

Communities and Culture Committee

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Committee Inquiry into Youth Justice in Wales – evidence gathering – Estyn

Purpose

- 1 The purpose of this paper is to provide the Committee with information about Estyn's role and evidence from our inspection of education for children and young people in the Youth Justice System. The paper addresses the issues raised in the terms of reference for the inquiry for which Estyn has evidence.
- 2 Estyn welcomes the Committee's inquiry and the opportunity to provide written and oral evidence. We would be pleased to provide the Committee with any further information that may be of assistance.
- 3 The committee is asked to note the content including the recommendations.

Background

- 4 In January 2008, Estyn took over the lead role in Wales, from Ofsted, for inspecting education and training provision for offenders in custody and in the community. We are invited to join HMI Prison to inspect Parc Youth Offending Institution (YOI), Bridgend which has provision for juveniles. We take the lead and report to the HMI Prison team on the quality and standards of education and training. We report against HMI Prison standards and our findings are included in their report. We also join HMI Prison and work with Ofsted colleagues to report on Welsh issues in YOIs in England where there are significant numbers of Welsh young people. These institutions are Ashfield, Stoke Heath, and Eastwood Park, in the main. Again this is included in the HMI Prison inspection report. We have a protocol with HMI Prisons to guide this work.
- 5 In the case of the local authority secure children's home, Hillside (SCH) in Neath, we are invited by the Care and Social Services Inspectorate Wales (CSSIW) to join their team and we write a separate section for the report on education and training. This happens once every three years.
- 6 We do not have any Secure Training Centres (STC) in Wales.
- 7 Estyn also has a draft joint protocol with HM Inspectorate of Probation and we have inspected the education element of all 18 Youth Offending Teams in Wales.

Responses to questions. Estyn has submitted responses to those questions for which we have evidence

Q What action should the Welsh Assembly Government take to improve the experience of Welsh children in the secure estate?

8 In our 2009 remit report, 'Meeting the learning needs of children and young people who offend, we made three recommendations to the Welsh Assembly Government. A summary of our remit findings is at Annexe A:

- to ensure there are enough appropriate work-based training places to meet the needs of all young people;
- to collect national data on the attainment and achievements of children and young people supervised by Youth Offending Teams (YOTs) in the community; and
- to monitor the use of individual learning plans for all children and young people who offend, as required in the All Wales Youth Offending Strategy.

9 We would repeat these recommendations now. We believe that progress in these areas would improve significantly the educational outcomes for this group of children and young people.

Q How effectively does the *All Wales Youth Offending Strategy* address issues to do with the secure estate?

10 We recognise the improvements in educational outcomes for children and young people in the youth justice system as a result of the strategy. We believe that the new delivery mechanisms for the *All Wales Youth Offending Strategy*, and particularly the establishment of a learning and employment committee will bring a welcome new focus to this area of work.

11 We are pleased that increasing engagement in education and employment is one of the priority areas for the strategy. However, we believe that the actions described in the delivery plan do not focus enough on improving educational outcomes and do not address well enough the recommendations we have made in previous remit reports.

Q What particular problems are there in the implementation and the delivery of support services for children and young people in the secure estate, including mental health provision, support for education and resettlement services?

12 The majority of children and young people in the youth justice system in Wales are subject to community based punishments and support programmes. However, a snapshot of children under 18 in custody on 27th March 2009 shows that there were one hundred and fifty Welsh children held in the secure estate. Eighty three of these were held in secure establishments in England.

13 Inspection by both Estyn and Ofsted of the education provision in these establishments, shows that the standard of education received by the majority of Welsh children is at least satisfactory and in some cases it is outstanding.

14 Many young people who offend have had a poor experience of school, do not behave well and have been permanently excluded. However, when they are in custody, most young people make good progress in education and training. This is important. This is not the case for those young people who remain in, or return to, the community under the supervision of the YOT.

Secure Children's Homes

15 Eleven out of eighteen Welsh children in secure children's homes were in Hillside SCH in Neath. The rest were in other homes in England. At Hillside, the good features of young people's achievements outweigh the shortcomings and they gain a wide range of appropriate qualifications. The quality of teaching in the majority of lessons is good with no important shortcomings.

Secure Training Centres

16 There are no secure training centres (STC) in Wales so all 7 Welsh children held in these facilities were in England. In these centres, Welsh children receive education that ranges from satisfactory to outstanding.

Young Offender Institutions

17 Of the one hundred and twenty Welsh children held in Youth Offending Institutions, fifty six were held in Parc in Bridgend, with the remainder in YOIs in England. Young Welsh men held in YOIs are held mainly in HMPs Ashfield, Stoke Heath or Parc. Most young females are held at Eastwood Park.

