

For action

# **Developing the Offenders' Learning and Skills Service: The Prospectus**

**Proposals to develop and reform offender learning**

**September 2007**

# Foreword

In August 2005, the Learning and Skills Council (LSC) introduced its agenda for change programme, an ambitious programme of reform for the post-16 sector. This sought to transform the sector into a world-class system that equips the nation with the skills it needs to compete with its economic peers. I am pleased to say that we are well on our way to achieving that goal.

At that time, we were also facing new challenges in the area of offender learning and skills. The creation of the Offenders' Learning and Skills Service (OLASS) saw us take responsibility for the planning and funding of learning and skills for offenders.

Our remit covers the design and delivery of learning and skills provision for offenders in England who are held in public sector prisons or who are under supervision in the community.

The developments and benefits afforded to the wider post-16 sector have not always been applied to offender learning. Our new responsibilities and the reformed arrangements we are developing have begun to address this, but there is still much to do.

The Offender's Learning Journey (Social Inclusion and Offenders Unit (SIOU), 2004) is a challenging specification for offender learning designed to ensure that offenders receive a high-quality educational offer that is comparable with that available in the best mainstream setting.

Linked to this, the creation of the National Offender Management Service (NOMS) has placed much greater emphasis on end-to-end offender management, and, key to our work, is an explicit intention to equip each offender with the necessary skills and qualifications they need to secure and sustain employment on completion of their sentence.

From August 2005, we trialled the new OLASS arrangements in three regions – the North East, North West and South West of England. They informed our national roll-out of the service in August 2006.

OLASS delivery is now under way across England, and we are putting our and our expertise and that of our providers into practice in attempting to make a difference to the lives of offenders, their families and society as a whole by setting out some significant proposals to develop and reform offender learning.

There is a constant drive for improvement in the wider learning and skills sector. Recently, the Leitch Review (Leitch, 2006) and the further education White Paper (Department for Education and Skills (DfES), 2006a) provided the future direction for our policies. We will design improved, relevant provision to meet the needs of employers and individuals and we will ensure that offender learning and skills are firmly rooted in all these developments.

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We want to ensure the availability of a relevant, timely and high quality learning, skills and employment offer to offenders that will contribute towards a reduction in recidivism.

Offender learning is one of the LSC's key priorities, as announced in our annual statement of priorities (LSC, 2006A); another reason for this Prospectus is to put those words into action.

Many other drivers and initiatives impact on our proposals including, for example, the Every Child Matters agenda, and our proposals take note of these.

Specifically targeting the offender agenda, the Government launched Reducing Re-Offending through Skills and Employment: Next steps (DfES, 2006b). Our plans to transform and improve offender learning are consolidated within these proposals.

In this document we have set out some well-researched proposals to improve the learning and skills offer to offenders.

OLASS is exciting and challenging in many ways; it brings our expertise together with that of our many partners with whom honest and open dialogue has been established. We recognise the importance of the strong partnerships we have formed, and we now want to share with you our intentions to develop the Offenders' Learning and Skills Service.

I am pleased to be able to present our proposals to you. We look forward to your feedback.



**Jon Gamble**  
**Director for Adults and Lifelong Learning**  
**Learning and Skills Council**

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# Executive Summary

The Learning and Skills Council (LSC) has a single goal: to improve the skills of England's young people and adults to ensure we have a competitive, world-class workforce.

Our task within the OLASS is to bring together the latest thinking and initiatives concerning offenders, both those in custody and serving sentences in the community, and to combine these with the LSC's drive to link learning and skills as closely as possible to sustained employment and continuing employability.

This Prospectus covers proposals relating to all offenders in custody in English public sector prisons and to those under supervision in the community, including young people, and recognises the particular needs of this group. The Prospectus therefore aligns itself with the comments and actions contained in the section on young people in Reducing Re-offending through Skills and Employment: Next steps (DfES, 2006) and the principles within Every Child Matters (DfES, 2003).

The proposals contained in this Prospectus represent the LSC's response to the challenge of Next Steps. These proposals are provided in greater detail later in this document, setting out the way forward for OLASS.

Our proposals for developing the Offenders' Learning and Skills Service are set out within four broad objectives, as follows:

- developing and reforming the way in which learning provision for offenders in custody is planned, organised, delivered and funded. We will work with NOMS and other commissioners to move away from historical arrangements by prioritising the availability and range based on personalised learner and employer need. The principal focus will be on skills for employment and employability
- widening the scope, range and availability of learning provision for offenders in the community
- for all offenders, ensuring that the learning offer is explicitly linked and aligned to other services and interventions, in particular by developing strong joint commissioning arrangements with NOMS commissioners
- by supporting improvements in the quality of provision, ensuring that all offenders are able to benefit from existing provision and developments within the wider post-16 sector

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In order to assess the feasibility of these objectives, we intend to commission criminal justice area reviews (CJARs) in conjunction with NOMS and other commissioners. Criminal Justice Area Reviews will provide in-depth details of the current landscape which will inform how and where our priorities can be delivered.

Prioritisation and targeting key groups and provision will lead to a re-distribution of resources. We are conscious that this cannot be undertaken in isolation, and we will work with our fellow commissioners and other key stakeholders and partners to achieve our agreed priorities.

The LSC's budget for provision for the population as a whole is insufficient to meet the scale of the demand for the entire population for all types of learning. The LSC must therefore prioritise the allocation of funds available to it. It does this by ascribing eligibility and priority to programmes and individual learners, in line with the targets and priorities set for it by ministers.

The Prospectus proposes that the OLASS system for funding learning and skills for offenders should be no different. Learning and skills (particularly when linked to stable employment) have been identified as a key contributory factor in the reduction of re-offending. We are planning further research in this area to help us understand exactly how the management and delivery of learning and skills might be undertaken to make the greatest contribution to the reduction of re-offending.

The budget available to the LSC for the provision of learning and skills to offenders in custody and in the community cannot meet the full demand from a sector of the population with poor levels of achievement. Once again, the LSC must prioritise.

To be eligible for funding, learning and skills activities must derive from the assessed needs of the individual and form part of an individual learning plan (ILP) (see *The Offender's Learning Journey*, SIOU, 2004). Learning and skills activities should focus on beginning and advancing an offender's learning journey. Similar activities delivered inappropriately and ad hoc, where the primary purpose is to occupy offenders' time will not attract LSC funding.

The targeting process will include consideration for each offender of the length of sentence and therefore availability for access to education. It will also consider each individual's readiness to learn

In addition OLASS is happy to accept the recommendation for learning and skills for women offenders in the Corston report that:

*Life skills should be given a much higher priority within the education, training and employment pathway and women must be individually assessed to be sure that their needs are met.*

Corston, 2007, Chapter 4, p. 48

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The proposals will mean that:

- resources for learning and skills will be targeted according to priority, and discussions with commissioners will need to take place as to how to best undertake and respond to these priorities
- establishments must get approval from the LSC before offering vocational provision, as well as relevant awarding body approval – provision in the community will already go through such a process
- arrangements for initial and diagnostic assessments and IAG will need to be differentiated to suit different curriculum offers (set out in full in Annex B) and sentence lengths
- the curriculum will be widely publicised to enable easy links with local providers. Ongoing access in the community will be an important determinant when considering particular offender curriculum areas.

### **Our intentions are as follows...**

- to develop a sound analysis of current provision as the basis for a strategic approach to further developments in line with our stated priorities and that are aligned to other commissioned services
- to introduce a mixed demand- and plan-led funding system for offender learning and skills
- to strive to meet the needs of learners not only by reforms to the learning experience itself but to the system that provides the context for offender learning and skills
- to work with employers to ensure that by working with ex-offenders they can have access to a pool of appropriately trained prospective employees
- to ensure that the provision on offer to offenders meets the LSC's priorities
- to prioritise the range, sequencing and availability of learning for offenders in custody, focusing on employability and employment
- to ensure that offender learning is embedded within Pursuing Excellence: The national Improvement Strategy for the FE system (Quality Improvement Agency (QIA), 2007
- to commission independent research on the links between learning and skills, sustainable employment and reduction in re-offending

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- to acknowledge through a revised funding approach the needs of many offenders for additional learning support
- to consolidate our relationship with providers and to consider, as the sector matures, the possibility of a different relationship with them in the future
- to ensure maximum engagement by offender learning providers with QIA support programmes to create an environment among providers in which there is a constant process of self-assessment and commitment to higher standards and to ensure that, ultimately, only high quality provision shall continue to be funded
- to facilitate and make available the full range of post-16 provision for offenders in the community, and that, where specific niche provision is required, to commission this locally.

Our purpose in publishing this Prospectus is to share our plans for the future with the widest possible constituency – colleagues within the criminal justice sector, providers, the wider FE system and colleagues across the LSC. We would like responses back no later than 26 October 2007. Having considered your feedback, in early 2008 we will publish a technical document which will clarify arrangements for the implementation of the proposals set out here.



