unreliable data source, particularly with regard to timing. Recent reviews of *ASSET* acknowledge the high likelihood that *Asset* ETE information quickly becomes outdated and is rarely reviewed (Baker et al. 2002). As the *Asset* questions covers a lengthy period of time (six months), young people could have made the transition from below to above school-leaving age and possibly be recorded for provision that is no longer current or be recorded in both compulsory and post-compulsory education. In addition, the *Asset* questions on ETE (as per the version of *Asset* most commonly in use at the time of the census) identify the source of education provision or type of ETE, but do not quantify this provision, either in amount arranged or amount received. The latest version of *Asset* does record this information to some extent and therefore, more widespread use of the new *Asset* is critical for recording and measuring progress towards the YJB target for ETE participation.

## **Conclusions**

The census aimed to derive the most accurate measure of the level of ETE engagement among young people in the youth justice system. There are various limitations with the measures of ETE provision available for such research. These include the often incomplete, outdated and non-specific nature of measures on *Asset*, and problems with self-reported measures from YOTs that are subject to potentially inadequate monitoring systems and possible response bias.

To minimise the impact of these limitations, the census employed a multi-pronged approach, obtaining a range of ETE measures from two data sources – *Asset* and the census survey. These measures were used in analysis both independently and in combination where possible, to provide a more accurate and in depth assessment of a young person's ETE status. As a result, a measure of ETE provision was obtained for more than 98% of this large sample of over 5500 young people.

Comparison with the national profile of the youth justice population showed the sample to be largely representative on a range of demographic, geographical and criminological characteristics. Analysis of the profile of those with incomplete data revealed these young people were more likely to have characteristics associated with not being in ETE provision.

In the context of the main findings that there is a lower level of engagement in ETE than some official figures indicate, caution has been taken in the interpretation of the data, erring on the side of higher estimates of engagement than some of the incomplete or ambiguous returns imply. This cautious approach to the data interpretation, coupled with the profile of those with incomplete data, provide some evidence to suggest that the levels of engagement in ETE may in fact be lower than the 35 to 45 percent found from this analysis. Further research is required however to explore this.

**Table A1 Comparison of percentage in full-time education, training and employment for census, and YOT quarterly returns to the Youth Justice Board**

Region	YOT	Total % of young people with full-time education, training and employment received during census week	Comparative data – YJB returns for period	% Difference between YJB returns and census
North West	A	38%	93%	-55%
North West	A1	45%	91%	-46%
North East	B	46%	90%	-44%
South West	B1	30%	89%	-59%
South West	C	29%	84%	-55%
North West	C1	44%	83%	-39%
London	D	28%	82%	-54%
North West	D1	35%	82%	-47%
North West	E	41%	81%	-40%
Wales	E1	46%	81%	-35%
East Midlands	F	49%	81%	-32%
South West	F1	16%	81%	-65%
London	G	38%	81%	-43%
North East	G1	38%	80%	-42%
London	H	21%	80%	-59%
East	H1	28%	80%	-52%
North East	I	48%	80%	-32%
North East	I1	47%	79%	-32%
South West	J	49%	78%	-29%
Yorkshire	J1	30%	78%	-48%
East	K	37%	77%	-40%
North West	K1	47%	76%	-29%
London	L	40%	76%	-36%
South East	L1	54%	75%	-21%
East Midlands	M	38%	75%	-37%

<b>North East</b>	<b>M1</b>	30%	74%	-44%
<b>South East</b>	<b>N</b>	40%	73%	-33%
<b>Wales</b>	<b>N1</b>	51%	73%	-22%
<b>South East</b>	<b>O</b>	31%	72%	-41%
<b>North West</b>	<b>O1</b>	32%	72%	-40%
<b>Yorkshire</b>	<b>P</b>	49%	71%	-22%
<b>London</b>	<b>P1</b>	42%	71%	-29%
<b>North East</b>	<b>Q</b>	51%	71%	-20%
<b>South East</b>	<b>Q1</b>	42%	69%	-27%
<b>East</b>	<b>R</b>	50%	64%	-14%
<b>West Midlands</b>	<b>R1</b>	28%	63%	-35%
<b>Yorkshire</b>	<b>S</b>	44%	62%	-18%
<b>West Midlands</b>	<b>S1</b>	18%	59%	-41%
<b>East Midlands</b>	<b>T</b>	36%	57%	-21%
<b>South West</b>	<b>T1</b>	26%	55%	-29%
<b>West Midlands</b>	<b>U</b>	21%	54%	-33%
<b>East</b>	<b>U1</b>	33%	53%	-20%
<b>Average</b>		<b>38%</b>	<b>75%</b>	<b>-37%</b>

## Appendix 2 Additional case studies

### Case study A 'Shane', aged 14

#### Introduction

The interviewee was re-engaged in education, training and employment following release from custody and has started an alternative education programme, which is bringing some positive outcomes. He became detached from school from about the age of five through temporary exclusions. The young person had SEN, which he found embarrassing. He did not attend mainstream secondary school. He was a bully and a victim in custody, which made him angry.

