

Support and challenge for prisons judged as inadequate or requires improvement

This guidance sets out Ofsted's approach to supporting and challenging prisons that are judged as inadequate or requires improvement with respect to their learning and skills and work activities as set out in the *Common Inspection Framework for further education and skills 2012*.

Age group: 14+

Published: March 2014

Reference no: 140013



The Office for Standards in Education, Children's Services and Skills (Ofsted) regulates and inspects to achieve excellence in the care of children and young people, and in education and skills for learners of all ages. It regulates and inspects childcare and children's social care, and inspects the Children and Family Court Advisory and Support Service (Cafcass), schools, colleges, initial teacher training, work-based learning and skills training, adult and community learning, and education and training in prisons and other secure establishments. It assesses council children's services, and inspects services for looked after children, safeguarding and child protection.

If you would like a copy of this document in a different format, such as large print or Braille, please telephone 0300 123 1231, or email enquiries@ofsted.gov.uk.

You may reuse this information (not including logos) free of charge in any format or medium, under the terms of the Open Government Licence. To view this licence, visit www.nationalarchives.gov.uk/doc/open-government-licence/, write to the Information Policy Team, The National Archives, Kew, London TW9 4DU, or email: psi@nationalarchives.gsi.gov.uk.

This publication is available at www.ofsted.gov.uk/resources/140013

Interested in our work? You can subscribe to our website for news, information and updates at www.ofsted.gov.uk/user.

Piccadilly Gate
Store Street
Manchester
M1 2WD

T: 0300 123 1231
Textphone: 0161 618 8524
E: enquiries@ofsted.gov.uk
W: www.ofsted.gov.uk

No. 140013

© Crown copyright 2014



Introduction

1. This guidance explains how Ofsted's Her Majesty's Inspectors (HMI) will support and challenge prisons and Offenders' Learning and Skills Service (OLASS) providers. This will apply to prisons that are judged as inadequate or requires improvement with respect to the leadership and management of their learning and skills provision in inspections from November 2012 and those judged inadequate or requires improvement for their overall effectiveness from March 2014.¹
2. Sir Michael Wilshaw, Her Majesty's Chief Inspector, has set out his vision that: 'all providers must be at least good and this must be viewed as the minimum expected standard... Providers want the very best for their learners and I want Ofsted to play its part to the full in helping to achieve this.'²
3. This guidance sets out the contribution that Ofsted will make to helping prisons that are inadequate or that require improvement get to good or better.
4. Ofsted improvement activity also reflects the government's express desire to see rapid improvement in the sector as set out in *Rigour and responsiveness in skills*.³
5. Her Majesty's Inspectorate of Prisons (HMI Prisons) leads the inspection of prisons. Ofsted inspects learning and skills and work activities and the report is published within the HMI Prisons report under Section 3 - 'Purposeful Activities' - and in line with the *Common Inspection Framework for further education and skills*.⁴ This document sets out how Ofsted will conduct improvement activity in relation to learning and skills and work activities in prisons.

Strategies for support and challenge

Ofsted's general duty to promote improvement

6. Ofsted has a range of duties under Section 117(1) of the Education and Inspections Act 2006. One of these is to perform its functions for the general purpose of encouraging improvement in the services it inspects and regulates. Inspection and regulation are Ofsted's principal ways of identifying strengths and weaknesses in the quality of provision and bringing about improvement. In addition to these functions, Ofsted will provide bespoke support and challenge for those providers that are not yet judged to be good.

¹ In accordance with the *Handbook for the inspection of learning and skills training for young adults and adults in custody* (100132), Ofsted, 2014; www.ofsted.gov.uk/resources/100132

² *A good education for all: key changes for further education and skills providers* (120147), Ofsted, 2012; www.ofsted.gov.uk/resources/120147

³ www.gov.uk/government/publications/rigour-and-responsiveness-in-skills

⁴ *Common Inspection Framework for further education and skills* (120062), Ofsted, 2012; www.ofsted.gov.uk/resources/120062

7. All prisons, their learning providers, the National Offender Management Service and the Skills Funding Agency have a responsibility for ensuring that a good quality of education and/or training is provided for their learners. Governors, directors of private prisons and their learning and skills providers must determine the exact actions to take to improve the provision and how to access any necessary support. However, HMI will support and challenge prisons in this process.

Improvement activity - the range of options

8. The following is an indicative range of support and challenge strategies that HMI may choose to employ and/or recommend when visiting an establishment. The strategies are not mutually exclusive and the list is not exhaustive. HMI may identify other activities that suit the specific circumstances of the establishment. The range of options may include:
 - an invitation to leaders and managers, including cluster governors, cluster heads of learning and skills, governors, directors of private prisons and OLASS providers (as appropriate) to attend Ofsted improvement seminars covering the range of common weaknesses as identified through inspection evidence; this is likely to include, for instance, improving the quality of teaching, learning and assessment and the management of learning and skills activities
 - a meeting between the HMI and leaders, managers and groups of staff at the establishment to review progress against agreed action plans and/or to share good practice
 - joint observation of a particular subject or aspect by the HMI and senior/middle leaders.

Carrying out improvement visits

9. The following applies where an establishment has been judged as inadequate or requires improvement for the quality of leadership and management of their learning and skills provision at the most recent inspection since November 2012, and to those judged inadequate or requires improvement for their overall effectiveness from March 2014. In such cases, an HMI will contact the governor/director of a private prison to offer a visit to the prison by the HMI (the improvement HMI). This HMI will be an expert in inspecting offender learning.
10. The improvement HMI will agree a suitable time for an initial telephone conversation and the first on-site improvement visit. The improvement HMI will:
 - discuss, by telephone or meeting, the establishment's areas of improvement as set out in the inspection feedback (this will include the areas of improvement of the learning and skills provider)

- discuss and agree the priority actions that the establishment and learning and skills providers will take and the timescales for doing so in order to address the areas for improvement and so improve to good or outstanding
 - agree other means of support and challenge that are deemed appropriate.
11. In the event of the improvement HMI who is conducting the visit judging that the establishment is not making sufficient progress, HMI Prisons, the National Offender Management Service and the Skills Funding Agency may be notified.
 12. In order to maintain a clear separation of roles, improvement HMI will not normally be one of those who carried out the last inspection. They will also not normally be one of those HMI who will carry out the subsequent inspection. The improvement visit is not an inspection.
 13. Information on the establishment's progress will be shared with HMI Prisons and taken into account when setting the time of the next inspection. Ofsted will take into account the HMI Prisons inspection schedule when planning the timing of visits.

After the visit

14. Following the improvement visit, the inspector will send a reporting letter, which confirms the actions and timescales and any further arrangements discussed at the visit to the governor within five working days. This letter will be copied to the OLASS provider, the Skills Funding Agency (as appropriate) and the Head of NOMS Commissioning Group.
15. The reporting letter will not be published on the Ofsted website. However, where HMI have concerns about poor progress, the letter and relevant information arising from a visit may be shared with HMI Prisons and funding bodies.
16. The improvement HMI may conduct follow-up visits on a similar basis as necessary.
17. Ofsted provides a wide range of good practice cases studies on its website to help you with your improvement: www.ofsted.gov.uk/resources/goodpractice.