# Recent announcements: Machinery of Government changes

1. During the development of this Prospectus, some key announcements were made regarding future government responsibilities in respect of education, learning and skills, and it is important that, in releasing such a document, we set out the likely implications and potential future direction.
2. The Machinery of Government changes announced by the Prime Minister on 28 June 2007 saw the creation of three new Departments to take over the responsibilities of the former Department for Education and Skills and Department for Trade and Industry. The Department for Children, Schools and Families (DCSF) is responsible for education, children and youth issues, including children's services, families, schools, 14-19 reforms and the Respect Taskforce. The Department for Innovation, Universities and Skills (DIUS) is responsible for adult learning, further and higher education, skills, science and innovation. The Department for Business, Enterprise and Regulatory Reform is responsible for promoting productivity, enterprise, competition and trade.
3. Responsibilities for offender learning and skills follow that broad split, with DIUS taking responsibility for all adult offender learning matters through its Offenders Learning and Skills Unit. DCSF will be responsible for learning and skills for offenders aged 17 and under, linking with the Department's responsibilities for Youth and Youth Justice matters. The Youth Justice Board, a partner organisation of the LSC, will be jointly accountable to the DCSF and the Ministry of Justice under the new arrangements.
4. The implications and timing of these changes for organisations such as the Learning and Skills Council, in relation to offender learning provision are still being worked through (See World Class Skills: Implementing the Leitch Review of Skills in England para 3.47 et seq). [Http://www.dius.gov.uk/worldclassskills.pdf](http://www.dius.gov.uk/worldclassskills.pdf) for more details.
5. Having taken these changes into account, members of the OLASS National Executive Group, which consists of senior representatives of key stakeholder organisations, are very supportive of the proposals contained within this Prospectus and keen to press ahead in order to maximise the benefits of offender learning. This document is presented as a 'working draft' so that the current content of the Prospectus can be shared widely and when the implications of the Machinery of Government are understood further in the context of offender learning, these can be communicated.

# 1: Introduction

## The LSC's Wider Role in Education and Skills Reform

6. The Learning and Skills Council (LSC) has a single goal: to improve the skills of England's young people and adults to ensure we have a competitive, world-class workforce. We are committed to raising the skills of the nation, giving employers and individuals the skills they need to improve productivity, employability and social cohesion. .
7. We are responsible for funding high-quality post-16 education and training for everyone in England other than those in statutory education and in universities.
8. Our vision is that by 2010, young people and adults in England will have knowledge and skills matching the best in the world and be part of a truly competitive workforce.
9. In 2001, we assumed national planning and funding responsibility for a variety of learning initiatives and programmes from predecessor and other organisations, and we continue to assume further responsibilities year on year. We have developed extensive experience of delivering the Government's agenda for education and skills reform, spending in excess of £11 billion annually.

# The LSC and the Offenders' Learning and Skills Service

10. We welcome our relatively new responsibilities for delivering the Offenders' Learning and Skills Service (OLASS) since this provides the opportunity for individuals progressing through the criminal justice system to benefit from the quality and range of provision available to the wider community. Our approach to offenders' learning and skills will benefit from our significant experience of planning and funding high-quality, relevant learning provision. Combining our expertise in learning and skills with that of our partners and stakeholders in the management of offenders is at the heart of OLASS and is central to the proposals contained in this Prospectus.
11. Our task within the OLASS is to bring together the latest thinking and initiatives concerning offenders, both those in custody and serving sentences in the community, and to combine these with the LSC's drive to link learning and skills as closely as possible to sustained employment and continuing employability.
12. While the context for offender learners is distinctive, (its nature needs to be recognised in the arrangements for learning and skills), it is essential that arrangements for offenders share most, if not all, of the features that impact on, and characterise, all other post-16 provision.
13. Having assumed responsibility for a wide and complex set of existing arrangements through the joint transfer, we were keen to keep disruption to a minimum as we took the time to understand more fully the role the LSC has to play in the context of the criminal justice environment. Now, just over a year on from full OLASS implementation, there are several areas which we propose to develop and reform. We will take into account the views and experience of our wide range of partners and stakeholders and the emerging findings from the test beds in shaping the future of the service.
14. We recognise that the LSC is one of many stakeholders and partners that have a vested interest and/or responsibility for working with offenders. We welcome the opportunity to continue to work in partnership to ensure that learning and skills contribute to the overall aims and purpose of the criminal justice system, not least in collective action to reduce re-offending.
15. This Prospectus covers proposals relating to all offenders and prisoners on remand, in custody in English public sector prisons and to those under supervision in the community, including those on shorter sentences and young people, and recognises the particular needs of these groups. The Prospectus therefore aligns itself with the comments and actions contained in the section on young people in Reducing Re-

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offending through Skills and Employment: Next steps (DfES, 2006) and the principles within Every Child Matters and Youth Matters (DfES, 2003). The LSC is working closely with CSB to ensure that contracted prisons are following a similar policy to those in the public sector.

### **The Offender Context: What Drives the Vision?**

16. Reducing Re-offending through Skills and Employment: Next steps (DfES, 2006b) sets out a programme of action to realise the vision in the Green Paper Reducing Re-offending through Skills and Employment (DfES, 2005).
17. The three priorities for action are:
  - a strong drive to engage employers through the Reducing Re-offending Corporate Alliance, linked to the Skills Strategy and the outcome of the Leitch review of skills. Working with employers to design and implement new models of training and preparation for jobs.
  - building on the new offender learning and skills service through the development of a campus model, which has among its key features:
    - a focus on employers' needs
    - an employability contract as part of the sentence plan, to motivate offenders and focus resources where they will have most impact
    - more flexible access to skills and employment support, with effective use of ICT
  - using the new commissioning role of the regional offender managers to build a new emphasis on skills and jobs in prisons and probation using unpaid work in the community and work opportunities in prisons, with a particular focus on developing the workforce to deliver this.
18. We have ensured that the Prospectus responds to these priorities in respect of offender learning provision.
19. Reducing Re-Offending through Skills and Employment: Next Steps, states that the “first priority is to continue to improve the planning, organisation and funding of learning and skills, building on OLASS reforms, and forging stronger links with mainstream services in the post-16 sector”.
20. In particular, the LSC is asked to:
  - “consult on plans to reform the learning offered to offenders both in prison and in the community” – this Prospectus is the first step in responding to that requirement
  - target resources in order to maximise our impact on reducing re-offending – there are proposals relating to targeted resources contained within this document

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- equip offenders with the skills and qualifications they need to secure and sustain employment – there are proposals to strengthen the vocational curriculum through the involvement of employers
  - adjust the nature of the learning and skills offer to take account of factors such as the needs of the labour market within the resettlement area, the individual's sentence length, and the place in which they are undertaking their learning – there are proposals about the different ways these can be offered
  - introduce greater planning and coherence that will lead to a more effective distribution of funds to meet offenders' needs – this Prospectus highlights first steps in a more coherent funding approach for the whole system
  - establish a core offer, differentiated according to individual need – we include proposals taking us towards a core curriculum in this document. That core curriculum will be offered to offenders who would benefit from a programme which is capable of being continued or built upon as they move through the criminal justice system.
21. The proposals contained in this Prospectus represent the LSC's response to the challenge of Next Steps. These proposals are provided in greater detail later in this document, setting out the way forward for OLASS.
22. Our outline proposals for developing the Offenders' Learning and Skills Service were approved by the OLASS National Project Board and joint Education, Training and Employment and Finance, Benefit and Debt Sub-board of the National Reducing Re-Offending Board in November 2006, with senior representatives from all key stakeholders. Progress of this work has been overseen and approved by the OLASS National Executive Group (NEG), successor to the OLASS Project Board.
23. We were keen to ensure that these proposals were aligned with those outlined in Reducing Re-Offending Through Skills and Employment (DfES, 2006b). Many stakeholders and partners had already commented that, even without the Next Steps drivers, they fully expected the current OLASS arrangements to be developed so that our objectives for offenders' skills and employment can be realised.
24. We have considered:
- the national agenda for the FE system in general and for offenders' learning and skills in particular
  - the views of stakeholders and partners
  - the headlines from inspection reports
  - results from our programme of research and development.

25. Our proposals contained in this Prospectus have and will continue to involve our extensive range of partners particularly those on the regional OLASS and ETE pathway boards and the NEG and in particular will recognise the need to move forward jointly with our co-commissioners. Some of these proposals will benefit from emerging lessons from the Next Steps Test Bed regions; the East of England and West Midlands. More details on the work of the Test Bed regions can be found at Annex A.

## Context: What Drives the LSC's Vision?

26. Our ambition is to align funded learning and skills provision for offenders more closely with that made available to the population as a whole, which we refer to as 'mainstream learning and skills provision'. The following documents give a more defined account of mainstream learning and skills provision.
- The Leitch Review of Skills. Prosperity for all in the global economy: World class skills (Leitch, 2006 at [www.hm-treasury.gov.uk/independent\\_reviews/leitch\\_review/review\\_leitch\\_index.cfm](http://www.hm-treasury.gov.uk/independent_reviews/leitch_review/review_leitch_index.cfm))
  - Delivering World-class Skills in a Demand-led System (LSC, 2007a at <http://readingroom.lsc.gov.uk/lsc/National/nat-deliveringworldclassskills-jan07.pdf>)
  - Further Education: Raising skills, improving life chance (DfES, 2006 at [www.dcsf.gov.uk/furthereducation](http://www.dcsf.gov.uk/furthereducation))
27. The vision contained in these documents drives the work of the LSC: it is essential therefore that this supports the Offenders' Learning and Skills Service.
28. With a particular emphasis on linking the development of skills to economic progress, the Leitch Review provides the most powerful driver for the LSC and consequently for OLASS.

