



Briefing on decision to not extend in-custody National Careers Service (NCS) Contracts

What is the National Careers Service?

The National Careers Service (NCS) provides Information, Advice and Guidance (IAG) to prisoners to enable them to make informed choices about appropriate pathways for learning and work whilst in custody. NCS staff also make referrals to partner agencies to ensure that their personal development needs are being met. It is essential that prisoners have the opportunity to broaden their career horizons whilst in custody, as often they cannot return to their previous job areas due to their conviction. NCS advisors ensure that prisoners are on the right journey to enable them to develop the skills and experience needed to gain employment, further education or training on release. There are around 200 NCS careers advisors working in prisons in England, all holding a specialist qualification in careers guidance.

In each prison there are on average two advisors providing face-to-face advice sessions with prisoners. Contracts require a maximum of three sessions per prisoner per year. The NCS providers can also commission other services as part of their 'inspiration in custody' stream of funding. Some NCS providers have, for example, commissioned ex-prisoners to share their success stories and have worked with voluntary sector organisations, such as New Leaf Initiative; a user-led social enterprise which supports prisoners into local education, training and employment opportunities after release. NCS staff also organise employment fairs in prisons.

Concerns raised with the PLA about contract expiry

The custodial element of the NCS contract will reach its expiry date on 31 March 2018. The community element was extended, but the custodial element was not. In a recent debate¹ in the House of Lords on the issue (31/01/18), Lord Keen of Elie explained: "The contract for the in-custody National Careers Service element could have been extended by a further period of six months maximum from 31 March 2018."

We understand that redundancy notices stated that NCS employees were not allowed to speak out about the impact of the contracts; however several advisors, as well as governors, have contacted the Prisoner Learning Alliance (PLA) anonymously to share their concern at this decision. Therefore, the PLA wrote to Prisons Minister Rory Stewart on 16 January to ask for an explanation and review of the decision. To date, no response has been received.

¹ <https://hansard.parliament.uk/Lords/2018-01-31/debates/023F342C-16CB-437E-95B3-BF17340ECCC7/PrisonsCareersGuidance>

Transition to new governor-led commissioning of Education and Information, Advice and Guidance (IAG) services

Lord Keen of Elie explained that “we are reviewing options for alternative provision as part of wider employment services”. He added: “One of the issues we wish to address with regard to future education contracts is the development of greater autonomy and governor empowerment, which will lead to local commissioning of these services and which we believe will lead to an improvement in them.”

These governor-led services were due to begin in September 2018 and so the OLASS (Offender Learning and Skill Service - the mainstream prison education services) contracts were extended until then. However, the PLA understand the start date has been delayed until April 2019 and a further extension of these OLASS contracts is being negotiated to ensure there is no gap in service. We expected the NCS in-custody contract to also be extended to ensure continuity of service and expertise. The decision not to extend was therefore a shock to many.

Problems with the NCS contracts

Lord Keen of Elie explained: “A decision was made not to extend [the NCS contracts] because an internal review of the service being provided indicated that custody contract performance showed significant inconsistencies of service between institutions.” The internal review to which he referred has not been made publically available. The PLA is not aware of any consultation prior to the decision. The PLA understands that prison governors were not consulted or even informed of the decision.

There are concerns with the NCS contracts, as often three 20 minute sessions are insufficient to meaningfully support people with multiple barriers (substance misuse, mental health issues, learning difficulties, low qualification levels - as well as a criminal record) into employment or learning. However, the PLA has been told that NCS staff will often go over and above their contractual obligations to support prisoners. It appears the issue was with the contract terms rather than with the experienced staff working in the prisons. As one advisor told the PLA: “The current contracts don’t always meet the needs of individual prisoners, but we always bend over backwards to adjust what we do, despite our contractual obligations. I don’t understand why they didn’t extend the in-custody contract like they did with the community provision, so there was continuity of service and expertise.”

