



**OFFICIAL**

**HMP Millsike**

**Commercial and Contract Management Directorate**

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**SCHEDULE 1 PART 2:**

**EDUCATION**

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**1. Definitions**

- 1.1 For the purpose of this **Part 2 (Education) of Schedule 1 (Authority's Custodial Service Requirements)** unless the context otherwise requires:

**"Annual Education Delivery Plan"** has the meaning given to it in **paragraph 3.2.3 (Requirements);**

**"Careers Information, Advice and Guidance Services" or "CIAG Services"** has the meaning given to it in **paragraph 2.3 (Careers Information, Advice and Guidance Services);**

**"Education Standards"** has the meaning given to it in **paragraph 4.1 (Quality and effectiveness of the Education Services, the Prison Library Services and the CIAG Services);**

**"Observation of Teaching and Learning" or "OTL"** has the meaning given to it in **paragraph 4.5 (Quality and effectiveness of the Education Services, the Prison Library Services and the CIAG Services);**

**"Ofsted"** means the 'Office for Standards in Education, Children's Services and Skills' and is responsible for inspecting and regulating services that care for children and young people, and services providing education and skills for learners of all ages;

**"Personal Learning Plan" or "PLP"** means the plan specifying the educational activity that should be undertaken during a Prisoner's sentence, supporting their rehabilitation journey and any employment aspirations identified as part of the CIAG Services;

**"Prison Education Framework Specification"** means the specification setting out the Authority's requirements for the Education Services (contained in the USB Drive entitled 'HMP Millsike Schedule Appendices' as is annexed to this Contract with the document name 'Sch 1 P2 App 1 (Prison Education Spec));

**"Prison Library Services"** has the meaning given to it in **paragraph 2.2 (The Prison Library Service);**

**"Teacher Quality Management Plan"** has the meaning given to it in **paragraph 3.2.7.1 (Requirements);** and

**"YOI"** means a 'Young Offender Institute'.

## **2. Background**

### **2.1 Education Services**

2.1.1 The provision of education in prisons is a statutory duty. Section 86 of the Apprenticeships, Skills, Children and Learning Act 2009<sup>1</sup> 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. 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.

2.1.2 The purpose of education in prisons is to equip prisoners with numeracy, literacy, skills and qualifications that they need to unlock their potential, gain apprenticeships and employment, and become assets to their communities. It should also build social capital and improve the well-being of prisoners during their sentences and once they are released from prison.

### **2.2 The Prison Library Service**

2.2.1 As part of the Custodial Services, the Contractor will be responsible for delivering Prison Library Services for the whole Prison. The provision of a Prison Library Service is a statutory duty. The aim of the Prison Library Service is to provide a library service accessible to all Prisoners based on their needs and requirements, which supports the reducing re-offending agenda and other resettlement pathways; and is appropriate to the needs of specific establishments. It should have a focus on improving literacy and other barriers to effective resettlement which assists all Prisoners in making the transition from custody to community.

2.2.2 In providing the Prison Library Services, the Contractor shall:

2.2.2.1 provide services to Prisoners in line with relevant Authority Policy (currently PSI 02/2015 Prison Library Service); and

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<sup>1</sup> <https://www.legislation.gov.uk/ukpga/2009/22/section/86>

- 2.2.2.2 ensure that the Prison Library Services provided engage and support the progression of each Prisoner's needs in accordance with the requirements of the Equality Act 2010.

## **2.3 Careers Information, Advice and Guidance Services**

- 2.3.1 As part of the Custodial Services, the Contractor shall deliver CIAG Services. The Contractor will provide impartial and high-quality careers information advice and guidance in the Prison that will help Prisoners to realise their career aspirations, map pathways of education, skills and work and set specific, measurable, achievable, realistic and time-bound (“SMART”) goals, and measure subsequent goals accordingly. The CIAG Service will be accessed from induction throughout a Prisoner’s sentence, and on to the community where it is expected that a Prisoner’s PLP will be handed over to the Probation Provider.
- 2.3.2 In providing the CIAG Services, the Contractor shall;
  - 2.3.2.1 ensure that the CIAG Services empowers Prisoners to set SMART career goals, and supports them to navigate the education, skills and work landscape within the prison;
  - 2.3.2.2 ensure that CIAG Services must be person-centred and flexible to support the holistic needs of an individual and their aspirations; and
  - 2.3.2.3 provide the CIAG Services in accordance with the requirements set out in **Appendix 2 (Careers Information, Advice and Guidance Services)**.