## Accompanying document

29. The following document will be produced to accompany the publication of this Prospectus, and will be available online at <http://olass.lsc.gov.uk>:
- Widening the scope of Offender Learning: a short guide for LSC staff and other interested parties, which links OLASS proposals to wider post-16 developments including Leitch and the FE and Training White Paper, and, equally as important, highlighting that offender learning is now an LSC priority

## 2: Proposals

30. Our proposals for developing the Offenders' Learning and Skills Service are set out within four broad objectives, as follows:
- developing and reforming the way in which learning provision for offenders in custody is planned, organised, delivered and funded – working with NOMS and other commissioners to move away from historical arrangements by prioritising the availability and range of learning provision based on the needs of the offender and employers
  - widening the scope, range and availability of learning provision for offenders in the community
  - for all offenders, ensuring that the learning offer is explicitly linked and aligned to other services including support and counselling etc, in particular by developing strong joint commissioning arrangements with NOMS commissioners
  - by supporting improvements in the quality of provision, ensuring that all offenders are able to benefit from existing provision and developments within the wider post-16 sector.
31. The remainder of this document sets out how we intend to take these objectives forward.

# Criminal Justice Area Reviews

32. In order to assess the feasibility of these objectives, we intend to commission criminal justice area reviews (CJARs) in conjunction with NOMS and other commissioners.

## At prison establishment level

33. It is proposed that CJARs will report on, what is currently being offered – in OLASS, but also in industries and all other non-educational provision in prison establishments, where learning and the acquisition of skills takes place. The proposals contained in paragraphs 135 to 140 closely link production workshops and prison industries to learning and skills. CJARs will report on:

- details of the physical capacity to deliver learning and skills in the prison establishment
- stocks of equipment, premises, plant and machinery and whether these are these up to date, of industry standard and compliant with legislation
- an analysis of the number of learners currently engaged in provision, and what they are paid for attending education and work
- common analyses of client group by sentence length, popular provision, gender balance, ethnic profile, incidence of disability and learning difficulty, and age profile
- the most common resettlement patterns for each establishment
- cross-regional analysis.

## At probation area and Local Authority Youth Offending Services (YOS) level

- We will analyse and report on the provision available to offenders under supervision and those serving sentences of less than 12 months where they can be identified, specifically through OLASS, EU-funded provision, through mainstream funded arrangements, and the contribution made by the third sector
- We will consider the balance between Skills for Life and other types of provision
- develop plans to increase the range and relevance of provision to ensure that offenders are able to, where appropriate, access all appropriate forms of provision.



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### Gauging demand

34. We will gauge demand for learning and skills for offenders through:
- understanding labour market needs at a regional level
  - information gleaned from city strategies, Jobcentre Plus Pathways to Work and hard-to-fill vacancies data
  - in partnership with, and through information from partners and stakeholders
  - information from Sector Skills Councils
  - local area agreements
  - national learner surveys.

### CJAR analysis

35. Analysis of CJARs will enable us to develop a planned and coherent approach for the whole system, rather than for single establishments.
36. We plan, in collaboration with NOMS commissioners, and advised by members of regional and national boards to draw up a 'criminal justice area balance sheet' by:
- comparing the supply and demand side
  - mapping provision
  - developing a learning and skills offer that will be defined by establishment type and probation / youth offending team area
  - for custody, using a combination of HMPS' own establishment comparator groups, combined with the NOMS offender management tiering model – for each group we will then prescribe the offer and volumes to be made available
  - planning the offer according also to client group, sentence and risk status.

#### **Our intention ...**

... is to develop a sound analysis of current provision as the basis for a strategic approach to further developments in line with our stated priorities and that are aligned to other commissioned services.

# Agreed Priorities and Responsibilities

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37. This section sets out the LSC's priorities for funding learning and skills for offenders.
38. Criminal Justice Area Reviews will provide in-depth details of the current landscape which will inform how and where our priorities can be delivered. Prioritisation and targeting key groups and provision will lead to a re-distribution of resources. We are conscious that this cannot be undertaken in isolation, and we will work with our fellow commissioners and other key stakeholders and partners to achieve our agreed priorities.
39. Experience has shown us that there has been an over-reliance upon learning and skills in some settings to maintain purposeful activity. The primary purpose of learning and skills must be the improvement of an offender's skills and qualifications and their development as an individual. We are therefore keen to set out what the LSC's proposals and priorities are for learning and skills, the role it will play in this agenda, and the interdependencies and need for linkage with other interventions.
40. Our aim is that high quality; relevant learning and skills provision is integrated and aligned with all other relevant interventions and services within the Criminal Justice system.
41. Both the Leitch review and Next Steps documents indicate a system that is focussed on the skills and attributes needed for employability and employment. This focus informs our decisions about what learning should be the priority for funding.
42. Learning and skills covers far more than employability and employment skills. We recognise the benefits that learning and skills can have in terms of personal and social development for some learners. We recognise that those may be derived as part of an integrated programme of learning or as a learning outcome in their own right. We recognise these considerations in prioritising the scope, range, level and type of provision to be funded.
43. A clear focus on employability does not mean we will stop all other activity. Alongside the core economic mission, we remain strongly committed to learning for personal fulfilment, civic participation and community development.

**Our intention...**

... is to introduce a mixed demand- and plan-led funding system for offender learning and skills that focuses principally on employability whilst recognising the importance of providing learning opportunities as part of an holistic prison regime

**Targeting learners and provision**

44. The LSC's budget is insufficient to meet the scale of the demand for the entire population for all types of learning. The LSC must therefore prioritise the allocation of funds available to it. It does this by ascribing eligibility and priority to programmes and individual learners, in line with the targets and priorities set for it by ministers. We also recognise that learning opportunities provide a key regime activity in prisons which is an essential element in maintaining order, control and decency.
45. The situation for offenders is no different. Learning and skills (particularly when linked to stable employment) have been identified as a key contributory factor in the reduction of re-offending. We are planning further research in this area to help us understand exactly how the management and delivery of learning and skills might be undertaken to make the greatest contribution to the reduction of re-offending.
46. The budget available to the LSC for the provision of learning and skills to offenders in custody and in the community cannot meet the full demand from a sector of the population with poor levels of achievement. Once again, the LSC must prioritise.
47. The activities must derive from the assessed needs of the individual and form part of an individual learning plan (ILP) (see The Offender's Learning Journey, SIOU, 2004). Learning and skills activities should focus on beginning and advancing an offender's learning journey. Similar activities delivered inappropriately and ad hoc, where the primary purpose is to occupy offenders' time will not attract LSC funding.
48. The factors to be taken into account regarding the programme include:
  - the need to reflect the LSC's priorities
  - the need to consider the impact on re-offending
  - the different perspectives for men, women and young people.
49. The factors to be taken into account for the targeting process include, for each offender:

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- length of sentence and therefore availability for access to education
  - readiness to learn i.e scheduling learning and skills with other interventions to enable offenders to derive maximum benefit
  - gender recognising the need to provide programmes designed to meet particular needs
  - age, in the case of young offenders.
50. Our prioritisation of learning for offenders, is two-fold:
- For offenders in the community, we expect that, to increase access to and engagement in mainstream LSC-funded learning and skills provision, the wider eligibility and prioritisation for funding in the post-16 sector should apply to offenders. We will also allow for bespoke and distinct provision for this group through the specific offenders in the community funds we have at our disposal. Further details can be found in paragraphs 103-113.
  - For offenders in custody, we propose the prioritisation, availability and eligibility of provision for funding – further details can be found in paragraphs 114-136 and Annex B.
  - For illustrative purposes, we have presented, at Annexes C and D , how the LSC's prioritisation and, therefore level of resources to be deployed against those priorities, might look like against NOMS Offender Management tiering model, which seeks to prioritise offender management interventions according to risk.
  - We now need to consider more carefully how, at a prison establishment level, these priorities will be reflected on the ground. We acknowledge that it will be necessary for offenders to engage actively in their learning and skills programmes. Our priority will be to make the best use of our resources by targeting those whom we believe that learning and skills can bring benefit most immediately and effectively.
51. The priorities for custody seek to match learners and appropriate provision, given their circumstances in the criminal justice system.
52. There is more than one single priority, and the profile of priorities will be reflected differently in each establishment. However, this method of prioritisation should ensure that the learning and skills provision that does take place is targeted on those where it has the potential to most effectively reduce re-offending. It is important to note that the priority given to programmes is not based on prison categories.

### Female offenders

53. We recognise that a different set of priorities will be applicable to female offenders.

54. OLASS is happy to accept the recommendation in the Corston report that:

*Life skills should be given a much higher priority within the education, training and employment pathway and women must be individually assessed to be sure that their needs are met.*

Corston, 2007, Chapter 4, p. 48

55. We will take account of the Corston Report in our work.

## **A Funding Approach that Supports our Objectives**

56. Our intention to review, reform and develop the way in which learning and skills in custody are planned and funded. The first phase of this work is to develop proposals on how we intend to redistribute the funds for offenders aged under 18 in custody to bring about an equitable and transparent funding approach. We are currently considering funding a price per place in the under-18 secure estate, on the basis that there is a requirement that all young people undertake a set level of learning and skills. Because of this specified level of learning entitlement, in many ways, undertaking a redistribution of resources in the under-18 secure estate is more straightforward than in the adult estate.
57. Given the ambition of the LSC's stakeholders to increase the number of learners engaging with OLASS, and to focus and prioritise the availability of core learning in custody, a wholesale review of provision levels and associated funds is required. An in-depth analysis and resulting redistribution of resources will be developed, combined with the introduction of a new funding approach that better reflects the new service arrangements.
58. Given the recent Machinery of Government changes, we will hold discussions with DCSF colleagues as to how best to take this forward.
59. The OLASS budget for offenders in the community is insufficient to meet the needs of this group of learners. The LSC will continue to utilise that budget to support offenders in the community to enable them to access appropriate LSC mainstream and EU funded provision.

