

Written evidence submitted by Prisoner Learning Alliance (PLA)

Submission to the Education Select Committee

The impact of Covid-19 on education and children's services

The Prisoner Learning Alliance (PLA) welcomes the opportunity to respond to this consultation. The PLA is a network of organisations and individuals with an interest and expertise in prison education. We use our collective voice to advocate for improvements in prison education and we hold the government to account by monitoring prison education. We have over 150 members, across the sector including education providers, professional bodies and voluntary sector organisations. The Prisoners' Education Trust, who provide the secretariat, convenes us.

The key points in this submission can be summarised as follows:

Even before Covid, prison education has been a neglected area of provision, with inadequate and diminishing support.

Lockdown has stopped all face-to-face teaching in prisons as education providers have not been classified as keyworkers and prisoners have no access to online education.

The lockdown has highlighted the potential for digital communication, including on-line learning. Improving digital access was already the PLA's top priority, and remains so.

Specific groups are particularly affected by the current lockdown: these include children, young adults, learners with additional needs and learners who are shielding

The arts and literacy sectors who usually provide support to prisoners have been unable to, and Covid has multiplied the difficulties experienced by small providers and created difficulties for the core PEF providers.

We have ongoing concerns about the ongoing situation regarding access to education in prisons as we expect restrictions to be in place for a significant period.

Background on prison education.

While Ofsted assessments show that some adult education sectors are improving, education in prisons is not. Challenges in the wider prison establishment make the delivery of education particularly difficult. This was the case even before Covid-19 and increased lock-down. Outcomes for prisoners are not good enough and this exacerbates the pre-existing educational disadvantage that many prisoners have.

Prison education has changed significantly since April 2019, with the advent of new funding mechanism and contracts. The implementation process has been very difficult for many prisons and education departments have been through significant turmoil over the last year. The changes to curriculum, timetable and personnel alongside new contracts have meant that 2019/2020 has been a very disruptive year for prison education – even without Covid.

The majority of education is currently provided by the four PEF (Prisoners Education Framework) providers, who operate in around 100 prisons. The situation is different in contracted out (private) prisons and in Wales, who have their own providers. Prison education is funded through the Ministry of Justice, and this is part of the reason why it tends to fall off the radar of the wider adult education

agenda. Recently announced increases in funding for further education and technical education do not include prisons. Prison education funding has not increased in the last five years and this needs to be urgently reviewed.

Prison overcrowding means that there is insufficient infrastructure to provide a purposeful regime. There is not enough space for classes and workshops. In some prisons, the significant shortages of prison officers means that prisoners sometimes cannot be escorted around establishments, so they cannot physically be unlocked and be taken to education classes and workshop. Access to activities is often curtailed. The latest HMIP annual report describes that activity outcomes (education, training, workshops, industries and prison-based work) are getting worse. They found that half of the prisons they inspected last year had too few activity places and around three-quarters failed to fill their activity places effectively. Ofsted also assessed that the quality and overall effectiveness of education, skills and work had declined.

Prison education during Covid-19

At the beginning of the Covid crisis, we understood that education staff were to be considered keyworkers and allowed to continue working in prisons. The decision about who is and who is not essential in prisons has been unclear. Chaplaincy, many admin staff and resettlement staff have been allowed to remain. Education providers stopped working in prisons at the beginning of April. We understand that concerns were raised by both prison and education unions and the decision was taken that education providers staff would not be allowed into prisons.

We have been impressed and inspired by prison staff and their commitment to keeping prisoners in their care safe. We do not wish to be overly critical of a service managing an unprecedented situation and we appreciate the concerns about safety. However, the decision to removed education provider staff, practically overnight, was, in our view flawed and short-sighted. The vulnerabilities of the prison population and additional needs of learners could have been considered to enable some sort of skeleton education provision or tutor support for in cell/distance learning.

In essence, there has been an abrupt halt to studies. In the community, students have had their studies disrupted, but, in prisons, students have had their studies stopped. In the community, it has been possible for many providers to deliver differently, and the further education sector has been able to adapt so that much online teaching has been implemented. This has not been an option for prisoners, many of whom were studying for qualifications that would help on release.

The current situation is that the vast majority of prisoners are locked in their cell for 23, or 23 ½ hours a day. Prisoners who are part of the prison work force (i.e. they work in the kitchens, laundry or cleaning) will be allowed out of cell to do the duties that are necessary to keep the prison running. There are no family visits, face-to-face resettlement work, or rehabilitative group work.

Consideration could have been given to some socially-distanced learning in situations where this was safe. We note that in some prisons some socially-distanced workshops have been able to run. The criteria for which prisons have been able to do this is again unclear and appears to be locally decided. However, this activity is exceptional— the reality is that the majority of the 80,000 people in our care are experiencing what amounts to solitary confinement.

