

# Support and challenge for prisons judged as inadequate or requires improvement

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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 'Handbook for the inspection of learning and skills and work activities in prisons and young offender institutions'.

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## 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 for their overall effectiveness.<sup>1</sup>
2. Her Majesty's Chief Inspector has set out his vision:

'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.'
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. 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: education, skills and early years from September 2015'.<sup>2</sup> 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

5. 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.
6. All prisons, their learning providers, the National Offender Management Service and the Skills Funding Agency have a responsibility for ensuring that a good

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<sup>1</sup> In accordance with the *Handbook for the inspection of learning and skills and work activities in prisons and young offenders institutions* (100132), Ofsted, 2015; [www.gov.uk/government/publications/handbook-for-the-inspection-of-learning-and-skills-training-for-young-adults-and-adults-in-custody](http://www.gov.uk/government/publications/handbook-for-the-inspection-of-learning-and-skills-training-for-young-adults-and-adults-in-custody).

<sup>2</sup> *Common inspection framework: education, skills and early years from September 2015*, Ofsted, 2015; [www.gov.uk/government/publications/common-inspection-framework-education-skills-and-early-years-from-september-2015](http://www.gov.uk/government/publications/common-inspection-framework-education-skills-and-early-years-from-september-2015).

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**

7. 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:
  - 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**

8. The following applies where an establishment has been judged as inadequate or requires improvement for their overall effectiveness. In such cases, an HMI will contact the governor/director of a private prison to offer a visit to the prison by the improvement HMI. This HMI will be an expert in inspecting offender learning.
9. The improvement HMI will agree a suitable time for an initial telephone conversation and an 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.
10. 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.
11. 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**

12. 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. This letter will be copied to the OLASS provider, the Skills Funding Agency (as appropriate) and the head of the National Offender Management Service (NOMS) commissioning group.
13. The reporting letter will not be published on the Ofsted website. However, the letter and relevant information arising from a visit may be shared with HMI Prisons, NOMS and the Skills Funding Agency.