# Alignment, joint planning and commissioning

60. It is our vision that learning, skills and employment for offenders lies at the heart of all considerations and actions taken within the criminal justice sector. To this end, set out below are the LSC's broad proposals for planning OLASS provision, and therefore prescribing how provision will be commissioned in the future. We recognise that, key to our planning process is the need for an effective dialogue with other commissioners and stakeholders to ensure alignment and synergy with other aspects and interventions.
61. The Leitch Review (2006) makes several recommendations, the chief of which build on the commitments in the 2006 FE White Paper (DfES, 2006a) to move to a system that is demand led. The system must be designed and delivered to meet the needs of the customers, individuals and employers and supply high-quality provision to increase productivity and employability.
62. In the offender context, one might envisage the customer as society and the 'demand' as a reduction in re-offending: employment and education are key pathways to the achievement of that aim (other partners share this and there are other pathways towards the achievement of the same end).

## Meeting the Needs of Learners and Employers

### Learners

63. The system will focus more closely on meeting the needs of learners – choosing the programme that will best help them achieve their goals. We will help them arrive at realistic goals for their period of learning as an offender, and support them in planning for a continuation of that learning in a wider context. Our proposed reforms to the range of programmes available, and our intention to target learners will provide them with the opportunities for realistic progression and increased employability through learning and skills.
64. Current arrangements for an offender's learning and skills journey are frequently, for well-documented reasons, fragmented and disrupted. As a learning experience, such lack of continuity and coherence can be frustrating and without outcome: and is also a waste of scarce resources. All learning programmes should be derived from an ILP, and not be used as a means of keeping offenders busy whilst in custody.

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65. We will continue to work closely with our colleagues to develop a learning environment for offenders which maximises opportunities for success. This will be an environment where:
- there is an effective tracking system that will allow for continuity and progression in learning
  - the approach to standard learning and skills assessment instruments is rationalised
  - ways are found to facilitate the exchange of assessment and achievement records
  - there are appropriate arrangements for the delivery of the ILP
  - learning needs are clearly identified within the sentence planning process
  - there is recognition of the part that learning and skills can play in the drive to reduce re-offending.
66. In addition we will explore the use of skills accounts for offenders in the community. Skills accounts are designed to give learners ownership of their learning; it is intended that the account remains in use beyond the term of the current learning programme to support and encourage progression to higher levels of learning.
67. Offenders will be able to utilise their unique learner number (ULN) (when issued) along with all other members of the community to ensure that their learning and skills achievements are recorded.

### **The role of information, advice and guidance**

68. IAG should be prioritised in the same way as learning and skills provision and similarly differentiated according to the learning context.
69. OLASS will seek to identify a means by which both an entitlement to a redefined IAG offer can be guaranteed, alongside a more targeted use of resources to ensure that the employability prospects of offenders are optimised. Any investment in learning and skills provision should be informed by an appropriate level of IAG.
70. A key challenge for the development of the service is the release of high volumes of offenders who have served relatively short sentences. Our research suggests that for such offenders an integrated approach to IAG is required, which addresses a wide range of resettlement problems.

## WORKING DRAFT

71. It would appear that currently IAG provision is focused on entry and on-programme provision, with considerably less emphasis on pre- and post-release provision. OLASS reform will address this imbalance.
72. IAG provided under OLASS does not replace the more intensive Connexions Service or other local authority funded IAG arrangements for young people, and work is in hand (with DCSF) to ensure that appropriate services are provided in custody to meet young people's needs.

### Readiness to learn

73. It is important to recognise that there are many factors which affect offenders readiness for learning. The socio-economic groups most represented in the offender population are those least likely to engage in education and training. Time may need to be invested in individual learners to prepare them for the discipline of learning. Activities such as peer support are helpful ways of encouraging learners to participate and succeed in learning.
74. While basic skills screening and initial assessment may be appropriate within the induction process, there are arguments to suggest that more thorough findings can emerge when assessment (including diagnostic) takes place in a more settled environment.

#### **Our intention...**

...is to strive to meet the needs of learners not only by reforms to the learning experience itself but to the system that provides the context for offender learning and skills.

### Meeting the needs of employers

75. We will seek to engage employers in developing an understanding of the potential of ex-offenders as employees, and the potential of the offender setting as an appropriate location for training in specific vocational skills.
76. One of our key partners in this work will be the Corporate Alliance for Reducing Re-offending (the Alliance). The purpose of the Alliance is to bring together employers who see the value of employing ex-offenders and who believe that doing so can help to provide a solution to particular business needs. The work of the Alliance is integral to, and supports, the Next Steps aim of helping more offenders into sustainable employment. The Alliance seeks to engage more employers in developing an understanding of the potential of ex-offenders as employees. We will promote the potential of the offender setting as an appropriate location for training the future workforce.



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77. The Alliance's view is that links should be developed with employers in sectors that have substantial numbers of vacancies that are suitable for ex-offenders according to their skills and the level of risk. Focusing on specific sectors helps to understand the skill and recruitment needs of employers and to address any concerns they might have about employing ex-offenders. Taking a sector approach also enables links to be developed with small- and medium-sized enterprises (SMEs) as well as large employers.
78. Regional employer links should focus on the:
- sectors that have hard-to-fill vacancies, particularly at entry and intermediate skill levels
  - skills and qualifications required by employers to recruit to these vacancies
  - location of employment opportunities in a region
  - predicted employment and skills trends for these particular posts over the medium- to longer term.

### **Our intention...**

...is to work with employers to ensure that by working with offenders and ex-offenders they can have access to a pool of appropriately trained prospective employees.

### **How will the various parts of the curriculum be offered?**

79. Criminal justice area reviews (CJARs) will provide valuable information on current curriculum arrangements. This information will assist with the transition process to the new offender learning curriculum.
80. Each establishment will be allocated an establishment learning profile (ELP) that indicates the proportion of its provision in each Offender Learning Curriculum (OLC) area. Thus the process is individualised but is part of a complete national picture. This work will require the close involvement of NOMS commissioners. DN HMPS cleared this-
81. Over time, we would like some prison establishments and their providers to work towards centre of vocational excellence (CoVE) status (or an equivalent) and that the specialist status should be a key consideration for sending an offender to a particular establishment.
82. Note that:
- resources for learning and skills will be targeted according to priority, and discussions with commissioners will need to take place as to how to best undertake and respond to these priorities

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- establishments must get approval from the LSC or relevant SSC before offering vocational provision, as well as relevant awarding body approval – provision in the community will already go through such a process
  - arrangements for initial and diagnostic assessments and IAG will need to be differentiated to suit different curriculum offers and sentence lengths
  - the curriculum will be widely publicised to enable easy links with local providers. Ongoing access in the community will be an important determinant when considering particular offender curriculum areas.
83. Through this prioritisation, it is unlikely that high levels of funding will be available to fund for example, those serving life sentences (low educational priority group) with vocational provision (high priority) other than in the two years prior to release. In such cases, discussions with other commissioners will need to take place to agree what other services can be put in place.

### **Our intention...**

...is to ensure that the provision on offer to offenders meets the LSC's priorities.

# Bringing Offender Learning in line with the Post-16 sector

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## A National Strategy for Teaching and Learning in Further Education

84. The Offender's Learning Journey (SIOU, 2004) describes the components of a high-quality learning and skills service at all stages of a learner's journey during his or her sentence (served in custody or under supervision the community) and whilst under supervision in the community following release. These two documents relating to the offender's learning journey (one for adults and one for young people aged 15–17) remain central to the delivery of learning and skills to offenders.
85. The LSC has identified important features within a national strategy for all post-16 provision, and these features are relevant to the offender context:
- learning focussed on individual and employer need
  - better guidance
  - high-quality leadership and management
  - teaching and learning are much improved to a standard that understands the context and learner profile more tailored to individual needs – including e-learning, new technology, data to track achievement, assessment of needs, regularly reviewed ILPs
  - better support for learners with learning difficulties and/or disabilities
  - pastoral support at key transition points
  - support for workforce development in the criminal justice context.

### **Our intention...**

...is to ensure that offender learning is embedded within Pursuing Excellence: The National Improvement Strategy for the FE system (Quality Improvement Agency (QIA), 2007). In addition we intend to commission independent research on the links between learning and skills, sustainable employment and reduction in re-offending. Such research will assist us in our future planning.

## WORKING DRAFT

86. With particular regard to funding, the LSC intends to introduce a funding element which recognises the additional support needs of many offenders. This is already available to offenders serving their sentences in the community as part of LSC mainstream funded activity.