Segregating people for long periods of time impacts severely on mental health and well-being and research shows this is extremely psychologically damaging. Rates of mental health illness are high amongst prisoners and many will be finding it very difficult to cope.

In addition, some of the physical conditions are appalling. A recent report identified that some men had not [been able to shower for two weeks](#) and another identified that some have [no in-cell sanitation and are using buckets](#).

The numbers of people entering prison has reduced slightly during the Covid crisis with fewer courts sitting. However, some people are still being remanded or sentenced. As the education providers are no longer on site, new arrivals do not receive an education assessment (for literacy and numeracy), or a screening for LD/D. This means that when the restrictions are eased, there will be a backlog of people who need to be assessed before they can access any activities.

We know that the majority of prisons have been working hard to provide materials for in-cell activity. This material varies from 'distraction packs' aimed to support mental health, games, puzzles and worksheets. The PLA has been working to assist this by creating the [Incellactivitieshub](#). In many places a wide range of materials is available on wings and staff have been running in cell competitions. These efforts are to be applauded – but this is not the same as providing curriculum-based education.

In addition, all the education providers are producing education materials. However, we understand that their involvement varies considerably. We are aware that Weston College sends in specific education materials to their prisons, and that if completed these are marked on a weekly basis and returned back to prisoners. We believe that there is some level of progression and they are trying to find ways of this feeding into ongoing assessment and certification. Other prisons have not allowed this, so their learners have no feedback on education work packs. In other prisons, while education packs are being distributed there is no tracking of which learners get packs and whether they are the right packs for their progression needs. Without education staff on-site to oversee distribution of materials this is dependent on the goodwill of prison officers. As 60% of prisoners now have in-cell phones, we see no reason why some tutorial support cannot be provided over the phone. We have also noted that in contracted-out prisons where the education provider is part of the company that runs the prison, they are more likely to have remained on site delivering provision (see Parc, below).

Digital technology and digital literacy

The most significant difference between prison and community education is that prison learners have no internet access. While adult education provision in the community has been able to develop new and creative ways of teaching and learning, prisons are unable to do this. Prison learners are significantly disadvantaged. The Covid crisis has brought into stark relief the complete inadequacy of provision for prison learners. In the community, we currently use digital technology more than ever to socialise, work, access entertainment, communication and learn. It is fundamental to people's experience and existence during Covid. Without this access, prisoners remain isolated and unable to access basic information, have connectivity with loved ones and participate in educational opportunities. This is why improving digital access is the PLA's top priority.

The current situation is that there are two pilot sites where prisoners have laptops in their cells, but this has not been expanded. HMPPS also has an intranet for prisoners, the Virtual Campus (VC) which contains resettlement and education resources. While there have recently been huge improvements in VC provision, content and capacity, prisoners currently cannot access the areas where the VC terminals are located.

Some prison Governors have permitted a small number of devices with some interactive capacity. There are many, both inside and outside HMPPS, including Governors, senior leaders and other prison staff who are keen to develop digital technology for prisoners. The barrier is that there is no

national guidance or strategy despite ongoing calls for this. In cell technology is the only option that will give prisoners any type of parity with the community, and enable digital literacy and capability.

Prisoners with specific vulnerabilities or educational needs

We have particular concerns about education provision for the following groups of prisoners:

Children in prison

In the community, both children who have key working parents and vulnerable children are receiving taught education. Vulnerable children includes those on the at risk registers, those in care and those with an EHCP, and many children in prison will be in this category. In the community, all of these children would have had an individual assessment with the aim of enabling their attendance at education where possible. We believe that an almost blanket ban on education for children in custody at this time cannot be in children's best interests.

We are very concerned about the impact of lockdown on children's welfare and their education. Immediately after lockdown began, 'distraction packs' containing games and educational worksheets were issued to all children in prison. Following this, individualised learners packs were developed and children are now receiving feedback on them. We understand that some children completing GCSEs are having some bespoke support. Although we understand there is some telephone contact between education staff and children we are not sure of frequencies and we note that there is no reference to this in [HMIP's recent report](#).

HMP Parc is able to run two hours of face-to-face education for children every weekday, which is positive but the only example across the estate. We support [HMIP's assessment](#) that there is no reason for such significant disparity in such a small estate. We are also pleased that some YOIs are using tablets and that the YCS is hoping to increase this.

Young adults

Another group that we are concerned about are young adults (up to age 25), who are a significant proportion of the prison population. There are around 15,000 young adults in prison, many with a complex set of backgrounds and experiences including significant trauma. This age group is particularly vulnerable: although officially adults, and therefore placed in the adult estate, young adults are still in a process of transition into adulthood, [as neuro-developmental research](#) shows that brains are not fully mature until the mid-20s and need additional support. We believe that solitary confinement is particularly damaging to this group and that the break in their education could have far-reaching consequences.

