



House of Commons
Work and Pensions Committee

Support for ex-offenders

Fifth Report of Session 2016–17



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*Report, together with formal minutes relating
to the report*

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Work and Pensions Committee

The Work and Pensions Committee is appointed by the House of Commons to examine the expenditure, administration, and policy of the Office of the Department for Work and Pensions and its associated public bodies.

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Committee reports are published on the [publications page](#) of the Committee's website and in print by Order of the House.

Evidence relating to this report is published on the [inquiry page](#) of the Committee's website.

Committee staff

The current staff of the Committee are Adam Mellows-Facer (Clerk), Margaret McKinnon (Second Clerk), Ian Hart (Committee Specialist), Libby McEnhill (Committee Specialist), Rod McInnes (Committee Specialist), Alison Pickard (Senior Committee Assistant), and Jessica Bridges-Palmer (Media Officer).

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Summary

The Government's own assessment of the prison system is that it fails to rehabilitate or make sure criminals are prevented from reoffending. The cost to the taxpayer of reoffending stands at around £15 billion per year. It is in society's interest to bring this cost down. Members of this Committee have assisted constituents with first-hand experience of failures in rehabilitation; individuals leaving prison with no fixed accommodation, no financial support and no prospect of finding work. Employment significantly reduces the chances of reoffending. It can also lead to other positive outcomes that have been shown to reduce reoffending, such as financial security and finding a safe and permanent home. We have heard from businesses who have successfully worked with prisons to get ex-offenders into jobs but more employers must follow suit.

Individuals entering prison have a range of complex needs. Nearly one-third report a learning difficulty or disability and almost half report having no school qualifications. They enter a prison system where the landscape of education and employment support is fragmented, and good practice is patchy and inconsistent. Added to this are the challenges of rising levels of violence in prisons, a reduction in prison officer numbers and pressure on capacity.

Education and employment in prison

The problem of employment support in prison is partly one of coordination. Currently, there is no clear strategy for how different agencies, in different prisons, should work together to achieve the common goal of getting ex-offenders into work. We urge the Government to state clearly who has ultimate responsibility for helping prison leavers into work.

The Government, charities, employers and ex-offenders themselves all agree that the 'gold standard' of employment support involves employers working in prisons and offering work placements through Release on Temporary License. Over the course of this inquiry, we have seen many examples of good practice, such as work done by Blue Sky, a company that works to understand employer's labour needs, delivers training in prisons and places ex-offenders into jobs.

We recommend that all prisons be required to demonstrate strong links with employers, including local businesses. Prisons should also ensure that the rules and processes for securing Release on Temporary License are straightforward and consistent. In addition, all prisons should be required to offer workshop courses, apprenticeships or similar employment opportunities with real employers.

Transition into the community

The Government recognises the importance of smooth transitions and in May 2015 it introduced Through the Gate provision. These services are provided by Community Rehabilitation Companies and should include support with finding employment, securing accommodation, finance and debt advice and help for victims of domestic

abuse. Early reports on Through the Gate services, however, paint a disappointing picture. All too often prisoners face a cliff edge in support once they reach the prison gate. In researching resettlement services for short-term prisoners HM Inspectorate of Probation and HM Inspectorate of Prisons did not encounter a single prisoner who had been helped into employment by Through the Gate provision.

Following the end of day one mandate to the Work Programme, an increasing number of ex-offenders will rely on Jobcentre Plus (JCP) Work Coaches for employment support. We have seen some evidence of good practice but the quality of JCP support is not consistent. It is unacceptable for ex-offenders who are job-ready and keen to work to be dismissed by JCP as hard cases. All Jobcentres should have a specified person who specialises in helping ex-offenders into employment. Ex-offenders who are ready to work should also have access to the Work and Health Programme on a voluntary basis.

Timely payment of a prisoner's correct benefit entitlement can help to alleviate financial pressure and can discourage reoffending. The move to allow payment of Jobseeker's Allowance on day one of a prisoner's release is welcome. We recommend that claims for Employment Support Allowance and Universal Credit also be made in prison and paid on day one of release.

Information is fundamental to good policy. We are astonished by the current lack of data on employment for prison leavers. Community Rehabilitation Companies should be required to track the outcomes of the prisoners they resettle, including whether they have helped them into work.

Changing employer attitudes

We applaud those employers who recognise the benefits of employing and supporting ex-offenders. Until more employers choose to follow suit, ex-offenders remain a largely untapped resource. We hope that more businesses choose to follow the examples set by Timpson, Virgin Trains and others.

