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| HMPPS Prison Regime Recovery Planning  Exceptional Delivery Model (EDM) 8  **Prison Education (including libraries, Information Advice and Guidance and DPS).**  **Agreed Published Version 1.0** |
| **3 July 2020** |
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**Prison Education (including libraries, Information Advice and Guidance and DPS).**

**Introduction**

**Exceptional Delivery Models (EDMs)**

A suite of EDMs are being published as part of the guidance for prisons to guide them through construction of local RRMPs. This EDM is a brief guide on the high-level principles that must be incorporated into a local plan for each element of regime delivery. It is essential that the plan for reinstating an element of the regime does more than simply reintroduce the local procedures that pre-dated COVID measures. Each local plan must incorporate social distancing and cohorting measures, medical considerations, PPE and hygiene requirements (including regular hand-washing), as well as security and safety considerations. Each EDM will also guide establishments on the most procedurally just way to stand up each regime element under continuing COVID restrictions.

Each establishment must create a plan for every element of regime that is relevant to their category and function based on the guidance in its respective EDM. Mirroring the approach taken during the development of ERMPs, establishments have local autonomy to determine the formal and contents of each plan or procedure they produce from the EDMs but the RRP they complete summarising their local recovery proposal will be based on a template provided.

This EDM has been developed jointly by policy and operational colleagues in conjunction with specific stakeholders relevant to each area. Each EDM breaks each regime element into a series of processes or areas. Under each one there are a set of baseline requirements which must be met by each establishment. Every baseline requirement has an importance weighting from one (lowest) to three (highest) attributed to it, to assist prisons in planning and sequencing activity required. Baselines are split into those that are mandatory and those that are desirable. Each baseline also has a “level of autonomy” attached. This describes the level of freedom an establishment has over the design of the product/output required to satisfy each baseline.

This EDM outlines what activity will be permitted at level 3 (restrict) moving towards level 2 (reduce).

**Regime Recovery Management Plans- RRMP**

Prisons are required to develop local Regime Recovery Management Plans (RRMP) based on a suite of national guidance documents called Exceptional Delivery Models (EDM). Establishments are being provided with high level guidance outlining the parameters they must work within but have autonomy to build their own bespoke plans based on what works locally. Establishments will submit their RRMP together with a readiness assessment to their respective Prison Group Director (PGD). Further details are contained within the published National Framework on Regimes & Services.

**What will be delivered in prisons at different levels of regime in this EDM?**

**Stage 3 (Restrict) - High Level Descriptor**

Face to face group education and library provision is not available across the estate and this has been replaced to a degree by in cell learning and distraction packs. Prison Education Framework suppliers are providing in cell materials into prisons and DPS provision is suspended.

**Stage 2 (Reduce) – High Level Descriptor**

* The in cell learning model is expanded with suppliers working to evolve materials in line with learner need and previously agreed curriculium. Some limited priority face to face learning could be instituted in line with PHE guidance on social distancing (which will impact on capacity)

**Stage 1 (Prepare) – High Level Descriptor**

* This level would see a full curriculum offer being developed, reflected in Annual Delivery Plans and agreed locally between Prison and Provider and mobilised. The delivery model may be significantly altered from delivery pre- COVID to reflect the need to maintain social distancing.

**Scope and application.**

This EDM applies to Adult Prisons and YOIs. It does not apply to the Youth Custody Estate who will be preparing a separate document.

It is an expectation that advice from Public Health England and Public Health Wales will underpin all actions taken in the areas of the EDM that require consideration to be given at prison level to health protection measures to be implemented.

While the EDM is applicable, must be actioned, owned and implemented by individual prisons, the EDM is written in the knowledge that regional teams could actively support some elements of planning (such as stakeholder planning and engagement). How regional team are engaged is the for Governor to agree with the PGD.

**Why are Prison Education (PEF and DPS) IAG & libraries important?**

Since lockdown face to face education in prisons has ceased, however learners have continued to be supported using in cell materials. Prison Education is valued at £150 million annually, and in line with Cabinet Office guidance, HMPPS is providing COVID -19 relief payments to help ensure suppliers continue to be present in the market and to resume education provision fully when it is deemed appropriate to do so. A condition of this relief is that suppliers continue to pay their staff in full and that they will collaborate and agree with HMPPS revised delivery models to support education during this period.

Section 86 of the Apprenticeships, Skills, Children and Learning Act 2009 provides that the Secretary of State **must** secure the provision of such education and training facilities as they consider appropriate for education and training suitable to the requirements of persons who are subject to adult detention.