## **3. Requirements**

- 3.1 Pursuant to **paragraph 2 (Background)** of this **Part 2 (Education) of Schedule 1 (Authority's Custodial Service Requirements)**, the Contractor shall deliver Education Services and Prison Library Services and CIAG Services as part of the Regime that meets the need of the applicable Prisoner cohort(s) and Prison Function.
- 3.2 In providing the Education Services, Prison Library Services and CIAG Services, the Contractor shall:
  - 3.2.1 provide education opportunities to Prisoners to meet the Policy Framework for Education Services, Prison Library Service and CIAG Services (and shall ensure that of any of its Sub-Contractors or other third parties who provide Education Services, Prison Library Services and/or CIAG Services also comply with this Policy Framework);

- 3.2.2 deliver Education Services, Prison Library Services and CIAG Services in line with the mandatory requirements set out in the Prison Education Framework Specification and in line with the requirements set out in the “Prison Education & Library Services for adult prisons in England Policy Framework”, as amended from time to time. In the event that any of the Authority’s requirements referred to in this **Part 2 (Education) of Schedule 1 (Authority’s Custodial Service Requirements)** or **Part 1 (Custodial Services) of Schedule 1 (Authority’s Custodial Service Requirements)** are amended, the Contractor shall comply with the new set of requirements as defined by the Authority and in line with the requirements set out in the “Prison Education & Library Services for adult prisons in England Policy Framework”;
- 3.2.3 submit for the Authority’s approval, an annual education delivery plan, which outlines the plan for education delivery for the year ahead (as informed by the needs analysis of the population) and sets out the planned curriculum inclusive of delivery expectations including, but not limited to, the number of spaces available, course durations and learning hours (“**Annual Education Delivery Plan**”). A draft plan shall form part of the Initial Custodial Service Delivery Plan and shall subsequently be reviewed and submitted as part of the Annual Custodial Service Delivery Plan pursuant to **clause 24 (Annual Custodial Service Delivery Plan)**;
- 3.2.4 submit for the Authority’s approval, and thereafter maintain, an overarching strategy setting out the intent, implementation and impact of the Education Services, Prison Library Services, CIAG Services, Prison Industries and Prison Work in accordance with Ofsted’s standards (as further described in **paragraph 4.1 (Quality and Effectiveness of Education, the Prison Library Services and CIAG Services)**), which shall take into account the requirements of **paragraph 5 (Cleaning) of Schedule 11 (Property and Facilities Management)**, **paragraph 19 (Sustainability Training and Skills) of Schedule 12 (Sustainability)** and **paragraph 5 (Prisoner Work) of Part 3 (Prison Industries) of Schedule 1 (Authority’s Custodial Requirements)**. The strategy shall be reviewed and updated to ensure compliance with **paragraph 4.1** of this **Part 2 (Education) of Schedule 1 (Authority’s Custodial Service Requirements)** as part of the Annual Custodial Service Delivery Plan pursuant to **clause 24 (Annual Custodial Service Delivery Plan)** and **Part 1 (Custodial Services) of Schedule 1 (Authority’s Custodial Service Requirements)**;
- 3.2.5 ensure that the Education Services, the Prison Library Services and the CIAG Services provided engage and support the progression of each Prisoner’s needs in accordance with the requirements of the Equality Act 2010;
- 3.2.6 put in place a physical environment at the Prison that is conducive to learning, for example, using study areas, workshops, gymnasias and classrooms as appropriate;

- 3.2.7 ensure that Education Services reflect and, where possible, directly link to national employment opportunities and shall:
  - 3.2.7.1 produce, maintain and agree with the Authority a plan that includes qualifications held by teaching staff, common professional development planned in-year, other actions to drive quality and a recruitment and retention strategy (the "**Teacher Quality Management Plan**"); and
  - 3.2.7.2 implement the Teacher Quality Management Plan in respect of each Contract Year which describes in detail the arrangements to maintain and improve teacher quality in line with the requirements of this Education Schedule; and
- 3.2.8 produce a report each quarter detailing the actions (CPD, training, recruitment, observation etc.) completed against the Teacher Quality Management Plan, tracking progress against any targets agreed as part of the plan.
- 3.3 In providing the Education Services, Prison Library Services and the CIAG Services, the Contractor shall ensure:
  - 3.3.1 The Education Services, Prison Library Services and CIAG Services are delivered safely, effectively, efficiently and in a timely manner;
  - 3.3.2 There is timely access by the Education Provider to Prisoners as part of the Prisoner induction process for assessment and delivery of Education Services and CIAG Services;
  - 3.3.3 there is a Prisoner appointment system for education activities and the notification of appointments to Prisoners;
  - 3.3.4 that all Prisoner movement takes place in a timely manner to and from education activities including the escorting of Prisoners where required (and as determined by local risk assessment and management processes pursuant to **Part 1 (Custodial Services) of Schedule 1 (Authority's Custodial Service Requirements)**);
  - 3.3.5 all education staff movement occurs in a timely manner into and around the Prison and/or wider Site wherever they are required to deliver Education Services, including escorting any education staff where required (and as determined by local risk assessment and management processes pursuant to **Part 1 (Custodial Services) of Schedule 1 (Authority's Custodial Service Requirements)**);