Many businesses are fearful of hiring ex-offenders—50% of employers would not even consider offering them a job. Employers need to be encouraged to change their recruitment practices, and given the support to do so. We recommend that the Government pilot the reduction of National Insurance contributions for those employers who actively employ ex-offenders. We also recommend that DWP develop practical guidance to help employers recruit ex-offenders. This should include information on spent and unspent convictions and should challenge misconceptions regarding employing ex-offenders.

We welcome the Government's decision to remove the criminal record disclosure section on initial job applications for the majority of civil service roles. Ban the Box does not oblige employers to hire ex-offenders but it increases the chance that they will consider them. We recommend that the Government extend Ban the Box to all public bodies, with exclusions for roles where it would not be appropriate. The Government should also consider making banning the box statutory for all employers.

Ex-offenders who have served their sentence and want to change their lives deserve a second chance. Prisons, the Government and employers all have a responsibility, and an interest, to help them take it.

Key facts

- The current prison population stands at 85, 839:
 - Male population, 81, 903
 - Female population, 3, 936
- There are over 10 million nominal criminal records held on the Police National Computer.
- Around 50% of people who leave prison reoffend within 12 months:
 - 33% of prisoners with a custodial sentence of over 12 months reoffend within a 12 month period after release.
 - 60% for those serving under 12 months reoffend within a 12 month period after release.
- 49% of prisoners suffer from anxiety and/or depression
- 32% of prisoners report having a learning difficulty and/or disability.
- 47% of prisoners are estimated to have no school qualifications, including GCSEs.
- 42% of adult prisoners report having been permanently excluded from school.
- 26.5% of prisoners enter employment on release

Background

1. The Government's own assessment of the prison system is that it "fails to rehabilitate or make sure criminals are prevented from offending again".¹ This failure comes at a high cost to society; recidivism costs the taxpayer around £15 billion per year.² On top of this is the cost in benefits and lost taxes as a result of ex-offenders being ready to work but unable to secure a job. Data published by the Ministry of Justice (MoJ) and Department for Work and Pensions (DWP) in 2014 showed that 28% of Jobseeker's Allowance claims were made by individuals who had been convicted or cautioned.³ As well as financial costs, there is the wider human cost to families and society. In 2015–16, 38% of adults convicted of an indictable offence already had a long criminal record.⁴

2. The prison system is going through a process of reform. In 2014, the Government launched Transforming Rehabilitation (TR): a programme designed to reform how prisoners in England and Wales are handled. The ambition of the reforms was simple—"to make progress in driving down reoffending rates."⁵ Under these reforms the landscape for probation was restructured. 21 Community Rehabilitation Companies (CRCs), owned by eight different providers, were created by the Government to deliver services to low-risk and medium-risk offenders.⁶ A new National Probation Service (NPS) was set up in June 2014 to manage high-risk offenders and those subject to Multi-Agency Public Protection Arrangements (MAPPA).⁷ There are more reforms to come. In November 2016, the MoJ published a White Paper on Prison Safety and Reform.⁸ It set out a framework for prison reform, including greater freedoms for prison governors to control budgets and make decisions about the services in their prisons. The Government also intends to publish an employment strategy for ex-offenders in 2017.⁹

3. Preliminary reports into TR reforms have been critical but acknowledged that services are relatively new and rehabilitation is complicated. The NAO said that it will take two years before the prospects of success are clearer.¹⁰ Sam Gyimah MP, Parliamentary Under-Secretary of State for Prisons and Probation, told us

The services are in their infancy—they have been going for a couple of years now—and what they are expected to do is quite complicated for a complicated set of individuals. We cannot get away from that.¹¹

1 Department for Work and Pensions and the Ministry of Justice ([SEO0033](#))

2 [Q217](#) (Sam Gyimah, Parliamentary Under-Secretary of State for Prisons and Probation)

3 [Experimental statistics from the 2013 MoJ/DWP/HMRC data share: linking data on offenders with benefit, employment and income data](#). Claims as at 1 December 2012. These statistics are experimental. As not all offenders were included in the matched data, these are likely to be under-estimates for the total number of individuals in the matched data claiming benefits on 1 December 2012.

4 [Criminal Justice Statistics Quarterly Update to March 2016](#). Long criminal record = 15 or more previous convictions or cautions.

5 MoJ, [Transforming Rehabilitation: A Strategy for Reform](#), May 2013

6 CRCs were in public ownership until 1 February 2015, when they transferred to eight, mainly private sector, providers. CRCs sub-contract some services to other providers.