Under Rule 32 of the Prison Rules 1999 (with similar provision for young offenders under Rule 38 of the Young Offender Institution Rules 2000 (“YOI Rules”)):

(1) Every prisoner able to profit from the education facilities provided at a prison shall be encouraged to do so.

(2) Educational classes shall be arranged at every prison and, subject to any directions of the Secretary of State, reasonable facilities shall be afforded to prisoners who wish to do so to improve their education by training, by distance learning, private study and recreational classes, in their spare time.

(3) Special attention shall be paid to the education and training of prisoners with special educational needs, and if necessary, they shall be taught within the hours normally allotted to work.

(4) In the case of a prisoner of compulsory school age as defined in section 8 of the Education Act 1996(8), arrangements shall be made for his participation in education or training courses for at least 15 hours a week within the normal working week.

During a coronavirus period, Prison Rule 32(2) has been modified to provide that educational classes shall so far as reasonably practicable be arranged at every prison. Prison Rule 32(4) has similarly been modified to provide that, during a coronavirus period, arrangements shall so far as reasonably practicable be made for courses for at least 15 hours a week. Similar modifications have been made to the YOI Rules 2000.

Every prison is required to have a library and every prisoner must be allowed to have and exchange library books, subject to any directions of the Secretary of State, under the Prison Rules and YOI Rules.

The link between education and reduction in risk of reoffending is clear. Experimental MoJ data published on 27 July 2017[[1]](#footnote-2) showed that:

* prisoners who take any form of learning activity have a significantly lower re-offending rate on release from prison than their peers. The proven one-year re-offending rate is 34% for prisoner learners compared to 43% for prisoner non-learners;

Prison education and libraries are also important contributors to wellbeing for many people in prison. Purposeful activities, such as education or reading, can be important protective factors and distractions for individuals when times are challenging, this contributes to individual wellbeing and improves safety outcomes. Education also provides opportunities for the supportive social interactions which are proven to help some people in prison during times of crisis or distress.

Getting education right is vital for getting prisoners into work. The Office of National Statistics (ONS) analysis based on 2011 Census data, for example, found that 48.5% of those with no qualifications were in employment compared with 80.7% of those with at least one qualification. The unemployment rate for both men (12.9%) and women (10.8%) with no qualifications was more than double the rate for those with at least one qualification (5.2% for men, 4.3% for women). We know too that employment leads to reduced re-offending. Data published by MoJ in March 2013[[2]](#footnote-3) showed that:

* offenders who got P45 employment at some point in the year after being released from custody were less likely to re-offend than similar offenders who did not get P45 employment;
* for custodial sentences of less than one year, the one year proven re-offending rate was 9.4 percentage points lower for those who found P45 employment after release than for the matched comparison group;
* for sentences lasting one year or more, the one-year re-offending rate was 5.6 percentage points lower for those who found P45 employment than for the matched comparison group;
* the time from release until first re-offence was longer for offenders who got P45 employment than for the matched comparison group, who did not get P45 employment.

Research by Ipsos MORI, commissioned jointly by MoJ and former BIS, showed that:

* compared with non-learners, prisoners who had undertaken OLASS3 learning had a one year proven re-offending rate that was 7.5 percentage points lower;
* compared with non-learners, prisoners who had undertaken OLASS3 learning were 1.8 percentage points higher likelihood of being in P45 employment post-release;
* the net economic benefit associated with learning in prison was £5,400 - £5,600 per learner.

**Exceptional Delivery Regime model: Prison Education (including libraries, Information Advice and Guidance and DPS).**

**Guide to weightings/prioritisation (mandatory tasks only)**

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| Value | Description |  |
| 3 | Highest– action required as a precursor to other tasks | |
| 2 | Medium – action required as part of wider work | |
| 1 | Lowest – action required once others have been completed | |

**Guide to autonomy levels (mandatory tasks only)**

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| Value | Description |  |
| Total | Establishment has total autonomy to determine the design of the product that satisfies the baseline | |
| Partial | Establishment has partial autonomy – the ability to choose from pre-determined delivery options (which are specified) | |
| Limited | Establishment has limited autonomy and must deliver the product as stipulated | |

**Exceptional Delivery Regime model: Prison Education (including libraries, Information Advice and Guidance and DPS).**

Terminology.

“**Education space**” – these include anywhere used for education and learning such as classrooms, one to one learning rooms, workshops, libraries, and interview rooms used for Information Advice and Guidance or other educational purposes.