### **Introducing formalised additional learning support**

87. There has long been recognition that the statutory educational experience of many offenders has been unsatisfactory. For many it is always the education system but there are many other factors including family and social which has failed to equip them with basic skills, with vocational experience or with social skills. Many have been excluded or have special educational needs.
88. While the prime purpose of prison or community sentences is not to address these inadequacies in educational experience and attainment, it is acknowledged that for many learners there are more than attitudinal barriers to overcome if access to education and training is to have an impact on their potential for re-offending. Joint commissioning of a package of interventions will ensure that the range of needs are accommodated.
89. Most recent research has looked at basic skills levels in offenders, which for many are low due to specific learning difficulties, including dyslexia. Learners with dyslexia are likely to require particular and systematic approaches to their learning – without these, learning programmes (and indeed any other programmes) involving reading and writing will be jeopardised. Dyslexia can also affect organisational ability, and of course the experience of consistent failure leads to low self-esteem and poor motivation.
90. No One Knows is a UK-wide programme led by the Prison Reform Trust that aims to effect change by exploring the experiences of people with learning difficulties and/or disabilities who are in contact with the criminal justice system. The programme runs till 2008, but has already published findings which suggest that a substantial percentage of offenders cannot benefit from interventions because the system does not allow for their learning difficulty or disability.
91. The programme has surveyed prison staff and providers to identify the issues from their perspective, whilst work is in hand to gather information from offenders themselves.
92. There will also be learners who experience developmental delay and whose cognitive and communication skills make learning particularly difficult. Some may have physical or sensory impairments that limit their access to normal learning opportunities, while very many more will have mental health difficulties that affect concentration and memory, both essential skills for learning.

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93. In the FE system in general, funding has reflected the recognised need for additional time and resources to support such learners, to enable them to achieve their potential. To date such a funding strand has not been available for adult offenders in custody, though in YOIs the need is recognised by the existence of special educational needs co-ordinators (SENCOs) and learning support assistants.
94. OLASS is now proposing to build into the new arrangements a funding stream for additional learning support (ALS), mirroring the arrangements in the FE system generally. The LSC has recently proposed an allocation method for ALS which reduces the bureaucracy associated with accessing these funds, using a formula that covers most low-cost support, and a more detailed claim system for support costs that are above an agreed threshold.
95. While the approach being proposed for the FE system may be appropriate in a sector where the LSC has a detailed knowledge of expenditure patterns over a number of years, it may not suit a sector in which ALS was not previously operated. The curriculum profile for offenders is very different, as are their learning support needs.
96. The details of this allocation system will be set out in the technical document to be published in early 2008. Some of the key features will be:
- the LSC will utilise research to establish the incidence of learning difficulty and/or disability within the prison population, and in the offender community
  - the LSC will use the revised learning difficulty and/or disability headings from the individualised learner record to gather and record this data from individual establishments and the offender community
  - the LSC will explore the likely costs associated with different methods of delivering additional support in custody and in the community
  - ALS funding will be determined on the basis of individually assessed need for support in relation to an identified programme
  - ALS funding will be targeted on learners who are on LSC priority programmes
  - where an entire group of learners requires ALS, this should be recognised in the main programme costs.

**Our intention...**

...is to acknowledge through a revised funding approach the need by many offenders for additional learning support.

## **A New Relationship with Colleges and Providers**

97. As part of this process, the LSC will clarify and simplify roles and responsibilities for providers of offender learning.
98. The thrust of the Prospectus has been to apply the same principles to offender learning and the providers of offender learning as those that pertain to the FE system as a whole. However, offender learning is a young sector, emerging from major organisational change, not yet ready for the multi-agency approach adopted elsewhere.
99. It has a complex agenda, not just to contribute to the country's economic mission, but in that its primary purpose is to focus on the reduction of re-offending. Given that context, there needs to be a clear direction provided for the offender learning system as a whole, followed by evidence of the impact, before the LSC can 'loosen the reins'.

## **A Framework that Spreads Success and Eliminates Failure**

100. Our approach to driving forward success includes:
  - robust intervention to eliminate inadequate provision, including referral to QIA's improvement advisor service
  - introducing minimum levels of performance
  - giving providers clearer information on their performance to assist them in their own quality assurance arrangements, through the emerging Framework for Excellence
  - supporting improvements in self-assessment, for example using collaborative approaches such as peer review and development
  - encouraging innovation and new models of delivery, such as federations.
  - Competition will be supported
  - Providers demonstrating quality of provision will be able to expand.

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- Using learning and skills inspection outcomes to identify the main challenges and key areas for improvement
  - New entrants to the market will be encouraged and unwarranted barriers to entry removed.
  - Suppliers of unwanted or lower quality provision will not be protected from the resulting loss of income.
101. We will promote a much more structured approach to the dissemination of good practice across the sector. We are working with QIA to ensure that support for offender learning is fully embedded into all of its improvement and support programmes. A new programme, Support for Excellence, began in August 2007 and includes support for staff working with offenders in custody and in the community to:
- improve self-assessment processes and outcomes
  - encourage a shared focus on raising standards of provision to ensure participants' experience of learning is of good quality
  - develop and embed a culture of continuous self-improvement
  - support the development and roll-out of a quality improvement framework across all secure establishments.
102. This is likely to be delivered through regional quality improvement workshops for prison, probation and youth justice staff, national conferences focusing on a range of offender learning contexts, and the development of good practice guidance and case studies. The Support for Excellence programme will also enable providers to work together in peer groups to review their self-assessment processes and to collaborate in development activities to their mutual benefit.
103. We also intend to develop a wider provider network for offenders in the community that includes the full FE sector. We will explore how learners can be supported in any community into which they are released and what arrangements need to be made with local providers and LSC partnership teams.
104. The LSC has identified offenders as a priority group and as such, mainstream providers will be expected to clearly identify their contribution to this important agenda in any funding discussions with the LSC
105. We will work with the Centre for Excellence in Leadership (CEL), Skills for Justice and Lifelong Learning UK (LLUK) to ensure that the needs of all criminal justice staff are taken into account in developing

strategies for staff development, leadership development and professional updating.

### **Minimum levels of performance**

106. The LSC is developing minimum levels of performance, which determine the acceptable levels of achievement in key sectors and provision. Performance that is consistently below these levels will result in notices to improve, or, ultimately, a re-tendering of provision. The LSC intends to adopt a similar approach to this for offender learning, and we intend that this will vary according to key settings and particular groups of learners.

#### **Our intention...**

...is to ensure maximum engagement by offender learning providers with QIA support programmes to create an environment among providers in which there is a constant process of self-assessment and commitment to higher standards and to ensure that, ultimately, only high quality provision shall continue to be funded.



# Widening the access, range and scope of provision for offenders in the community

107. In the Spending Review 2004, the Home Office and DfES each received funds to build the necessary infrastructure and ensure the availability of Skills for Life provision for offenders in the community. As a result, the LSC receives £9.3 million a year to support this group. The probation service throughput is around 230,000 per annum. Annually, some 12,000 offenders in the community gain Skills for Life qualifications.
108. The level of specific resources made available for this group is insufficient and does not allow the wider aspirations and challenges of the Offender's Learning Journey (SIU, 2004) for these individuals to be fully delivered.
109. Our expectation, therefore, is that offenders in the community should be able to access wider LSC-funded mainstream provision.
110. We have a number of issues to address for offenders in the community, including a mixed set of delivery arrangements and complex commissioning arrangements.
111. We will encourage further the wider post-16 sector to engage more readily with and support this group. The issues faced include, but are not limited to:
- reports that some provider organisations might be reluctant to engage with or offer support for this group as this might adversely affect overall provider performance
  - concerns over risk assessments and the health, safety and welfare of staff and fellow learners
  - an absence of funds to provide specific support to this group
  - the reluctance of many offenders to attend a large institution (whilst some provision is delivered on probation premises, this is limited)
  - the limitation of much current offender provision to Skills for Life, because of the original purpose of the funding, and the need to widen access so that offenders can access the full range of provision, where appropriate.

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112. The Learning and Skills Development Agency (now the Learning and Skills Network (LSN)) undertook a study on behalf of the LSC to determine the costs associated with supporting offenders in the community. These findings indicated that the FE funding methodology does not readily allow this group of learners to be appropriately supported. As a result, we are in the process of establishing a method that will increase the funds available to those FE providers that support offenders in the community with Skills for Life provision.
113. This highlights a further issue, in that the necessary identification of this group is required to enable providers to attract an additional funding uplift. Work is under way on a protocol to identify offenders more effectively when being referred to providers by National Probation Service (NPS) areas and Local Authority youth offending teams (YOTs).
114. We are aware of an increasing number of LSC-funded providers (not specifically OLASS funded) that are currently supporting offenders in the community. We need to develop and broaden the approach to joint commissioning with NOMS so that we can ensure that offender managers are delivering a range of services that support and complement the learning and skills offer and provide an integrated and comprehensive response to offending-related need.
115. It is no longer sufficient to seek to improve learning and skills and employment outcomes in isolation. We must ensure that what we do is properly integrated with other programmes and interventions and, most importantly, with the end-to-end management of offenders. We can only do this by working closely with those responsible in NOMS, youth justice and other stakeholders for commissioning services including inspection.
116. In order for us to make sufficient, relevant provision available to offenders in the community, the LSC needs to take significant action. We need to challenge our internal business planning, strategies and processes and commit the entire post-16 sector to support the learning and skills needs of this group.
117. To support an increase in the mainstream offer for offenders in the community, we are incentivising the further education (FE) funding system to recognise the additional costs associated with delivering basic skills from August 2007. Further details are available in an addendum to Funding Guidance for Further Education in 2007/08 (LSC, 2007b). This is our first step in translating what offender learning as a key priority means, and we need to work on other options to secure wider delivery arrangements in the community.

**Our intention...**

...is to facilitate and make available the full range of post-16 provision for offenders in the community, and that, where specific niche provision is required, this will be locally commissioned.

