



Prison Education & Library Services for adult prisons in England Policy Framework

Reference: [Click here to enter text.](#)

Issue Date: 01/04/2019

Implementation Date: 01/04/2019

Replaces the following documents (e.g. PSIs, PSOs, Custodial Service Specs) which are hereby cancelled:

PSI 20/2000 Education Key Performance Indicator: Measuring basic skills attainment.

Introduces amendments to the following documents:

The education related elements of the following PSIs and Output 2 from the Prisoner Employment, Training & Skills Service Specification no longer apply to prisons in England – please note that they do still apply in Wales and the elements not related to education, e.g. employment, are still applicable in England and Wales:

PSI 06/2012 Prisoner employment, training and skills

PSI 32/2012 Open University, Higher Education and distance learning

PSI 02/2015 Prison Library Service

Prisoner Employment, Training & Skills Service Specification, Output 2

Action required by:

<input type="checkbox"/>	HMPPS HQ	<input checked="" type="checkbox"/>	Governors
<input checked="" type="checkbox"/>	Public Sector Prisons and over 18s Young Offender Institutions in England	<input checked="" type="checkbox"/>	Heads of Group
<input checked="" type="checkbox"/>	Contracted Prisons in England	<input type="checkbox"/>	Community Rehabilitation Companies (CRCs)
<input type="checkbox"/>	National Probation Service	<input type="checkbox"/>	HMPPS-run Immigration Removal Centres (IRCs)
<input type="checkbox"/>	HMPPS Rehabilitation Contract Services Team	<input type="checkbox"/>	Youth Custody Estate
<input type="checkbox"/>	Other providers of Probation and Community Services	<input checked="" type="checkbox"/>	Women's Estate

Mandatory Actions: All groups referenced above must adhere to the Requirements section of this Policy Framework, which contains all mandatory actions.

For Information:

The aim of this Policy Framework is to detail the minimum mandatory requirements which are needed to deliver education and library services in adult prisons in England.

The Policy Framework supports the implementation of reforms that give Governors¹ greater control of education within their prisons and the ability to set the strategic vision for their establishment's education programme, ensuring this is delivered in the best way for their prisoners.

¹ The term Governor also applies to Directors of Contracted Prisons in English prisons. Where appropriate, it may mean the Governor's authorised representative, the Learning and Skills representative (or the equivalent person who has responsibility for education or libraries in the establishment).

Governors must ensure that any new local policies that they develop because of this Policy Framework are compliant with relevant legislation, including the Public-Sector Equality Duty (Equality Act, 2010), the Human Rights Act 1999, the European Convention on Human Rights and the General Data Protection Regulation 2016.

All other PSIs/PSOs, specifications and Policy Frameworks should also be followed, many of which will require action on behalf of the prison when working with their education and library providers (for example safety and security protocols, data sharing requirements etc).

How will this Policy Framework be audited or monitored?

Governors are accountable for ensuring compliance with the mandatory actions set out in this Policy Framework.

Resource Impact: The processes and requirements contained within the Policy Framework are deliverable within the existing resource allocation for education in prisons and do not need further resources.

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Deputy/Group Director sign-off: Prison Education Programme Board

Approved by OPS for publication: Michelle Jarman-Howe, Executive Director
Public Sector Prisons South Joint Chair, Operational Policy Sub-Board, March 2019

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1. Purpose

Education

- 1.1 Education in prisons aims to give individuals the skills they need to unlock their potential, gain employment and become assets to their communities. It should also build social capital and improve the wellbeing of prisoners during their sentences and once released.

Prison Library

- 1.2 The prison library aims to provide an accessible service which has a focus on supporting learning, improving literacy and other barriers to effective resettlement. It should promote reading as a source of pleasure and provide prisoners with opportunities for wider cultural engagement.

2. Evidence

- 2.1 Participation in prison education is proven to reduce reoffending, increase the likelihood of P45 employment and carry a net benefit of approximately £5,400 to £5,600 per learner. The research document links can be found at section 5.

3. Outcomes

- 3.1 The high-level service outcomes for this Policy Framework are:

- Prisons offer learning provision that is appropriate to the needs and aspirations of its prisoners, taking account of the prisoner cohort, and is responsive to the evolving employment markets in the areas into which prisoners will be released.
- Prisoners are engaged and supported - from their arrival in prison to their release - (where relevant), to access learning and education that best meets their needs and ensures they can attain their personal, learning and employment goals and enhances their ability to get and keep employment on release.
- Prisoners are able and encouraged to develop in a way that will:
 - build social capital;
 - improve their employability;
 - improve their life skills and wellbeing (both in and outside of prison); and
 - support a reduction in reoffending.
- All prisoners are regularly able to access appropriately stocked libraries that support them in their learning and personal development.
- All prisoners are encouraged to undertake reading for pleasure and improve literacy skills.