People with additional learning needs

Over a third (34%) of prisoners have been assessed on entry to prison as having a learning difficulty or disability. There is a lack of focus on their needs generally and it is not clear how learners with additional needs have been catered for during Covid-19, whether prison staff have identified them and how much adapted material, if any has been made available to them in cell. Many prisons have made significant efforts to update prisoners with newsletters and written briefings but we do not

believe that many have been written in easy read. Access to the prison radio station and in-cell television channels provided by prisons is helpful but this coverage is by no means across all prisons.

People who have needed to shield because of their health, or age

Prisons have developed systems and specific locations for those who have been advised to shield. Many prisoners are physically vulnerable. Six out of ten have a long-standing illness or disability. In some prisons, people who are shielded are receiving even less time out of cell or in the open air. This has created a situation where some people who have been advised to shield have simply refused to do so. For those that are shielding, it is unclear when and whether they will be able to access any kind of group activity or face-to-face education. We also know that shielding in prisons is expected to last longer than in the community and [potentially up to March 2021](#). We cannot expect people to remain socially isolated for such significant periods and strategies to deliver activities and education desperately need to be developed.

Other learning activities – library, literary and creative arts provision

Prison libraries are run by various providers, sometimes the regional local authority, sometimes the PEF providers and sometimes by independent organisations. This has meant that access to library books has been inconsistent across different prisons. There are a number of charities that run reading groups, literacy support and associated activities. These groups are trying to continue to support prisoners and we are aware of some very innovative projects that have happened in response to Covid, such as postal reading groups and writing competitions.

Years of underfunding in arts has led to a dearth of provision in prisons. There is no national support for prisoners to be able to access arts material and craft/hobby activities in-cell. It is possible for prisoners to buy these, but prison wages are low. HMPPS has put out a call for materials for prisoners (but we believe that the response has been low). Some individual prisons have been able to source art materials through their local communities and networks. Despite the positive impact that this can have [on mental health and well-being](#) and the knowledge that these materials are highly appreciated and valued by prisoners, there has been no systematic provision of arts materials for prisoners. We are in contact with many arts and literacy charities, who want to continue supporting prisoners. Information from and contact with HMPPS has been extremely difficult and a source of frustration for many organisations.

Financial and contractual implications for providers

Our understanding is that currently PEF providers continue to be able to draw down their core funding while their staff have been working from home. PEF providers are assessed each quarter on performance – which includes numbers attending and completing courses. Reductions in numbers can lead to contractual penalties. We are expecting there to be reduced numbers attending education in prison for the foreseeable future, which will impact on providers ability to deliver contracts. The impact and implications of this for prisoner learners and PEF providers is unclear, but is a cause of significant concern for the PLA.

HMPPS also uses the [DPS a commissioning tool](#) for individual prisons to purchase small-scale education services. We are pleased that the MOJ has developed Covid Relief Support for providers that had contracts between March and June. However, we remain concerned that while charities and other organisations cannot provide their services in prisons many cannot draw down their funding and the long-term sustainability of some small organisations is in question.

Next steps

The relaxation of lockdown in the community will not be possible in the same way for prisons. We expect that there may continue to be restrictions due to Covid for the next 12-18 months in prisons. The MOJ's modelling and infection control documents envisage a need to continue shielding prisoners with medical vulnerabilities for the rest of the financial year (i.e. until March 2021). That suggests a significant body of prisoners remaining with limited social interaction for a very long period – perhaps until and unless tracking tracing and testing are in place.

Prisons will be unable to return to normal regimes without sufficient staff, and this will be impacted by staff sickness, caring responsibilities and their need to self-isolate or shield as well.

It is not clear what changes in testing availability and PPE would be needed to give managers and staff the reassurance they need. We are aware that libraries and PEF providers have been asked to start planning a return to working in prisons from June. We expect this to be incremental and to vary across the estate. We know that HMPPS are developing an Exceptional Delivery Model for education as part of their medium term (yearlong) plan. We expect that the ability to deliver classroom based teaching will be significantly constrained by social distancing. We expect that far fewer prisoners will be able to access education and that they may only be able to do so on a rota basis.

It is therefore imperative that alternative forms of education delivery are fully explored and implemented. If prison learners are not to remain at a significant disadvantage in education during and after Covid, the following actions are necessary:

- Review prison education funding in light of Covid -19 and provide the additional support needed to enable equality of outcomes with community provision
- Assess student progress to ensure those with exams and assignments overdue receive immediate support
- Implement a digital technology strategy, with immediate advice to governors, longer-term investment and a standardised approach to provision of in-cell technology.
- Clarify regulations for social-distancing education –while some local variation will be necessary and justifiable, the aim should be to maximise learning opportunities. Prisons and providers could explore the possibility of evening classes
- Provide key contact list for each prison, so external providers can communicate their offers of support

May 2020