#### Primary detachment

The interviewee remembers being temporarily excluded at 5-years-old for 'calling someone a flat nose'. He was suspended numerous times for throwing chairs, 'acting the fool', swearing, quitting school premises and damaging school property. Once permanently excluded, he received home tuition for two years before moving to a local special school.

He began offending at the age of 10 and has TWOC (taking a vehicle without consent), burglary, criminal damage, assault, arson, GBH and theft on his record. He spent two years on ISSP before going into the custody of a secure training centre for domestic burglary earlier this year.

During his time at the secure training centre, the interviewee was 'bullied loads' which made him want to 'smash people's heads in'. He said he had 'lost count of the number of times I was in fights and was picked on constantly'. The boy described how he became angry when bullied that led him to hurt himself and seek revenge on others. He thought he was bullied for being cheeky and remembered feeling like others must when he bullied them. The staff gave warnings to all bullies.

#### Attainment

At primary school, the interviewee did not like any subject – in particular, maths. He remembered having a special needs assessment, which he found embarrassing and said made him reluctant to work because he felt other children were 'thinking stuff' about him. As a consequence, he behaved as badly as possible to get out of class so he could avoid working with the LSA. He felt he received enough, if not too much, education in custody but particularly enjoyed art and IT. He described the teachers as 'all right' because they were not strict unless the young people were fighting.

#### School organisation

In general, he did not like school because he wanted to do his own thing. The interviewee thought all teachers were 'divs' at the time but in retrospect felt they were 'all right'. He can remember that his mum came into class at the 'special school' to observe his behaviour. Looking back, he thinks his behaviour was stupid.

### **Current education, training and employment**

On leaving custody, a training plan was developed, which incorporated one day a week studying design, technology and bricklaying, and four days a week at a place which was 'like a school with different subjects'. He knew he had to do certain subjects like maths. He was consulted on plans for education, training and employment and felt it was 'all right' because he 'had a say on subjects and where I wanted to go'.

He is still on the alternative education programme, which he attends every day. He thought that all subjects were going to be difficult but found that once he got started he 'got in a flow'. He described how once he was told how to do something and got it right a few times, he gained the confidence to do it again. The interviewee still was not keen on maths and preferred sports and IT. He was thinking about changing from bricklaying to plastering because the people on the course 'got on my nerves'. He has discussed these plans with his worker. He enjoyed being able to make decisions as he was able to do in the secure training centre.

### **Future education, training and employment**

The interviewee said he might stay on and get his qualifications. He doubted that he would offend again. He wanted his mum to relax his curfew because he knew that 'even if they [his friends] did anything bad, I don't have to'. He would also like his mum to have more time off work to enable them to 'go places' together.

## ***Case study B Luke, aged 17***

### **Introduction**

The interviewee's current education, training and employment is limited to the Just Art project; however, he has employment aspirations and plans to join the army (he understood that his record would not be an issue). He became detached from education towards the end of middle school through unauthorised absence. At secondary school, he was temporarily excluded on many occasions, and finally permanently excluded. Throughout his education, low levels of attainment and literacy were a problem. Aged 16 and 17, he spent only two months out of custody.

### **Detachment**

He used to attend primary school every day, as did his brothers, sisters and friends. The interviewee described how he started to miss school from about the age of 11 years. He used to truant with his friends – 'if one knocked off, the others would'. At this age, his mother was not aware that he was missing school. He recalled that he 'had to be good' at primary and middle school because he lived nearby and knew that 'my mum could get down there easily'.

At secondary school, Luke described his pattern of attendance as ‘about once a month’ because ‘every time I went, I got excluded’. He was excluded many times, often for fighting. He explained the reason for the fights as the fact that his cousin was ‘a geek who was picked on’ and so he dealt with the bullies because the teachers did not. Aged 13 to 14, he was permanently excluded for fighting with a teacher after he was asked to leave the school premises. He understood the reasons for suspension and exclusion but his perception was that because of his continuing bad behaviour he should have been permanently excluded the first time he ‘battered someone’ and that the staff only made him go back to school because they knew he did not want to be there.

### **Alternative education, training and employment provision**

Following exclusion from secondary school he attended another school for three days a week but did not actively participate in lessons. At the same time, he began attending the Just Art project twice a week. Aged 15, he was found guilty of criminal damage and came into contact with the youth offending team. Following that, he went into custody on a DTO and was on ISSP on release until he removed the tag on purpose after two months. Recently, he was in custody again for six months for aggravated burglary.

### **Attainment**

He enjoyed art because he was good at it. He found maths and English difficult, in particular reading and writing. Luke left no spaces between words when writing until the age of 13 and found long words especially difficult. He did not think he performed as well at school as his classmates but indicated that this did not bother him.

The interviewee said that he did not attend lessons as he preferred to sit in the learning support unit all day where he received one-to-one support, which ‘helped to make spelling easier’. He drew a comparison with mainstream class when ‘the teacher would get half way through telling me how to spell something and someone would talk, so the teacher would stop and I would kick off’. He achieved art, maths and English GCSEs but was not sure of the grades because he was in custody at the time.