- 3.3.6 it provides and maintains a safe working environment including the supervision of Prisoners moving to, from or waiting for education activities pursuant to **Part 1 (Custodial Services)** of **Schedule 1 (Authority's Custodial Service Requirements)**;
- 3.3.7 (as applicable) there is joint working with all other service providers in the Prison to identify and minimise Prisoner activity clashes (including family and legal visits);
- 3.3.8 that a robust disability liaison function is in place which covers all disabilities including physical and learning disability and difficulties, autistic spectrum conditions and other matters to comply with all Legislation relating to equality and disability pursuant to **clause 29 (Compliance)**;
- 3.3.9 that all Prisoners are assessed for reading ability, ESOL (English Speakers of Other Languages) needs, digital literacy and also a potential learning disability or autistic spectrum condition using a recognised screening tool (in line with such specifications and instructions as may be provided by the Education Provider) and that such information is shared with other Relevant Authorities to inform the Prisoner's overall management by the Contractor pursuant to **Part 1 (Custodial Services)** of **Schedule 1 (Authority's Custodial Service Requirements)**; and
- 3.3.10 that the culture of rehabilitation within the Prison promotes education opportunities.

**4. Quality and effectiveness of the Education Services, the Prison Library Services and the CIAG Services**

- 4.1 The Contractor shall implement and maintain a system for monitoring quality and effectiveness of the provision of the Education Services, Prison Library Services, CIAG Services, Prison Industries and Prison Work to deliver in line with Ofsted's standards for 'grade 2: good' or 'grade 1: outstanding' Education Services (as set out in the 'The evaluation schedule and grade descriptors' of Ofsted's 'Handbook for the inspection of education, skills and work activities in prisons and young offender institutions (Oct 2022) and HMIP standards (the "**Education Standards**") (as all may be amended from time to time)).
- 4.2 The Contractor shall undertake an assessment of the Education Services, Prison Library Services, Prison Industries, CIAG Services and Prison Work (including pursuant to **paragraph 5 (Cleaning)** of **Schedule 11 (Property and Facilities Management Services)**) including feedback from Prisoners, as part of the Annual Custodial Service Delivery Plan pursuant to **clause 24 (Annual Custodial Service Delivery Plan)** and **Part 1 (Custodial Services)** of **Schedule 1 (Authority's Custodial Service Requirements)**.
- 4.3 Where necessary, the Contractor shall engage actively with applicable inspections of the Education Services, Prison Library Services, CIAG Services, Prison Work and Prison Industries conducted by Ofsted, whether as part of inspections by HMIP or otherwise.



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4.4 The Contractor shall document any shortcomings identified through inspection by Ofsted and take appropriate timely action against any recommendations made by Ofsted. The Contractor shall notify the Authority of any shortcomings and document such shortcomings in such form as the Authority may reasonably require from time to time.

4.5 **Observation of Teaching and Learning (OTL)**

4.5.1 The Contractor shall:

- 4.5.1.1 undertake OTL of all teachers (including those hired on a full-time, part-time or seasonal basis; or those who are new or in their probationary period) twice per year to assess and grade the quality of their teaching, learning and assessment practices in line with Ofsted guidelines;
- 4.5.1.2 ensure that all assessments are undertaken and graded by a suitably trained and qualified member of staff;
- 4.5.1.3 ensure that a minimum of 50% of teaching staff are assessed every thirty (30) Days or every Performance Quarter in accordance with the schedule for of Contract Review Meetings pursuant to **paragraph 7.3.1.1 (Contract Review Meeting) of Part 1 (Custodial Services) of Schedule 1 (Authority's Custodial Service Requirements)**;
- 4.5.1.4 provide to the Authority the overall, and individual, teacher gradings, assessment dates, improvement recommendations, and any rectification activity (such as professional development) that has taken place or is planned in response to the assessment. This should be provided to the Authority on a quarterly basis, in line with the Quarterly Contract Review Meeting timelines. This information should also include any OTL assessments that took place for teachers that are no longer be employed by the Contractor;
- 4.5.1.5 provide to the Authority any information it may require to quality assure OTL gradings are accurate, e.g. individual teacher success rates upon request; and
- 4.5.1.6 engage with the monthly Controller/Director Meetings to monitor the quantity and performance trends where required by the Controller.

**5. Procurement, performance and other obligations in respect of Education Provision**

5.1 The Contractor shall deliver Education Services itself or may procure an Education Provider to deliver the Education Services on the Contractor's behalf, in each case to meet its obligations under this **Part 2 (Education) of Schedule 1 (Authority's Custodial Service Requirements)**.

If the Contractor makes arrangements to appoint an Education Provider to deliver Education Services, it shall ensure that the Education Provider meets the requirements as set out in this **Part 2 (Education) of Schedule 1 (Authority's Custodial Service Requirements)**.