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# Building upon, prioritising and developing provision for offenders in custody

118. To set our proposals in context it is important to set out the range of offender learning arrangements inherited by the LSC.
119. There are approximately 80,000 offenders in custody in England and Wales, and this figure is rising. We are fully involved in the Ministry of Justice's programme to increase the number of custodial places by a further 9,100, and, as such we have submitted detailed bids for increased learning and skills to NOMS.
120. The LSC is not responsible for learning and skills in prisons in Wales or for private prisons. We are, however, pleased that the learning and skills element within any newly established, privately operated English prison establishments in the future will fall under LSC responsibility. Support for quality improvement in learning and skills through the QIA is available to all establishments within England, public and private.
121. Our most recent data tells us that, in public prisons in England, upwards of 30 per cent of the current public sector prison population is engaged in LSC-funded learning provision at any one time.
122. Whilst this national, average figure provides a useful benchmark, it distorts the variation in participation levels at individual establishment level and by establishment type. Participation in learning ranges from as little as 10 per cent up to 100 per cent at individual establishment level across the prison estate. A number of factors determine the level of engagement in learning, including, but not limited to:
- the availability of physical resources in prisons (space, equipment)
  - the fact that offenders have complex needs and many offenders will need to take part in other offence related activities such as drugs programmes, cognitive behavioural interventions and housing support advice.
  - disparity between prisoner pay for work as opposed to involvement in learning, although this seems to be a reducing problem
  - the availability of additional funds
  - the perception of the contribution that learning and skills can make to reducing re-offending.

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123. We believe that the purpose and role that learning and skills plays in prisons needs to be more clearly defined. Whilst we are keen to consider innovative and flexible ways of bringing other forms of funded learning provision into establishments, it is our view that the primary purpose of learning and skills in prisons should be about employability and employment, although we do recognise the benefits that learning can make in recreational, personal and social development and we acknowledge the importance of providing learning opportunities as part of an holistic prison regime necessary to maintain decency, order and control.
124. Our key aim is that, as commissioners of learning and skills for offenders, at a regional level we ensure, in conjunction with regional offender managers (ROMs) youth justice services and other commissioners, that sufficient, relevant provision is available to equip individuals with the necessary skills and qualifications they need to secure and sustain employment. Key to getting this right is a much stronger alignment with the prison regime. We need to ensure that the availability, delivery and level of learning provision made available in establishments is in harmony with and complements the offender management services commissioned by regional offender managers and others.
125. For the LSC, offender learning is a mixed economy through the combination of provision through a dedicated budget, but also to utilise mainstream learning and skills resources to support this group. We have established the service using a group of providers contracted specifically to deliver learning to offenders in public sector prisons in England. This Prospectus seeks to reform the way in which that provision is organised, prioritised, planned, funded and delivered. As well as those specific contracted arrangements, we are aware of other LSC-funded provision being delivered in custodial settings.
126. The LSC receives in the order of £120 million a year to deliver the service for offenders in custody. These funds come from the Department for Innovation, Universities and Skills (DIUS) (approximately £100 million) and the Youth Justice Board (YJB) (approximately £20 million).
127. There are approximately 3,000 custodial places in the 15–17 year-old secure estate (YOIs). Based upon the approximately £20 million made available by the YJB, this gives an average unit price per learning place of £6,700. Currently there is no equitable approach to the provision of funds. The LSC has introduced greater parity in smaller units for young women, and we recognise the higher costs associated with supporting fewer numbers of learners in those smaller units.
128. Taking the 3,000 under-18 year olds out of the equation leaves approximately 21,000 individuals aged 18 and above who access

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learning at any one time. Based on the £100 million dedicated to this group, this gives an average nominal price per place of £4,800.

129. However, funds predicated at an establishment level bear little or no relation to the type and status of the establishment, sentence length or educational need, and there is no commonality in funding according to the type or volume of learning places for offenders.
130. A requirement for a higher quality service, combined with the costs of transferring staff terms and conditions have driven up the costs of delivering offender learning. The budgets made available to the LSC by the YJB and DIUS are limited, and these funds may be better deployed elsewhere across the secure estate to achieve a greater impact.
131. We also need to explore carefully the extent to which wider LSC-funded provision could be used to supplement and broaden the availability of learning for offenders in custody in areas currently classified as 'out-of-scope' for OLASS-funded provision. We do not intend to disrupt, destabilise or lessen the role of the specialist appointed OLASS providers in custody.
132. We propose to prioritise the availability of OLASS funded learning and skills in custody against six Offender Learning Curriculum (OLC) areas and to key groups of offenders, as described in Annex B.
133. Key to getting this right is sequencing the availability of OLASS priority funded learning and skills programmes so that intensive support and learning programmes are made towards the end of the custodial sentence.
134. At a global level, the priorities will determine where the LSC intends to invest its monies. To draw a comparison, LSC funds predicated for Personal and Community Development Learning (PCDL) follow a broad 80/20 split, whereby 80% is geared towards the delivery of nationally recognised priority provision, with the remainder made available as block allocations to deliver learning that is of a more leisure/personal fulfilment nature.

### **Work-based learning in prisons**

135. Exploratory work has begun with the HM Prison Service Regime Services with a view to increasing the learning and skills provision in production workshops and prison industries and possibly also other regime activities such as catering and horticulture. It is our joint intention, working with NOMs commissioners subject to necessary agreement, timescales and the availability of funds, to trial the full linking, where possible, of industries and learning and skills provision, with workshops remaining under Regime Services' control being treated as 'employers' within a 'secure trading estate', and with providers assuming work-based recording and assessment

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opportunities to maximise the opportunity to assess and accredit real work opportunities and qualifications, where these do not already exist.

136. There are other areas within a prison establishment where offenders gain new skills and working practices, but as an incidence of undertaking 'work' in prisons. Examples include the kitchen, gardens, gym, PICTA workshops, production workshops and contract services workshops. These are classed as being 'out of scope' of the OLASS arrangements, in that learning is not the primary purpose of such activities, but due to the nature of activities being undertaken, offenders are acquiring and practising newly gained skills and experience. These settings are operated by HMPS. Whilst arrangements vary across the prison estate, LSC providers are generally not fully engaged in these areas.
137. There is a longer term commitment by both HMPS and the LSC that the LSC's providers become more engaged in supporting and advising on training opportunities within the above settings and to provide work based recorder/assessment and accreditation functions.
138. The LSC commissioned the Learning and Skills Network (LSN) in 2006 to provide advice and recommend to the LSC as to how it could better organise, plan and fund learning and skills in prisons. Amongst many recommendations, LSN identified some key opportunities to integrate prison industries with the work of LSC providers.
139. All parties concerned are keen to progress this proposal as it provides a number of benefits:

For learners:

- work undertaken is relevant to industry standard and increases employability on release;
- the opportunities for embedding key skills and basic skills into industries are enhanced;
- learning opportunities and trades are increased;
- opportunities for recording, assessing and accrediting formal and informal learning and skills is maximised;

For establishments and providers:

- the potential for the establishment to become an entire learning environment is realised;
- the much needed link between learning and industries is forged;
- scope for achieving targets is increased;
- the potential to increase purposeful activity;
- relatively low cost implications;
- no TUPE implications – roles should be clearly defined – employer/assessor etc.

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- increased numbers in learning provision.
140. We intend to trial such arrangements through the two test Bed regions. This work will of course be carried forward with the full engagement of NOMS commissioners.

### **Our intention...**

...is to prioritise the range, sequencing and availability of learning for offenders in custody, to a model which has a distinct focus on employability and employment.

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## 4: Next Steps: The Way Forward

141. For the LSC, delivering learning and skills to offenders provides the opportunity to support one of the hardest to reach and most disadvantaged groups. This is a challenging task, but it is one for which our organisation is well equipped.
142. Working with offender learners not only contributes to the targets set for the LSC itself, but allows us to contribute to the government target of reducing re-offending. We believe strongly that security in employment for vulnerable learners requires a sound basis in learning and skills, and our plans aim to deliver that in an efficient and effective way.
143. Our purpose in publishing this Prospectus is to share our plans for the future with the widest possible constituency – colleagues within the criminal justice sector, providers, the wider FE system and colleagues across the LSC.

### Consultation Events and Responses

#### Events

144. To accompany the launch of the Prospectus, we will be holding nine regional events to go through the Prospectus in greater detail and to take initial comments from partners and stakeholders (Table 1). These events are currently being organised by Regional LSC OLASS leads. The events will be fully supported by OLASS board members in each region.

**Table 1: Consultation events**

Region	Date
East Midlands	21 September 2007
East of England	24 September 2007
London	25 September 2007
West Midlands	26 September 2007
South West	27 September 2007
North West	28 September 2007
North East	1 October 2007
South East	2 October 2007
Yorkshire & the Humber	3 October 2007

#### Responses

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145. Annex E sets out a number of key points for your consideration. We would welcome your views and observations. Responses may be made electronically or by post.

### Electronic responses

146. An electronic copy of this document and the facility to provide comments and feedback to the consultation is available at: <http://olass.lsc.gov.uk>. Completed responses should be emailed to: [OLStrategy@lsc.gov.uk](mailto:OLStrategy@lsc.gov.uk).

### By post

147. Please complete the response form at the end of this document, marking envelopes 'Prospectus' and post to:

The Offenders' Learning and Skills Team  
LSC National Office  
Cheylesmore House  
Quinton Road  
Coventry  
CV1 2WT

148. Following your feedback, and having undertaken further consideration, in early 2008 we will publish a technical document which will clarify arrangements for the implementation of the proposals set out here.