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| **Area/Process** | **Baseline** | **Weighting (1,2,3)** | **Autonomy Level**  **(total, partial, limited)** | **Comments/Sources of information** |
| **Mandatory actions** | | | | |
| **1 - Preparation staff and learners returning to classroom style education.** | **1.1** Conduct a local review of existing classroom Risk Assessments including access and egress for staff and learners in and around the education area.  Consider if one-way systems or staggered start times could assist or be appropriate to meet social distancing requirements. | **3** | **Total** |  |
| **1.2** Conduct a local review of designated education spaces (size and layout) to meet social distancing requirements for staff. Including (where applicable):  - Number of staff  - Number of desks/tables in learning spaces  - Potential numbers of learners  - Classrooms  - Workshops  - Libraries  - One to one learning spaces  - Education office(s)  - Staff rest room  - Staff toilets  - Store rooms | **3** | **Total** |  |
| **1.3** Conduct a local review of designated education spaces (size and layout) to meet social distancing requirements for learners including (where applicable): -  - Number of learners  - Number of desks/tables in learning spaces  - Number of staff  - Classrooms  - Workshops  - One to one learning spaces  - Toilets | **3** | **Total** |  |
| **1.4** Conduct a local review ofthe arrangements for the safe issuing of equipment and resources ensuring that they are cleaned before being returned to the shadow board / store room. | **3** | **Total** |  |
| **1.5** Conduct a local review ofthe safe issuing of resources and receipt of work to be handed in. For Libraries this should include means by which books could be safely distributed (such as consideration of ordering specific titles rather than in person browsing); and the length of time and process of quarantine for Library books once handed in. | **2** | **Total** |  |
|  | **1.7** Conduct a local review on the availability of PPE provided by the Supplier for their staff which has been designated as necessary and ensure there are adequate provisions. | **3** | **Total** |  |
|  | **1.8** Small numbers of education (including libraries) staff may be required on site to support the delivery of this EDM and to facilitate and support in cell learning. On occasion the National Education Contract Management Team may need to be on site to facilitate contract meetings. On this basis, Governors will review their Safe Systems of Work and will act to ensure that Social Distancing measures are implemented within education spaces and other areas where education (including libraries) and Contract Management staff may be required to work (such as in interview rooms on the wing). | **3** | **Total** |  |
|  | **1.9** When risk assessments indicate more broadly, that prison regime restrictions can start to ease; increased numbers Education (including IAG) and Libraries staff and the National Education Contract Management Team may need to be on site to start to move from an in cell learning delivery model, towards one to one facilitated learning or small group face to face teaching. |  |  |  |
| **Area/Process** | **Baseline** | **Weighting (1,2,3)** | **Autonomy Level**  **(total, partial, limited)** | **Comments/Sources of information** |
| **2 – Preparation of security processes** | **2.1** Conduct a local review of existing education space Security Risk Assessments focusing on the arrangements for the searching of learners on entry and egress into the classroom. | **3** | **Total** | Local Security Strategy |
| **2.2** Conduct a local review of the control of tools, equipment and materials. Consider if the volumes of tools, equipment and materials can be increased to avoid cross contamination. | **2** | **Total** | Local Security Strategy |
| **Area/Process** | **Baseline** | **Weighting (1,2,3)** | **Autonomy Level**  **(total, partial, limited)** | **Comments/Sources of information** |
| **3 – Management Checks** | **3.1** Review local management checks that will be undertaken by the Learning and Skills Manager ensuring they have been updated to include additional checks on COVID controls. | **2** | **Total** |  |