4. **Requirements**

Education - Legal Requirements

- 4.1 Section 86 of the Apprenticeships, Skills, Children and Learning Act 2009² provides that the Secretary of State must secure the provision of such education and training facilities as he considers appropriate for education and training suitable to the requirements of persons who are subject to adult detention. Adult detention applies to persons subject to a detention order, aged 19 or over, or aged under 19 and detained in a prison or a YOI, or part of a YOI, used wholly or mainly for those aged over 18, for example persons sentenced to prison and those on remand in custody.
- 4.2 Under Rule 32 of the Prison Rules 1999³:
- (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.
- 4.3 Under Rule 38 of the Young Offender Institution Rules 2000⁴:
- (1) Provision shall be made at a young offender institution for the education of inmates by means of programmes of class teaching or private study within the normal working week and, so far as practicable, programmes of evening and weekend educational classes or private study. The educational activities shall, so far as practicable, be such as will foster personal responsibility and an inmate's interests and skills and help him to prepare for his return to the community.
 - (2) In the case of an inmate of compulsory school age, arrangements shall be made for his participation in education or training courses for at least 15 hours a week within the normal working week.
 - (3) In the case of an inmate aged 17 or over who has special educational needs, arrangements shall be made for education appropriate to his needs, if necessary within the normal working week.
 - (4) In the case of a female inmate aged 21 or over who is serving a sentence of imprisonment or who has been committed to prison for default and who is detained

² <https://www.legislation.gov.uk/ukpga/2009/22/section/86>

³ <http://www.legislation.gov.uk/uksi/1999/728/made>

⁴ <http://www.legislation.gov.uk/uksi/2000/3371/article/38/made>

in a young offender institution instead of a prison, reasonable facilities shall be afforded if she wishes to improve her education, by class teaching or private study.

- 4.4 The Governor is responsible for ensuring that the structure and fabric of the training environment, together with the impact of prison operations on education activity, meet the requirements of the Health & Safety at Work Act 1974⁵ and its associated statutory instruments. The education provider is responsible for ensuring that education equipment and activities also comply.
- 4.5 The Governor must comply with Regulations on prisoner eligibility for tuition fee loans for higher level study (level 3 and above)⁶. In addition to meeting the standard eligibility conditions that the general population needs to satisfy, a prisoner applying for a tuition fee loan must meet specific 'prisoner eligibility' conditions. These include that they must be serving a sentence of imprisonment in the United Kingdom, or in the case of an Advanced Learner Loan, serving a sentence of imprisonment in England, (therefore persons on remand do not meet these prisoner eligibility conditions) and be within a specific period of time before they are released from prison.
- 4.6 To qualify for:
- an undergraduate tuition fee loan - a prisoner must be within six years of their earliest release date on the first day of the first academic year of the course or part-time course. See full eligibility requirements in the regulations at: www.legislation.gov.uk/ukxi/2011/1986/pdfs/ukxi_20111986_en.pdf
 - an Advanced Learner Loan - a prisoner must be within six years of their earliest release date on the first day of the course. See full eligibility requirements in the regulations at: www.legislation.gov.uk/ukxi/2012/1818/made
 - a postgraduate master's loan - a prisoner must be within four years of their earliest release date on the first day of the first academic year for the course. See full eligibility requirements in the regulations at: www.legislation.gov.uk/ukxi/2016/606/pdfs/ukxi_20160606_en.pdf
 - a postgraduate doctoral loan - a prisoner must be within eight years of their earliest release date on the first day of the first academic year for the course. See full eligibility requirements the regulations at: www.legislation.gov.uk/ukxi/2018/599/contents/made
- 4.7 For prisoners with indeterminate sentences, the minimum period of imprisonment set at trial (the sentence tariff) should be treated as the earliest release date.
- 4.8 In order for a prisoner to be eligible to apply for a tuition fee loan, the Governor or other appropriate authority must give approval for the prisoner to study the chosen course.