18 All of this provision is judged to be above the quality threshold. In Ashfield, there are enough places in education and training for all young people to have a full daily timetable, and they can generally choose appropriate courses to meet their needs. There is a good range of vocational courses and a good library. Teaching is satisfactory overall.

19 In Stoke Heath, there is an effective and improving education and training provision for juveniles. It is well managed, with good teaching and learning.

20 In Parc, young people spend plenty of time out of their cells. The quantity and quality of education has improved and there is now good support for young people who have basic skills needs.

21 In Eastwood Park, where the majority of Welsh young women are held, the quality of teaching and learning is generally good and attendance and behaviour are well managed. Most young women achieve good standards of work in most subjects.

Resettlement

22 At Rainsbrook STC, progress has been made to prepare young people for discharge to the community. The centre now has dedicated resettlement workers, who ensure that there are appropriate discharge arrangements in place.

23 Ashfield YOI was judged to have made significant progress in this area, with improvements to both strategic management and reintegration services. Links had been made to establish support networks outside the prison. However, training planning reviews for sentenced young people were not conducted well. Young people were not supported well enough and input from specialists, notably from education, was inadequate. Not many families attended reviews as many lived far away, including over a quarter who lived more than 100 miles from Ashfield. Attendance by community YOTs was unusually poor, and there had been problems in securing their cooperation to ensure that young people left Ashfield with somewhere to live.

24 Careers guidance, together with suggestions of a wide range of possible careers and help in developing job-search skills was given for young Welsh people.

25 At Parc, resettlement work remains good, with effective sentence planning and good links to community partners, particularly youth offending teams.

Q To what extent is the Welsh Assembly Government's "rights based agenda", in its support to children and young people, delivered to Welsh children in the secure estate?

26 Inspection reports show that a range of work in the secure estate supports well the Assembly Government's "rights based agenda". In a few local authorities, YOTs are successfully integrating the basic entitlements for young people into their work.

27 In Hillside, provision for Personal and Social Education (PSE) is very good. This includes careers education and guidance. The unit makes good use of its strong relationship with Careers Wales West to enrich pupils learning experiences. This close liaison has led to excellent work placement opportunities for a few young people.

28 At Rainsbrook, arrangements to keep young people healthy at the centre are outstanding. There are very successful catering and dining arrangements in place, and young people receive routinely excellent medical and health care.

29 At Hassockfield, the catering, PE and PSE (personal and social education) curricula together with the enrichment programme effectively support health outcomes and Healthy Schools status has been achieved. Developments in mediation and work in tackling bullying help to support the centre's work in keeping young people safe.

30 In Ashfield, inspectors found there was a good balance of indoor and outdoor activities and the department successfully encouraged young people to exercise. More able young people were provided for very well by the sports academies, many of which were linked to professional clubs and community groups. The department was equally successful in addressing the needs of less able young people.

31 At Stoke Heath, appropriate advice was given on how to combat bullying and how to make complaints. Awareness of incidences of racial discrimination has also

been addressed. However although diversity was included in the social and life skills programmes, many learning materials and activities are too narrow and do not promote diversity well enough. Provision for a young person's capacity to stay safe and healthy is good.

32 In Parc, inspectors found there was good access to PE and delivery of PE was of a very high standard. Young people benefited from visits from external agencies, and also worked with a local theatre group on issues concerning substance misuse. However, there were too few opportunities for young people to prepare for working life and there was no programme of personal, social and health education.

Q Do specific groups of children and young people need additional support eg BME groups, young people with a disability or learning impairment, Welsh speakers, young carers, and girls and young women?

33 A thematic report (2009) by HMI Prisons shows that there is considerable under-reporting of the extent of disabilities in prisons. The report states that:

“ The systems to assess prisoners on arrival are limited, and those to allow later disclosure or recognition of a disability are virtually non-existent. Within prisons themselves, from the moment of reception to the time of discharge, prisoners with disabilities reported poorer experiences than those without disabilities in almost all areas, except for healthcare. Many more felt unsafe, and said that they had less access to activities. While disability, in particular problems of mobility, sight and hearing, is more prevalent among older prisoners, it is of concern that young prisoners with disabilities were much more likely than other young prisoners to report that force had been used against them.”

34 In the community, only a few YOTs are able to access provision which meets fully the diverse needs and backgrounds of the children and young people they supervise.

35 Many children and young people who offend have had poor experiences of education and do not know how to learn. They have become disengaged from school and see the curriculum and the way the school delivers it as inappropriate. Providers need to put in place more structured programmes that give young people who have underachieved the opportunity to do something worthwhile.