An independent report by Dr. Deirdre Hughes (DMH Associates) is being submitted to the Education Select Committee in the week commencing 19 February 2018. It found that between April and December 2017, NCS careers advisors supported nearly 4,000 prisoners into employment or non-OLASS learning. Non-OLASS learning includes distance-learning qualifications funded by Prisoners’ Education Trust.

When extending the OLASS contracts in 2017, minor changes to the nature of the OLASS contracts were negotiated to give providers greater flexibility to use funding to meet the needs of their prison population. It is not clear why NCS contracts could not have been amended in a similar fashion to enable greater flexibility, learning from good practice, rather than to end the service altogether. “It’s frustrating to see the service we have built up and have pride in, done in difficult circumstances, come to an end” said one careers advisor.

Gap in provision

Lord Keen of Elie commented that: “As regards its replacement going forward, I note, for example, that community rehabilitation companies [CRCs] already work with every prisoner 12 weeks prior to release to ensure a personalised plan with respect to employment, and Department for Work and Pensions [DWP] prison work coaches also work in this field.”

If services are continuing under the DWP or CRCs it is not clear why workers employment rights under TUPE have not been recognised.

The PLA understands that DWP work coaches and CRCs only provide support in the final weeks of a prisoner’s sentence. Careers advisors who have contacted the PLA have argued that DWP job coaches are mainly focused on helping prisoners register for unemployment benefits before release. They also shared that CRC workers have large case loads and signpost clients to the NCS for specialist careers advice, rather than provide it themselves. It is not clear if CRCs or NCS have been offered additional financial support to cover the services offered by the NCS or whether those staff have the necessary skills, experience, contacts and qualifications to give this advice. One careers advisor told us: “We have met with the CRC and education provider and neither of them have given any additional money to fill careers advisor roles as they don’t have capacity with current staff.”

Careers advisors work with prisoners from the start of their sentence to help them plan how to make the most productive use of their sentence, to enable them to leave prison inspired to work, with appropriate qualifications for the career of their choice and with appropriate employer or training contacts. A careers advisor told us: “CRCs only work with prisoners in the last 12 weeks of their sentence - it is too late by then for careers advice as they need to be planning what qualifications to do in prison and making plans long before then.”

An area of work taken on by many NCS staff is supporting prisoners to apply for distance learning courses. These courses allow people in prison to study subjects and at levels that would otherwise be unavailable to them, and have been proven to [reduce re-offending by a quarter](#), according to MoJ statistics. To apply for distance learning courses, prisoners are required to have at least six months remaining of their sentence, so receiving this advice in the last 12 weeks would be futile. One careers advisor told the PLA: “There will be no support for distance learning when the NCS contracts end on March 31. The staff in the education department will not be taking on any extra duties to support new potential learners or even give out Prisoners’ Education Trust forms.”

Another service the NCS provides is to support UCAS applications, which have to be done outside of the prison using the internet as no paper form is available. “We also help people in open prisons and coming to the end of their sentences apply for university. No-one else will do that”, explained a careers advisor. Another, who deals with distance learning enquiries, added: “In the previous 12 months I have had over 60 successful applications, with learners progressing with Open University and other higher education courses. Who is going to deal with approximately 20 of the Open University students who need to do their registrations for modules starting in October?”

Loss of experienced staff at time of prison crisis

At a time where, in some prisons, there is a lack of experienced prison staff, losing more experienced staff is a cut too far. The PLA understands that some governors have asked the Ministry of Justice whether they can employ the NCS staff as prison employees, but have not received a reply.

Conclusion

Despite some issues with the contracts, there are clearly many prisons that value the service NCS provides, and nearly 4,000 prisoners who have secured employment, further learning or training as

a result. To terminate an entire service due to difference in provision in different establishments appears to be ‘throwing the baby out with the bath water.’

It is a decision that is likely to have a hugely negative impact, not only on experienced and dedicated staff who will lose their jobs, but on the thousands of prisoners who depend on the service to build more positive futures for themselves and our communities.

The PLA would like to see the decision urgently reviewed and either reversed or alternative arrangements made so as to ensure prisoners have access to independent, quality careers advice until the new commissioning model comes into place.

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