## 5: Conclusion

149. We are keen to press ahead. We welcome your views on the ideas in this Prospectus and we believe that the joint work to date and the feedback from discussions with partners indicate that we are moving in the right direction. With that in mind, a number of the theme group members that contributed to helping shape these ideas will continue to work with us to develop suitable implementation plans. We will ensure that these plans are integrated across all themes, set out clear interdependencies, and avoid potential overlaps, and will be flexible enough to take into account feedback from the consultation in which we are now inviting you to participate.

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# Annex A: Next Steps 'Test Bed' Regions

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As part of the tri-Departmental proposals on Reducing Re-offending Through Skills and Employment, the Next Steps document sought proposals from the nine English regional Education, Training and Employment Sub Boards to trial new and innovative ways of offender skills and employment.

The East of England and West Midlands regions were successful with their bids. Below is a summary of the work planned to take place between September 2007 and March 2009.

## East of England

Several sector specific projects linked to local employment opportunities will be developed as part of the test bed, with the construction, logistics, retail and hospitality sectors being targeted for offenders.

The test bed will be used to embed the structures that best support employer engagement. The main purpose of the test bed in the East of England is to develop a coherent offer that builds on elements of current initiatives to provide a 'through the gate' menu of activities for the offender. The six main elements will be:

- comprehensive IAG/skills coaching services
- individual skills development including Skills for Life
- recruitment, train and guaranteed interviews
- work trials
- mentoring and support
- further skills training/career development via Train to Gain and other programmes

## West Midlands

The objectives of the test bed in the West Midlands are:

- to systematically review all curriculum activity in a custodial setting, based on Next Steps policy
- to develop a more strategic approach to the planning of learning opportunities, in particular prison industries and to maximise learning opportunities in the community such as unpaid work
- to maximise the value of learning and skills among offenders to employers using a differentiated approach based on the needs of both the employer and the offender

## WORKING DRAFT

- to build on the offender learner journey and offender management principles to establish a seamless approach from assessment to employability, with the addition of an employability contract within the learner summary record (LSR)
- to incorporate offender employability into key economic and planning drivers within Local Area Agreements, City region, City Strategy and Regional Employment and Skills Boards
- to develop toolkits of practical planning and guidance aides, to assist with dissemination of findings from the test beds.

WORKING DRAFT

## Annex B: Offender Learning Curriculum Areas-Custody

Offender Learning Curriculum Area	Learner Target Group	Purpose	Components	Priority for LSC OLASS funding
<p><b>1: Skills for Employment offer</b></p>	<p>Offenders on short sentences: less than one year to serve</p>	<p>This curriculum acknowledges the limited amount that can be achieved for those serving short sentences. It recognises that the best that is likely to be achieved for these offenders is to motivate and guide them towards provision elsewhere on release. This short but potentially intensive programme makes effective and efficient use of time and resources to encourage future employment and participation in learning and skills. Co-ordination between custody and community and between LSC-funded providers is crucial to success. Note that even if these offenders have basic skills needs it is not proposed that programmes are undertaken where time is not available. Indeed it could be argued that to begin a programme that cannot be completed is demotivating and devalues learning and skills. All learning and skills work undertaken should be identified within an ILP.</p>	<p>This is intended for offenders who will have a limited sentence period and therefore a limited opportunity to develop their learning. This will comprise: initial assessment of basic skills; feedback on what the outcomes of this assessment mean; skills health check; possibly short taster provision based on that which might be available when moving, for example, from a local prison to a training prison; education and employment guidance and support, including detailed signposting of where training and support can be obtained on release, or further opportunities in the secure estate.</p>	<p><b>HIGH</b></p>

**WORKING DRAFT**

<b>Offender Learning Curriculum Area</b>	<b>Learner Target Group</b>	<b>Purpose</b>	<b>Components</b>	<b>Priority for LSC OLASS funding</b>
<p><b>2: Skills for Life offer</b></p>	<p>Offenders who have a need for basic skills provision, are considered to be ready to learn and will require at least one year for progress to be achieved</p>	<p>Note that it is proposed, building on inspection evidence that shows that basic skills provision is most effective when embedded in other meaningful activity, that Skills for Life programmes should be embedded in other programmes, such as vocational tasters and including ‘work’ roles. There are several models for embedded basic skills provision, and providers are strongly discouraged from offering standalone basic skills provision that is not linked to immediate and relevant contexts. Readiness for learning takes into account attitude and motivation. For these offenders, it will be necessary to introduce at an appropriate time, information, advice and guidance (IAG) on employment prospects.</p>	<p>This is intended for offenders whose assessments indicate basic skills difficulties that are likely to impede their employment prospects. Area 2 of the OLC will require a period of study of approximately a year. The curriculum will comprise: initial basic skills assessment; further diagnostic assessment where indicated; assessment for the relevance of learning support; a programme of embedded basic skills; a programme that links basic skills to relevant and realistic employment options, including vocational tasters. Learners will be expected to take national qualifications within this curriculum area using incremental steps where appropriate. It may be worth considering standardising the tests used, in order to enable a more streamlined transfer of assessment information from prison to prison and from custody to community</p>	<p align="center"><b>HIGH</b></p>

**WORKING DRAFT**

<b>Offender Learning Curriculum Area</b>	<b>Learner Target Group</b>	<b>Purpose</b>	<b>Components</b>	<b>Priority for LSC OLASS funding</b>
<p><b>3: First full level 2 offer</b></p>	<p>Offenders in custody with at least two years prior to release and preparing for resettlement</p>	<p>This is an important government, and therefore, LSC target. In OLC area 3, the vocational component must be aligned with the skills areas most likely to result in employment for the individual in his or her resettlement region. Funding for this provision will be conditional upon the current relevance of the vocational area. Note also that priority will be given to learners who have not previously achieved a qualification at Level 2. It is likely that offenders will need two years to complete this qualification. Note that basic skills support where required should be embedded into this activity. The qualifications offered should be relevant and driven by the needs of the labour market (where possible in the resettlement area), be up to date and meet industry standards, that is, have national accreditation</p>	<p>This curriculum will include: initial basic skills assessment; further diagnostic assessment where indicated; assessment for the relevance of learning support; a programme of embedded basic skills; a full Level 2 programme (staged where required). Note that we would also expect to make full use of the Qualifications and Credit Framework (QCF), once available, thereby allowing the accumulation of units towards qualifications, as this will be of particular benefit and relevance in the offender learning context.</p>	<p align="center"><b>HIGH</b></p>



**WORKING DRAFT**

<b>Offender Learning Curriculum Area</b>	<b>Learner Target Group</b>	<b>Purpose</b>	<b>Components</b>	<b>Priority for LSC OLASS funding</b>
<b>4: Young people</b>	Young people in custody	To ensure sufficient availability and engagement in meaningful and relevant learning and skills opportunities for all young people in custody, at levels prescribed by the Youth Justice Board.	The full range of learning and skills provision should be made available to young people, as prescribed in the <i>Offender's Learning Journey (Juveniles)</i>	<b>HIGH</b>

**WORKING DRAFT**

<b>Offender Learning Curriculum Area</b>	<b>Learner Target Group</b>	<b>Purpose</b>	<b>Components</b>	<b>Priority for LSC OLASS funding</b>
5: Learning for living and work: communication and personal skills curriculum	Learners with learning difficulties and/or disabilities and those seeking to improve fundamental and functional skills	Learning for Living and Work is the title of the LSC's strategy for learners with learning difficulties and/or disabilities (LSC, 2006b). Some learners with physical and sensory impairments are likely with suitable adaptations to be able to participate in other curriculum areas described here. Arrangements to provide Additional Learning Support (ALS) across the estate will assist providers to meet needs appropriately.	For some learners, additional support may not be enough to enable them to engage in learning and they will require a programme that addresses fundamental skills such as: communication; working in groups; personal and social skills and self-confidence. Without the above skills, it is difficult for other learning to take place. Programmes in OLC area 5 should seek to support progression to further learning, but such progress is unlikely to be achieved within a short timescale.	<b>MEDIUM</b>