7 Prisoners assessed as being a higher risk to public safety

8 MoJ, [Prison safety and reform](#), November 2016

9 [Q155](#) (Sam Gyimah, Parliamentary Under-Secretary of State for Prisons and Probation)

10 NAO, [Ministry of Justice: Transforming Rehabilitation](#), April 2016

11 [Q162](#) (Sam Gyimah, Parliamentary Under-Secretary of State for Prisons and Probation)

He went on to say “we are in foothills of reform here so all ideas are welcome and should be considered.”¹²

4. The reforms are taking place against the backdrop of a strained prison service. Many individual prisons are working at capacity¹³ and the prison service overall is very close to its usable operation capacity.¹⁴ The latest Ministry of Justice figures on prison safety show an increase in the number of deaths, instances of self-harm and assaults in prisons.¹⁵ The number of assaults on prison staff has risen by 43%. On 15 November 2016, thousands of prison officers stopped work over claims of a surge of violence in jails and returned to work following a High Court injunction. The Justice Secretary has admitted that there are very serious violence issues in prisons, and said that more staff are being recruited.¹⁶

5. Members of this Committee have assisted constituents with first-hand experience of failures in rehabilitation; individuals leaving prison with no fixed accommodation, no financial support and no prospect of finding work. We decided to conduct an inquiry into the employment opportunities and benefits available for people leaving prison. Responsibility for the rehabilitation of ex-offenders cuts across a number of Government departments. We have been primarily interested in how the DWP works with MoJ to ensure successful rehabilitation for prison leavers. We would like to thank all those who gave evidence to this inquiry, particularly to those witnesses who told us about their personal experience of the prison and probation system. We would also like to thank the staff at HMP Featherstone who accommodated us on a visit.

6. The importance of secure accommodation for prisoners to go to on release has been recognised as key to reducing re-offending.¹⁷ The challenge of finding safe, affordable homes for ex-offenders is not new and, particularly for this group, employment and settled accommodation often go hand-in-hand. Without a fixed address, prison leavers struggle to set up a bank account, receive benefits and apply for jobs.¹⁸ Temporary accommodation can be expensive and ex-offenders may have to move at short notice.¹⁹ During this inquiry, uncertainties about the future and availability of supported housing were raised by many stakeholders.²⁰ There are also questions about the impact of wider benefit changes on the ability of low-earners and vulnerable people to find affordable housing. These issues go beyond ex-offenders alone and we intend to hold a separate, joint inquiry with the Communities and Local Government Committee in 2017.

7. There is no silver bullet for reducing reoffending. Nacro, a charity that supports vulnerable people, told us that, whilst it is tempting to think about solutions in simple terms, such as securing a job or a home, the reality is often much more complicated.²¹ Employment however has been shown to significantly reduce the chances of reoffending.²² It can also lead to other positive outcomes that have been shown to reduce recidivism,

12 [Q178](#) (Minister Gyimah, Parliamentary Under-Secretary of State for Prisons and Probation)

13 [Population bulletin, monthly October 2016](#)

14 [Population bulletin, weekly 11 November 2016](#)

15 MoJ, [Safety in Custody Statistics Bulletin](#), England and Wales, October 2016

16 [Sky News, Liz Truss admits UK prisons have ‘very serious’ violence issues](#), 17 November 2016

17 MoJ, [Prison Safety and Reform](#), November 2016

18 [Unlock \(SEO0029\)](#)

19 [Crisis \(SEO0044\)](#)

20 [Rethink Mental Illness \(SEO0055\)](#), [National Housing Federation \(SEO0054\)](#)

21 [Nacro \(SEO0051\)](#)

22 [Department for Work and Pensions and the Ministry of Justice \(SEO0033\)](#)

such as financial security and finding a safe and permanent home.²³ Employment can also help to change the way an ex-offender views themselves and increase their self-esteem. Tammy Moreton, an apprentice with Virgin Trains, told us

I am an ex-offender; I don't like living that life, I'm not like that, I'm not about that life any more. I have changed myself to make myself a better person and it is all down to being given the help and the opportunity and the support that Virgin has given me.²⁴

8. The prison and rehabilitation systems are in desperate need of reform. With such serious challenges around safety and capacity, we are concerned that rehabilitation may not be a priority for the prison service. However, the successful rehabilitation of offenders makes moral, social and economic sense. The financial cost of reoffending stands at around £15 billion per year. Added to this is the wider human cost to families and society.