36 In the community, a few 14-19 Learning Networks are making good progress in helping providers work together. However, most have not done enough to extend provision for children and young people who offend.

37 Many children and young people who offend experience major difficulty in finding and accessing suitable provision. In particular, there is a shortage of work-based training places in the 14-19 age group. This acts as a barrier to getting more young people engaged in education and training.

38 Overall, there is not enough basic skills provision for children and young people who offend. Many young people drop out of work-based training because of basic

skills difficulties. Many local authorities are only able to offer two hours a week and this means that progress made by the young people is too slow.

39 Local authorities do not commission enough projects suitable for girls and young women who offend. In many instances, opportunities for community-based projects and activities reinforce stereotypes and these go unchallenged by the children and young people, YOT officers or project staff.

40 There is not enough Welsh language or bilingual provision available. This means that children and young people with Welsh as their preferred language have to 'opt in' to a Welsh speaking service. Similarly, children and young people with little understanding of the Welsh language can experience great difficulty in adapting to both school and community activities resulting in possible exclusion and an increased risk of offending.

41 At Hillside, there are improved links for teachers with the local education authority and they have good access to support from the unit psychologist so that they can help young people manage their behaviour better.

42 There are a range of initiatives in secure training centres, including a programme to help young people with attention deficit and hyperactive disorder (ADHD). There is testing for dyslexia, motor skill screening and other additional learning needs is available when required. Learning support assistants provide effective one to one support, particularly for those with very low reading ability and English as an additional language. Reading groups have been established for weaker readers. However more needs to be done to ensure that young people benefit from this activity.

43 In Hassockfield, external educational psychologists provide one day a week of consultancy. This is used well to identify young people with particular learning difficulties and/or disabilities, including dyslexia, and to obtain special education needs information from local authorities and schools.

44 A recent inspection of Ashfield, showed that young people displaying difficult behaviour in classrooms were given individual support and tuition in a dedicated room and an intensive programme had been introduced to provide those with attention deficit and hyperactive disorder with effective strategies to minimise its effect. Vulnerable young people were also catered for.

45 In Parc, teachers did not get enough in-class support for the many young people with acute special educational needs, which made it difficult to meet their needs.

Summary and Recommendations

46 We would repeat the recommendations set out in the remit, summarised in Annexe A. The Welsh Assembly Government needs to ensure that as far as youngsters in the secure estate are concerned:

- there are enough appropriate work-based training places; data on their achievements is collected systematically; and individual learning plans are monitored as required in the All Wales Youth Offending Strategy.

47 Overall, in custody there are not enough examples of good practice of providing additional support to different groups of learners, including Welsh speakers, those with learning needs and young women.

48 Local authorities do not do enough to ensure that youth offending teams in Wales secure full-time education, training or employment for children and young people in the youth justice system.

49 We have noted the proposals in HM Government's Youth Crime Action Plan (2008) to support children and young people who offend by placing a new duty on home local authorities to promote the educational attainment of these children and young people (in custody and the community) and to ensure continuity of provision as quickly as possible following their release.

50 We also support the proposal in the Youth Crime Action Plan to make permanent exclusion from school an automatic trigger for (in England) a Common Assessment Framework (CAF). This would ensure that children and young people receive the help they need when they are excluded from mainstream education. We would support similar arrangements being developed in Wales.

51 We also support the proposal in England to reinforce the role of Children's Services in overseeing resettlement provision. This should include ensuring adequate plans are in place prior to young people's release from custody. We also believe the role of local authorities in Wales could be reinforced in a similar way through Children and Young People's Partnerships.

52 We also believe that local authority education services in Wales should lead multi-agency work to produce an ILP for each child excluded from school based on an assessment of their individual needs and learning styles.

Annex A

The main findings of our remit: Meeting the needs of children and young people who offend.