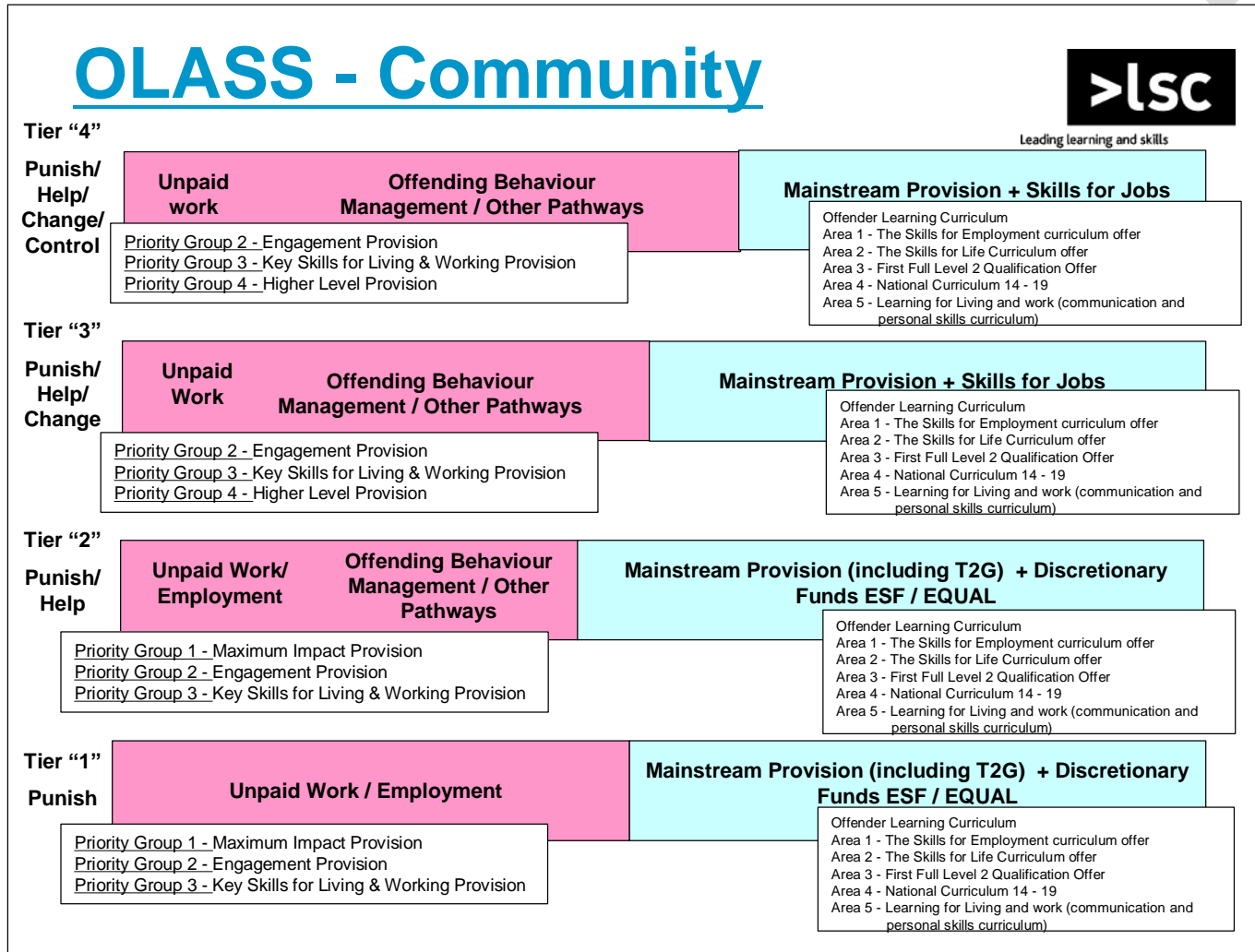
**WORKING DRAFT**

<b>Offender Learning Curriculum Area</b>	<b>Learner Target Group</b>	<b>Purpose</b>	<b>Components</b>	<b>Priority for LSC OLASS funding</b>
6: Higher level (levels 3,4 and 5) and personal interest learning	Learners wishing to undertake qualifications above Level 2	Personal and social development, leisure learning	This curriculum area will include: GCE A-levels and further study; leisure and recreational studies (not as part of a planned employment package); hobbies and interests. This would be a lower priority area, and funds would be limited to support such provision.	<b>LOW</b>

## Summary

<b>Priority for funding</b>	<b>OLC area</b>
High	OLC areas 1, 2, 3 and 4
Medium	OLC area 5
Low	OLC area 6

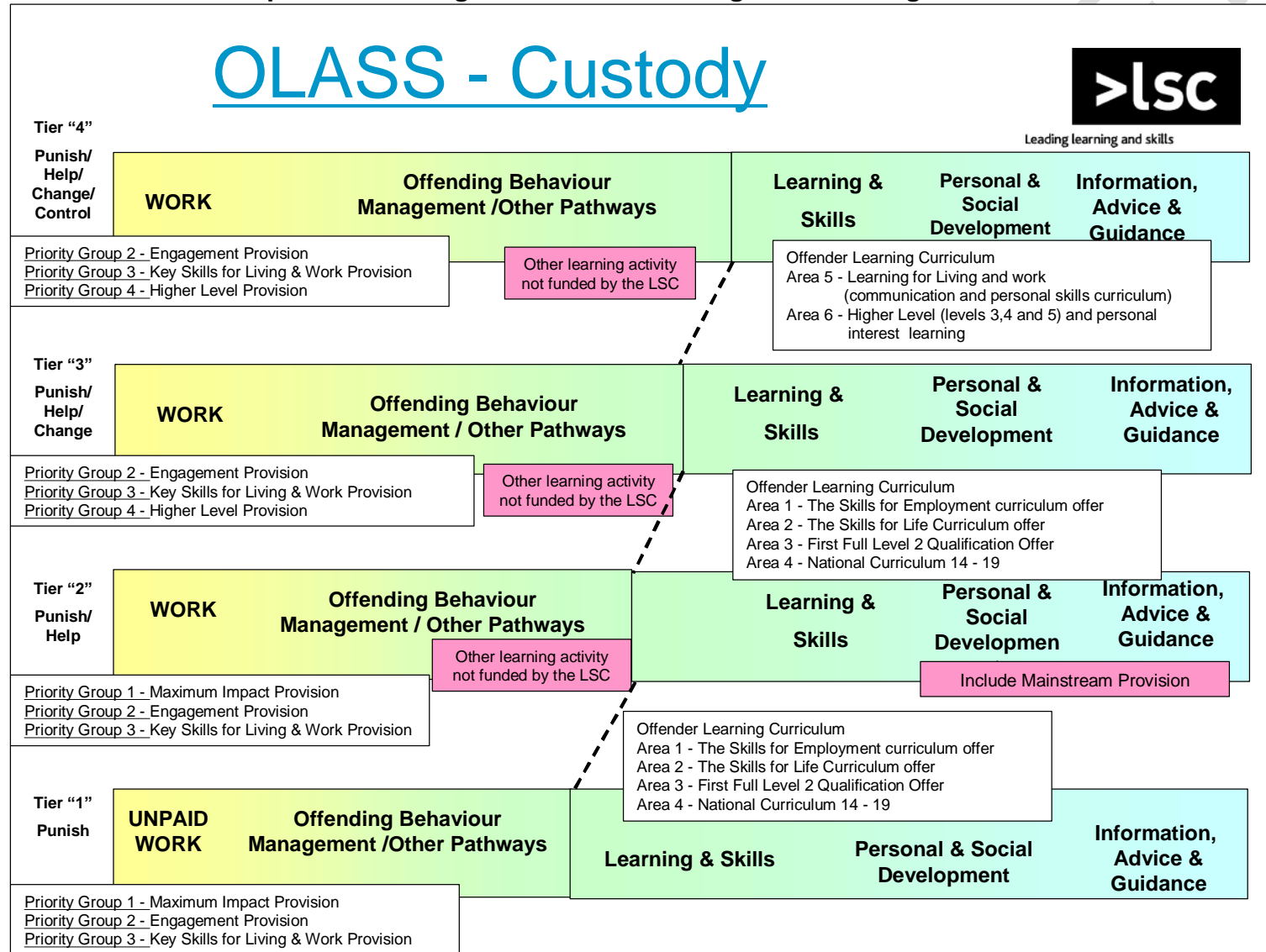
# Annex C: Prioritising Learning and Skills in the Community - Illustration of LSC prioritisation against Offender Management 'tiering'



FINAL VERSION. ISSUED TO STAKEHOLDERS

# Annex D: Prioritising Learning and Skills in Custody

- Illustration of LSC prioritisation against Offender Management 'tiering'



# Annex E:

## Responses to Consultation

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1. Do you consider that our proposed four broad objectives, as contained in paragraph 30 of the Prospectus, are appropriate? Should there be any other considerations?
2. Do you consider our proposed priority groups for offender learning in custody at Annex B to be appropriate?
3. Do you agree with our proposal to introduce a formal method of supporting offender learners in custody and in the community with additional learning support needs? This will have significant budgetary implications on a finite resource. How can the varying learning needs be most appropriately supported within that finite resource?
4. In relation to custodial provision, do you agree that the role of learning and skills as part of purposeful activity within prison regimes needs urgent clarification? How can learning and skills work in harmony with other interventions?
5. In relation to community supervision, we do not believe that commissioning significant levels of offender-specific provision in the community would be beneficial. Is our intention to harness delivery through mainstream LSC-funded post-16 provision the most appropriate route? How can we best take this forward?

**We would like responses back no later than 26 October 2007.**

## Annex F: References

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Corston, Baroness J. (2007) A Review of Women with Particular Vulnerabilities in the Criminal Justice System, London: Home Office.

DfES (2003) Every Child Matters, CM 5860, Norwich: HMSO.

DfES (2006a) FE Reform: Raising skills, improving life chances, CM 6768, Norwich: HMSO.

DfES (2006b) Reducing Re-Offending through Skills and Employment: Next steps, Norwich: HMSO.

DfES (2005) Reducing Re-offending through Skills and Employment, Norwich: HMSO.

Leitch, Lord S. (2006) The Leitch Review of Skills. Prosperity for all in the global economy: World class skills. Final Report, London: HMSO.

LSC (2006a) Raising our Game: Our annual statement of priorities, Coventry: LSC.

LSC (2006b) Learning for Living and Work: The national strategy for LSC-funded provision for learners with learning difficulties and/or disabilities across the FE system 2006/07 to 2009/10, Coventry: LSC.

LSC (2007a) Delivering World-class Skills in a Demand-led System, Coventry: LSC.

LSC (2007b) Funding Guidance for Further Education in 2007/08, Coventry: LSC.

QIA (2007) Pursuing Excellence: The national Improvement Strategy for the FE system, Coventry: QIA.

Social Inclusion and Offenders Unit (SIOU) (2004) The Offender's Learning Journey. Learning and skills provision for adult offenders in England, London: SIOU.