### **School organisation**

The interviewee said he had ‘no real bad memory of primary’ although he did not like the teachers who used to shout at him when he messed about. He remembered receiving individual support once and being asked repeatedly if he wanted it, but he refused because they took him out of class.

The interviewee did not like going to secondary school because he had to get up at 6am and travel on two buses to get there. He felt that the teachers were the worst thing, particularly the head of year who he believed blamed him for everything, even when he was not in school. The only people he knew at secondary school were his cousin and some girls who lived near him. This made school worse for him. He remembered ‘kids talking about me’ and subsequently started truanting. He fought with people who bullied him and felt that teachers regarded him as the bully and never the victim.

### **Current and future education, training and employment**

Having refused most education, apart from woodwork in custody, the only education, training and employment he currently undertakes is the Just Art project, which he was attending at the time of both interviews. There was a stark difference in his attitude to education, training and employment between the first and second stage of the study. When first interviewed he was unable to find anything positive to say about the project and was always ‘kicking off’. His aspirations at that stage were to be a car salesman but he was unwilling to undertake any training or any mechanic work because it was ‘too boring’. He said that if he could not sell cars legally, he would do it illegally.

By the time of the second interview, he had gained certificates in carpentry, painting, clay and woodwork, and was consciously trying not to ‘get chucked off’ the course. His attitude to the project had improved considerably and he described it as friendly and that while he had to work he was happy to do it. His work aspirations had also changed to joining the army. He had even become motivated enough to join a gym in his own time in preparation. He understood that his criminal record should not prevent him from being successful, and he also did not think that his attitude would any more as he was now able to control his temper.

### ***Case study C Darren, aged 17***

#### **Introduction**

Following release from custody, having served six months of a one-year DTO, Darren’s training plan was to start on an E2E programme. He was not able to begin this immediately on release, and has been engaged in various activities, including a music project, while waiting for a place on the E2E programme. He feels ‘okay’ about attending the E2E programme, which includes attending college, as the programme will allow him to continue with his music project and also learn some practical skills. His priority is to get a job – working is his main goal but he wants ‘a good job’.

#### **Detachment**

Darren attended primary school, but experienced a number of school changes through family moves, which he did not like as he ‘lost his friends’. He did receive a fixed-term exclusion for ‘throwing things’ and started going home at lunchtimes, which he described as the best thing about school (the worst thing being ‘teachers’). During secondary school, Darren experienced further home moves and was now living with his mother only. From the age of 11, his attendance at school was poor, and he was permanently excluded aged 12 for fighting, although he claimed that this did not bother him. From this point, he attended two PRUs, although he admitted he did not always show up and instead went to a friend’s house to get ‘stoned’.

### **Attainment**

Darren was diagnosed as dyslexic while at primary school, although his perception was that this resulted in him having to do extra work, without receiving any extra individual support. At secondary school, he said that he was not very brainy, found maths and English difficult, and that these subjects ‘bored him senseless’. He attributed his dyslexia to causing him to miss a lot of school. He similarly described the work he did at the PRUs as ‘boring’ and did not gain any qualifications. He commented that ‘I don’t like education – it’s all crap’.

### **Current education, training and employment**

Darren’s priority is to gain work. However, he identified barriers to achieving this aim as being his offending history and outstanding court appearances. He intended to find work, but felt he needed help with his dyslexia.

## ***Case study D Jenny, aged 17***

### **Introduction**

This young person became detached from education at secondary school through unauthorised absence at the age of 13 to 14. From this point forward, she spent time in various secure units, as did her brothers. She has low levels of literacy. She has six brothers and sisters, none of whom attended secondary school regularly.

### **Detachment**

Jenny attended primary school everyday and said that there was ‘nothing bad’ about it. Absenteeism became an issue at secondary school. She recalled that a ‘wag officer’ came to pick her up in the morning but she used to ‘get out of lessons and leave the school premises’. She was not officially excluded from school.

Following detachment from secondary school, she went into a ‘secure unit’ for eight months in the first instance. Four months in a different unit ensued when she was 15. Following just three weeks in the community, she returned to the secure unit aged 16. At the age of 17, she went into a YOI.

### **Attainment**

The interviewee had low levels of literacy and numeracy. She did not undertake her GCSEs. Jenny was aware that she would undertake some education, training and employment in custody because her brothers had also been in prison. She enjoyed studying woodwork, art and maths but disliked geography and history because ‘they are boring and depress me’. Her perception was that she did not need to know about these subjects because they were not applicable to her. She also enjoyed cooking because she used to do it at home.



### **Current education, training and employment**

She did not want a training plan and wanted to get a job instead. She had filled in an application form for a job at McDonalds because her sister worked there, although at the time of the second interview she was not sure whether her sister had handed in the application for her. Despite this uncertainty, the interviewee described herself as 'very focused upon my goal' and said there would be 'no chance of reoffending'. Her motivation was 'money and to have something to do'. She was aware that Connexions could help her secure employment but did not feel that she needed their help. She was determined not to be forced to return to college and stated that it would be her choice to go if she did.

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