⁵ www.legislation.gov.uk/ukpga/1974/37/section/2

⁶ This section applies to English prisoners (and in the case of the Advanced Learner Loan, prisoners serving a sentence of imprisonment in England). See the Open University, Higher Education and distance learning guidance document for information on loan arrangements for prisoners from Wales.

Education – Other Requirements

- 4.9 Governors must ensure that education providers deliver a core common curriculum of English, maths, information and communication technology (ICT) and English for Speakers of Other Languages (ESOL). The Governor can decide upon the other services that will make up their education offer, but must meet the definition (purpose) of education as set out in paragraph 1.1.
- 4.10 Governors must comply with the 12 mandations set out in paragraphs 4.11 – 4.22. These requirements apply to learning delivered anywhere in the prison.
- 4.11 Governors must ensure that sentenced prisoners⁷ have an assessment of their maths and English levels on entry to prison, when they transfer between prisons, and prior to release. Guidance on mandatory assessments referenced in section 5 sets out how different education assessments for prisoners should be approached.
- Output: Assessment results provide an understanding of prisoners' levels of literacy and numeracy and inform the personal learning plan goals that seek to progress the learner to at least Level 2.
 - Output: Prison level data is available to allow the production of progress measures, comparing prisoners' attainment in maths and English on release/transfer with those at reception into prison.
- 4.12 Governors must ensure that sentenced prisoners are screened for learning difficulties and/or disabilities (LDD) on first reception.
- Output: Clear and detailed results and reports are produced as specified in Schedule C16 of the Prison Education Framework Specification (para 2.59), and used inform the additional learning support needed to ensure the learner can achieve and progress in education. For more information, see the LDD guidance document linked to at section 5.
- 4.13 Governors must ensure that maths and English assessment results and LDD screening results are recorded on a central system so that data is stored for future use and available across the estate.
- Output: A single record is created for prisoners, reducing the risk of duplicating data and information.
 - Output: Prisoner data can be accessed by all establishments, reducing the chances of prisoners being unnecessarily assessed on subsequent receptions because data does not follow them around the estate.
- 4.14 Governors must ensure that all sentenced prisoners have personal learning plans in place that specifies the educational activity that should be undertaken during their sentence, supporting their rehabilitation journey and any employment aspirations. Plans should record important information such as assessment outcomes and required additional learning support identified via LDD screening. This plan must be subject to regular review, be

⁷ Wherever the term prisoner is used in these mandations, we also, by extension, mean those on remand who will be engaging with education, and it is for Governors to decide how to approach education with remand prisoners.

sequenced with the sentence plan, and shared with key partners such as the Offender Management Unit and key workers.

- **Output:** Personal learning plans are in place for sentenced prisoners and set out their educational journey, providing clear aims and objectives to support their rehabilitation.

4.15 Governors must ensure that personal learning plans are recorded on a central system, creating a single truth for each prisoner that provides consistency for them in their journey through the prison system. The system will work in a way that captures data from plans in order to support the development performance measures.

- **Output:** Plans can be accessed by all necessary parts of the estate, for example when a prisoner moves between establishments the receiving one can access the plan and continue to support the education journey of that prisoner, key workers will be able to see the plans for their prisoners and support them in education.

4.16 Governors must ensure that education providers, and prison staff who deliver learning, record learning against the personal learning plan.

- **Output:** An accurate and up to date personal learning plan is in place which enables proper monitoring and management of individual learner progression, and enables production of summary and individual level data on system performance in delivering against milestones.

4.17 Governors must ensure that maths and English delivery is adjusted to the needs of the establishment's learners and focused on progression to at least Level 2.

- **Output:** Learning provision is available to raise prisoners' levels of maths and English attainment towards at least Level 2.

4.18 Governors must ensure that education providers, and prison staff who deliver qualifications, use specific awarding bodies in the following seven subject areas:

Maths	The City and Guilds of London Institute
English	The City and Guilds of London Institute
Information and Communication Technology (ICT)	Oxford Cambridge and RSA Examinations (OCR)
English for Speakers of Other Languages (ESOL)	Gateway Qualifications
Catering & Hospitality	The City and Guilds of London Institute
Construction, Planning & the Built Environment	The City and Guilds of London Institute
Cleaning & Facilities Management	WAMITAB (Waste Management Industry Training and Advisory Board)

- **Output:** Prisoners who transfer to a different prison part-way through a course in any of the seven subject areas mentioned above are able to bank and build on their progress, helping to ensure consistency in the learning journey.

4.19 Governors must ensure that education providers, and prison staff who deliver learning, submit monthly data on the education delivered.