- 5.2 The Contractor shall comply with the requirements of **Schedule 15 (Performance Mechanism)** and in accordance with Good Industry Practice in providing and monitoring performance in respect of the Education Services, Prison Library Services and CIAG Services. The Contractor shall provide the Education Services in accordance with the PPT Measures.

**6. Education Management Information**

- 6.1 The Contractor and the Education Provider shall record the data contained in the document named "Education Curious MI Report" (as contained within the Authority's data library or as otherwise made available by the Authority from time to time (and as amended from time to time)), using Curious which is a part of the Virtual Campus (as defined in **Schedule 2 (Digital)**) and submit such data to the Authority on a Monthly basis for the Contract Period, unless specified otherwise.
- 6.2 The Education Curious MI Report will automatically be submitted to the Authority once the data is inputted into Curious. It should include data on both qualification and non-qualification bearing learning undertaken (not all fields will be relevant for non-qualification bearing provision).
- 6.3 This information creates a Prisoner level learning file which can be used to aggregate data items in a variety of ways for analysis. The Authority will work with the Contractor to further define these requirements as necessary.



**APPENDIX 1: Prison Education Specification Framework**

The Authority's Prison Education Specification Framework is set out in the document with file name 'Sch 1 P2 App 1 (Prison Education Spec)' contained on the USB Drive entitled 'HMP Millsike Schedule Appendices' as is annexed to this Contract.

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**APPENDIX 2: CAREERS INFORMATION, ADVICE AND GUIDANCE****1. The CIAG Service must deliver the following (mandatory requirements):**

- 1.1. Delivering an initial career conversation for all Prisoners during their induction period.
- 1.2. Creating a PLP for all Prisoners as part of the initial career conversation.
- 1.3. Signposting to relevant learning, development and/or employment pathways based on the Prisoner's skills and aspirations as well as the curriculum offered under the Education Services.
- 1.4. Setting SMART goals based on recommended pathways.
- 1.5. Recording relevant information during the session and capturing this on the Prisoner's PLP.
- 1.6. Delivering review conversations with Prisoners throughout their prisoner journey at the agreed frequency as set out in **paragraph 2 (Additional requirements related to review frequency)**.
- 1.7. Reviewing and updating Prisoner PLPs. The PLP should also record other relevant important information such as assessment outcomes and required additional learning support (identified via screening for learning needs or disabilities).
- 1.8. Reviewing and amending learning, development and/or employment pathways based on the Prisoner's skills and aspirations as well as the curriculum offered under the Education Services.
- 1.9. Reviewing progress against existing SMART goals and setting new SMART goals where appropriate.
- 1.10. Supporting the development of Prisoner digital CVs and disclosure letters where appropriate.
- 1.11. Referring and signposting Prisoners to other relevant organisations within the Prison who provide employability advice or support.
- 1.12. Supporting the delivery of Prison Employment Hubs in conjunction with Prison Employment Leads where this is required locally.
- 1.13. Facilitating employer led CIAG sessions.
- 1.14. Providing digital CIAG content that is accessible within Prison settings.
- 1.15. Delivering a pre-release conversation with Prisoners at the 12-week pre-release point of their prisoner journey.
- 1.16. Recommending arrangements for completing learning, development and/or employment pathways prior to release.

**2. Additional requirements related to review frequency**

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- 2.1. All Prisoners will have at least one follow up review session after their initial session has taken place. Review frequency will be determined by time left to serve.
- 2.2. It should be noted that the below is a minimum, and frequency can be increased if Prison need demands it. The review period is measured from the last formal career conversation undertaken with the Prisoner.
- 2.3. All Prisoners must have a follow up session at a maximum of four weeks after their initial session. This is regardless of whether the Prisoner has transferred.
- 2.4. Where time left to serve is fewer than six months, the Contractor should ensure Prisoners have at least one review following their initial session. The pre-release conversation can be counted as a review in these circumstances.
- 2.5. Where time left to serve is between six and twelve months, the Contractor should ensure reviews are conducted every three months.
- 2.6. Where time left to serve is more than twelve months but fewer than five years, the Contractor should ensure reviews are conducted every six months.
- 2.7. Where time left to serve is greater than five years, the Contractor should ensure reviews are conducted every twelve months.

**3. Exceptions**

- 3.1. Where a Prisoner is on remand, a review is not required. However, where a Prisoner is on remand and accessing education, skills and work, they should have a review at least every three months, in line with sentenced Prisoners whose time left to serve is fewer than twelve months (see below).
- 3.2. Where allocations indicate that a Prisoner pathway has changed, the Contractor must ensure that a review takes place as soon as possible.
- 3.3. Where a Prisoner has transferred to a different establishment, the Contractor must ensure that a review takes place at the point of transfer.