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| **Area/Process** | | **Baseline** | | **Weighting (1,2,3)** | | **Autonomy Level**  **(total, partial, limited)** | | **Comments/Sources of information** |
| **4 – Stakeholder management** | | **4.1** Although all revisions to the arrangements for Education will besubject to consultation with recognised Trades Unions as part of the Establishment Regime Management Plan, a local internal stakeholder engagement plan must be developed to assist in consulting and communicating any revised working arrangements with:  - PEF, DPS, IAG and Library and Prison Staff  - Shannon Trust  - Learners  - Activities hub  - OMiC Team  - Workshop Teams | | **3** | | **Total** | |  |
| **4.2** Develop a local external stakeholder engagement plan to assist in consulting and communicating with any:  - Common Awarding Organisations  - Other Govt departments e.g. DWP  - Open University  - Prisoner Education Trust  - University College Union (Provider led engagement) | | **2** | | **Total** | |  |
| **4.3** Develop a local external stakeholder engagement plan in partnership with PSPI to assist in communicating with any:  - commercial or training partners/customers | | **2** | | **Partial** | |  |
| **5 –**  **Verification & Quality processes** | | **5.1** Conduct a local review of the strategy for conducting internal verification and Quality Assurance activities. | | **3** | | **Total** | |  |
| **6 - Reimplementing a curriculum** | | **6.1** In collaboration with providers, review learner need data to ascertain priority areas of provision and provision that could be delivered through alternative models. Consideration should be given to when education could be delivered (day time, evening, weekend), how it could be delivered (face to face, in cell peer support on the wings, in cell, via in cell telephony and digital including how methods could be combined and how learners could access different elements such as in shifts). Method of delivery and allocation of learners must consider learner health need (such as the need to shield/isolate or for those who are symptomatic). Education teams should also, wherever possible, seek to engage with individual learners about their learning goals and aspirations during the constraints of the recovery period, informing the amendment of Learning Delivery Plans as appropriate.  The outcome should be incorporated into a mobilisation plan which shows incrementally how education delivery will be increased within the prison. In addition, an end state curriculum and new agreed Annual Delivery Plan which reflects education provision up and running at full capacity with COVID related management measures implemented must be completed. | | **3** | | **Partial** | |  |
| **7**  **Review Education Contracts delivery models** | | **7.1** Once new regimes are developed in the COVID safe environment, Education Teams to work with PEF, DPS and Library providers to finalise delivery plans.  **7.2** Since the end of March 2020, all PEF, DPS and Library suppliers have been offerded COVID supplier relief to protect and preserve their capacity to deliver. Under COVID supplier relief they are contractually obliged to use best endeavours to collaborate and agree with HMPPS the development of revised delivery models and provision of further materials for use in cell throughout the COVID relief period. To note the EDM will also support the transition planning principle which has been introduced under the Cabinet Office PPN04/20 (published 10 June).  **7.3** In cell materials should be of good quality and reflect the curriculum. Learning packs should be marked by teachers and suppliers must have a process in place to do this and provide feedback to learners. Prisons should work with PEF providers to ensure this is the case.  **7.4** PEF suppliers have Business Continuity and Disaster Recovery plans in place and elements of these may need to be invoked as part of EDM – to be agreed by both supplier and HMPPS. Annual Delivery Plans should be amended/refreshed and agreed to reflect EDM as part of PEF service delivery. The existing model and pricing mechanism should be used for EDM as appropriate.  **7.5** For DPS and Library contracts, if these have the same contract outputs as originally commissioned by the Prison (e.g. delivery of qualifications, learning or service objectives) but an alternative delivery model is put in place, provided the contract period or contract value are not altered then the contract can proceed.  **7.6** Agreement should be sought with the Contract Management Team of a new or alternative delivery plan provided by the Supplier, to enable accountability. If the contract delivery dates need to be changed (i.e delayed delivery till latter in the year), or other contractual changes are required, prison-based Education Teams must contact the Commercial team to seek guidance on whether it is possible to change the contract, via the change notice procedure. This is a critical legal activity and is a mandated requirement. | | **2** | | **Partial** | |  |
| **8 -**  **Engaging Learners** | | **8.1** In collaboration with Education Providers, develop communications that ensure the prison population are informed about the status of education, including when face to face learning will recommence.  **8.2** Review Curious data to ascertain those learners who were engaged in learning at the point regimes closed. As a priority, determine the most appropriate means for restarting their learning with reference to what provision and type of delivery is available at the time according to the ramp up curriculum.  **8.3** Identify those learners who have commenced learning during lock down using in cell materials and determine the most appropriate means to continue their learning given what is available at the time according to the ramp up curriculum.  **8.4** Considering Personal Learner Plans (PLPs), prisons and providers should work together to establish priority groups to engage in face to face learning. This should consider local factors such as security and safety and learner need. Make up of prisoner pods/cohorts/bubbles applied as health protection measures locally will also influence this decision making.  **8.5** Allocation processes to face to face teaching should give due regard to underlying medical conditions of potential learners which would place them in the category requiring shielding. | | **2**  **2**  **2** | | **Total**  **Total**  **Total** | |  |
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| **Desirable actions** | | | | | | | | |
| **9** | **9.1** Where possible, consider the introduction of resource kits or terminals allocated to the same learner every day to prevent the sharing of equipment.  **9.2** As provision begins to increase, numbers and characteristics of learners invited back into education should be monitored to identify equality of access into provision or if there are COVID related reasons why reasons why equality of access has not been achieved.  **9.3** Prisons should review future plans and requirements for DPS contracts for the rest of the year and consider how best to use the funding available in the new operating environment. | | **1**  **3**  **2** | | **Total**  **Total**  **Total** | |  | |

1. https://www.gov.uk/government/uploads/system/uploads/attachment\_data/file/633198/pnc-ilr.pdf [↑](#footnote-ref-2)
2. https://www.gov.uk/government/uploads/system/uploads/attachment\_data/file/217412/impact-employment-reoffending.pdf [↑](#footnote-ref-3)