

In April, we'll see the biggest changes in prison education for many years. As with all major change, this brings risks and challenges, but it also brings a real opportunity to make prison education more relevant, more effectively coordinated and more flexible.



Governors

Following on from the government's 'governor autonomy' agenda, the responsibility for managing education in prisons will sit with governors from 1 April. The Ministry of Justice has carried out a procurement process for the new education providers, known as the Prison Education Framework (PEF). With prisons grouped into 'lots' of 17 mainly geographical areas, the new contracts will run for four years, with an option of extending them for another two. There are different systems for Wales, and for most contracted out prisons, who are not part of this process. Alongside the PEF process, governors will also be able to directly commission services through the Dynamic Purchasing System (DPS).

Employment focus

The new education provision will be supported by a new policy framework, which has been out for consultation and is in the process of being finalised. In line with the policy shift to more flexibility for governors, it will include very few mandatory requirements. Another significant policy shift is prioritising prisoners' access to employment opportunities. The [Education and Employment strategy](#) published by the Ministry of Justice in May 2018 focused mainly on employment and this is also reflected in a shift in job title - some Heads of Learning and Skills (HOLs) are now Heads of Learning, Skills *and Employment* (HOLSEs).

Education providers announced

The four providers of the new PEF contracts (Milton Keynes College, Novus, People Plus and Weston College) are the four current education providers. However, there has been some movement, with all providers having lost or gained eight or nine prisons in the new arrangements. Overall, 39 prisons have a new education provider, out of 102 prisons in the process.

Although having an incumbent provider should potentially make the transition to the new service easier, it's important to remember that the provider is working to a new contract from 1 April. This means that new curriculums, resources, regimes, staffing and practical arrangements need working through, which is happening at the moment. In addition, it is a new relationship - as the education contract is being more directly managed by the prison governor and their teams and the nuances of this can be complex.

Flexibility and accountability

The new contracts - in theory - have built-in flexibility, but it will be interesting to see how this works on the ground. The idea is that if a governor finds that a service is not being delivered through the PEF, they will be able to take action easily, holding the provider to account and asking for an improvement plan. Ultimately, if the provider fails to take action to improve the service, they could lose 5 per cent of their budget for the next quarter.

However, none of these arrangements are as simple as they first sound. In practice HOLs and HOLSEs will be managing the contracts on a day-to-day basis. The interpersonal dynamics of holding a provider to account and working with their staff team on the ground can be challenging. Governors will also need good data and evidence to show where the service is failing and this means they will need to ensure all the information collected is up-to-date and that staff understand how to monitor data effectively.

‘Lot’ areas

Another challenge is that the ‘lot’ areas for the education providers do not always align with prison group directors’ areas (these directors provide the operational line management for governors). The lines of accountability across lot and group level will need to be clear. And we may find that across a ‘lot’ the performance of the education provider varies. What happens in an area where one prison education team is not meeting the needs of the population - perhaps because it is a prison with a specialist role in a group of prisons? The contract is flexible enough for one part of the provision to be terminated, but this could impact on the other prisons under the contract.

Direct commissioning

Questions still remain about where the DPS and the opportunities for direct commissioning in each prison fit in. Prison managers are currently busy resolving the details of the PEF contracts. Over the next few months prison governors will begin to consider what gaps they have in their service provision that could be filled by using the DPS. It is not yet clear whether governors will be able to move any underspend from the PEF over to the DPS.

Collaboration and capacity

The PEF provider will be at the centre of the new provision in each prison. There is an expectation of collaboration built into the PEF contracts. This means that education providers are expected to share assets, data and work in a facilitative way with the prison staff and any other organisations providing education or other services, such as CRCs or people commissioned through the DPS. Part of the monitoring of the contracts will include providers and prisons scoring each other on their joint working in practice.

There are some risks in moving contract management to a more local level - many prison managers have little time, and are not always experienced in managing contracts. There will need to be more clarity of responsibilities at area level, a system of ongoing support for staff around the technical and legal aspects of contract management and access to advice when improvement action is needed.

But the new system also brings huge opportunities. If prison managers are confident, able to build good relationships and negotiate effectively, and are also given access to the right data and support, we could see significant improvements in prison education.