- Output: Management information is available on the prison education services being delivered and it can be used to assess quality and manage performance both locally and nationally.
- 4.20 Governors must ensure that education providers' staff, and those prison staff who deliver learning, are appropriately trained and qualified to develop and meet the additional support needs of prisoners with LDD.
- Output: A prisoner will have sufficient, focused and professional support that will enable them to achieve their full potential and achieve against milestones in their Personal Learning Plan.
- 4.21 Governors must ensure that education providers' staff, and those prison staff who deliver learning, receive effective Continuing Professional Development.
- Output: teaching staff are developed which will support the raising of education standards.
- 4.22 Governors must ensure that all prison information, forms and digital systems are available and/or designed with suitable adaptations to support those with dyslexia and other LDD.
- Output: Prison learners with dyslexia and other LDD will be able to access materials and information which has been designed or adapted to support their specific needs and enable them to achieve their full potential and progress against milestones in their Personal Learning Plan.

Prison Library Service – Legal Requirements

- 4.23 The Prison Rules 1999⁸, and Young Offender Institution Rules 2000⁹, as amended, place on the Secretary of State the responsibility for ensuring that each Prison Service Establishment has a library, and that, subject to any directions of the Secretary of State, the prisoners of those establishments have facilities to use and exchange books.
- 4.24 Governors must ensure - as a minimum - that a prisoner's statutory entitlement to library provision is met.
- 4.25 Article 6 of the European Convention on Human Rights includes the requirement that individuals must be afforded enough time and facilities to prepare their defence.

Mandatory Publications

- 4.26 The following publications must be made available in prison libraries:
- Archbold's Criminal Pleading, Evidence and Practice
 - The Civil Procedure Rules

⁸ www.legislation.gov.uk/uksi/1999/728/article/33/made

⁹ www.legislation.gov.uk/uksi/2000/3371/article/26/made

- Extant Prison Service Instructions (PSIs) and Prison Service Orders (PSOs), Policy Frameworks (when published) excluding those that have restrictions placed on them.

4.27 Prison library guidance can be found using the link in section 5.

Legal Requirements that apply to both Education and the Prison Library Service

4.28 All systems must be fair throughout and Governors must ensure that relevant impact assessments are in place to support the local policy, including monitoring against protected characteristics. Governors must undertake an Equality Analysis, and ensure compliance with the Equality Act 2010.

Accounting process for education funded by the prisoner or from third parties

4.29 External donations (from relatives, charities etc.) received for individual prisoners specifically for the purpose of their education course fees must be ring-fenced and paid into a special fund account within the Special Fund Control Account code 2617902093 using an appropriate analysis code.

4.30 Should the prisoner move to another public sector establishment, the transferring establishment must move any residual amount via Inter Unit Charge (IUC) to the receiving establishment. The IUC transfer must be accompanied with full details. See [PSI 37/2013 NOMS Finance Manual](#) for further guidance.

4.31 If a prisoner transfers to or from a private sector establishment, the transferring establishment must send a manual cheque to the receiving prison with a breakdown of the figures and the receiving prison must arrange for their offender management and accounting systems to be updated to reflect the credit.

4.32 If the prisoner is to be released and there is still residue funding, arrangements must be made for any remaining element of the funding prior to their release as follows:

- a) Funding from prisoners – the residue funding must be credited to the prisoner's account and returned to the prisoner on their release.
- b) Funding from a third party – the residue funding must be returned to the original fund-provider with a note giving full details and reasons, unless specific action has been agreed in advance with the fund provider.

4.33 For further guidance contact your finance business partner.

5. Supporting guidance – any documents not hyper-linked to below will be available on the HMPPS intranet.

- 5.1 12 mandates operational detail
- 5.2 Assessment and Screening;
- 5.3 Learning difficulties and disabilities;
- 5.4 Information, advice and guidance (including Personal Learning Plans);
- 5.5 Library services;
- 5.6 Higher education and distance learning;
- 5.7 Teacher Quality Management Plans;
- 5.8 [Ofsted inspections](#);
- 5.9 [Unlocking Potential: A review of education in prison by Dame Sally Coates](#);
- 5.10 [Education and Employment Strategy 2018](#);
- 5.11 [Prison Safety and Reform White Paper 2016](#);
- 5.12 *Research on the effect of education on reducing reoffending:*
 - 5.12.1 [Evaluation of prisoner learning](#);
 - 5.12.2 [Exploring the outcomes of prisoner learners](#).