- Local authorities in Wales do not always contribute to the YOT management board at a high enough level.
- Local authority members on the YOT management board do not always make the best use of their influence at a strategic level to ensure better quality services for children and young people.
- Management boards do not ask for reports on the achievement and attainment of children and young people known to the YOT. This means that there is no discussion of these young people's needs at a strategic level.
- Many YOTs boards do not have plans to improve performance. Too few YOT plans make clear the responsibility of the local authority to work with the YOT.
- Many local authority authorities include YOT representatives on alternative provision or behaviour support panels. This means they are involved in determining provision to better meet the needs of the children and young people.
- Local authority education partners in Wales contribute less money to YOTs than their counterparts in England. For example, in 2006/07 the contribution to total YOT funding from education partners in Wales had gone down from 3.1% in 2005/06 to 2.9%.
- YOTs in Wales do not meet the Youth Justice Board (YJB) Education, Training and Employment (ETE) performance target. Data from the YJB shows that between April 2006 and March 2007, of the total number of children and young people supervised by YOTs in Wales, 59.5% were in full time ETE. This compares with a total for England and Wales of 68.7%.
- Nearly all local authorities have a designated officer who has responsibility for meeting the needs of children and young people in the youth justice system. However, in a few authorities it is not always clear to all agencies who is taking responsibility for finding alternative placements for school-age children.
- Most children and young people who offend do not have an Individual Learning Plan (ILP) as required by both the Assembly and the Youth Justice Board (YJB.)
- Around half of local authorities review the progress made by children and young people who offend. These reviews are not, however, always held at regular enough intervals.
- In half of YOTs, continuity of provision between custody and community is good.

- In a few YOTs there is a lack of choice in the curriculum offered to young people from Wales in custody in England.
- In many YOTs there is a problem for post-16 young people in securing suitable training placements on release.
- Many education departments in the secure estate provide YOTs with records of achievement and attainment. However, there can often be a delay in the YOT workers receiving this information.
- Most children and young people leaving detention attend alternative curriculum provision rather than school. This is because the school removes the young person from the school roll when they receive a custodial sentence. At times, YOT workers negotiate on a case by case basis with head teachers to keep places open for those receiving short sentences. Although not able to provide a full 25 hours education for all the children and young people, many providers and YOTs strive successfully to supply packages, including work experience and activities that challenge children and young people and raise their self-esteem. However this 'discrete' provision can reinforce divisions and act as a barrier to participation in mainstream education.
- All local authority education services provide education, training and learning opportunities for their pupils who have been excluded from school. They do this in a variety of ways:
 - at registered pupil referral units;
 - in unregistered units;
 - through placements at colleges of further education;
 - by educating children and young people in their own homes ('home tuition'); and
 - at key stage 4, by using work based learning providers or voluntary agencies to provide vocational education.

However, we found that there is often:

- limited time and finance to prepare and plan the child or young person's education;
- limited availability of suitable providers;
- problems in gaining access to the child or young person's home;
- limited capacity in Education Other Than At School (EOTAS) provision;

- problems in arranging transport for the child or young person; and
 - the unwillingness of some children and young people, and at times their parents, to take up the provision that is offered.
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- Most local authorities are able to provide education for excluded children and young people after 15 days. However, for the above reasons amongst others, most authorities have difficulty in ensuring that they offer these learners the recommended 25 hours.
 - Poor attendance and persistent absence can be an indicator of wider issues that a pupil is facing and their need for support.
 - Many young people who offend develop good vocational skills that help them to find and keep meaningful employment. However, many employers do not always recognise this range of alternative educational qualifications.
 - In the main, schools are reluctant to offer places to children and young people who have been excluded, offended or who have been in custody.

Annex B

Children from Wales in custody by establishment 27th March 2009. Figures supplied by the Youth Justice Board.

Under 18 Males from Wales in Custody by Establishment 27th March 2009		
SCH	Atkinson Unit	2
	Barton Moss Secure Unit	2
	East Moor	1
	Hillside	11
	Red Bank Community Home	2
	SCH Total	18
STC	Haddockfield STC	1
	Oakhill STC	2
	Rainsbrook	4
	STC Total	7
YOI	Ashfield	34
	Brinsford	3
	Feltham	1
	Huntercombe	2
	Parc	56
	Stoke Heath	17
	Warren Hill	2
	Werrington	4
	Wetherby	1
	YOI Total	120

Under 18 Females from Wales in Custody by Establishment 27th March 2009		
SCH	Swanwick Lodge	1
	SCH Total	1
STC	Medway	1
	STC Total	1
YOI	Eastwood Park	2
	New Hall	1
	YOI Total	3

Annex C

Recent developments

Estyn organised and hosted a seminar in July 2009 at our Cardiff office for education and training staff from the four probation areas in Wales and all four of the Welsh prisons. Colleagues from the Welsh Assembly Government also attended and indeed contributed. The Chief Inspector Dr Bill Maxwell provided the keynote address.

The purpose of the seminar was to provide an opportunity for colleagues involved in offender learning and training to discuss improvements to the quality of these in Wales. There was also an opportunity for participants to hear about Estyn's new 2010 inspection arrangements and to consider the implications for future inspections of offender learning and skills.

This was the first event of this nature but will be repeated in the future. All participants valued the opportunity to contribute to the issues of offender education and training.