9. We acknowledge that offender rehabilitation is complex and that there is no silver bullet solution. We welcome the Government's commitment to reform. We are currently still in the foothills and much more needs to be done.

23 St Mungo's ([SEO0032](#))

24 [Q40](#) (Tammy Moreton)

1 Education and employment in prison

10. Education services for prisoners aged 18 and over are primarily delivered by the Offender Learning and Skills Service (OLASS).²⁵ OLASS providers are responsible for conducting mandatory assessments of English and maths attainment, teaching basic English and maths skills, and teaching vocational courses and employability skills.

11. In addition to OLASS, a number of different providers offer a range of employment support in some prisons. These include:

- the National Careers Service—providing advice and guidance on job searches and self-employability;
- Jobcentre Plus—advice on claiming benefits and back to work support;
- the voluntary sector—organisations such as Working Chance, which works with female offenders and provides training and places on employment schemes; and
- individual employers—such as Timpson who have prison training academies in five prisons.

12. This landscape of education and employment support has been described as “fragmented, duplicated and difficult to navigate”.²⁶ Matt John, a prison leaver, told us that the problem was not resourcing but “a lack of co-ordination in terms of guiding individuals towards specific professions or specific jobs.” Seetec, which operates three Work Programme contracts and a CRC, concurred:

Availability of support is not currently the issue [...] there is too much complexity with a breadth of providers with differing outcome drivers and a lack of structured signposting.²⁷

13. There is inconsistency in the courses and skills offered between prisons. This is a problem when prisoners are moved, sometimes at short notice, due to capacity. We heard it was not uncommon for individuals to start a course but then be moved to a prison which offers different provision.²⁸ In her review of education in prison, Dame Sally Coates found there was too much variation in the requirements of different awarding bodies for basic skills:

Education in prisons should be underpinned by a coherent set of basic skills qualifications (English, maths and ICT) that enable a learner to progress to Level 3 and beyond, even if they move across the prison estate to a place where education is supplied by a different provider. At the moment, prison learners may have to start courses again if they move part-way through a course because their new prison’s education provider uses a different awarding body.²⁹

25 With the exception of eight private prisons.

26 Novus ([SEO0038](#))

27 Seetec ([SEO0015](#))

28 ERSA/ AELP ([SEO0039](#))

29 [Unlocking Potential: A review of education in prison](#), May 2016

14. The quality of provision appeared dependent on individual governors or other staff. Darren Burns, National Recruitment Ambassador at Timpson, told us

Some prisons are extremely forward-thinking, which is often a result of a prison governor who is prepared to work with resettlement and is really serious about rehabilitation. [...] For us, we try to target and identify the prisons that we feel we can work with best to get the best outcomes. There are huge inconsistencies.³⁰

Working Chance, a charity that works to rehabilitate female ex-offenders, said areas of good practice were “often down to individual workers rather than consistent standards across the whole prison system.”³¹

Responsibility for employment

15. Sam Gyimah accepted that employment support was “patchy, inconsistent and does not happen everywhere”, and that this inconsistency was reflected in employability and reoffending rates.³² He explained that part of the solution was to give prison governors more freedom to determine the curriculum and training offered in prisons.³³ This follows from Dame Sally Coates’ recommendation that prison governors be given new autonomy in the provision of education and training, and be held accountable for educational progress.³⁴

16. The move to grant governors more autonomy has been broadly welcomed by stakeholders.³⁵ There are, however, limitations. We heard that devolving skills training to individual governors could mean that “the patchwork nature of provision that is already in existence is liable to be exacerbated.”³⁶ Jocelyn Hillman, Chief Executive of Working Chance, told us

There are so many people that you have to have a really first-rate number one governor who is in control of what is happening. That is difficult and it is rare.³⁷

It is also unclear how far governors’ new responsibilities extend to improving employment rates for prison leavers.

17. We heard from Government Ministers that there is there is “no one person responsible for a prisoner’s employment”.³⁸ There will be an “expectation” on CRCs to do the work in order to achieve employment for prisoners. We also heard that governors will be the “ringmasters” for services to improve employment and reoffending rates.³⁹ The Minister for Employment, Damian Hinds MP, told us about the shared responsibility for prisoner employment:

30 [Q41](#) Darren Burns

31 Working Chance ([SEO0024](#))

32 [Q156](#) (Sam Gyimah, Parliamentary Under-Secretary of State for Prisons and Probation)

33 [Q178](#) (Sam Gyimah, Parliamentary Under-Secretary of State for Prisons and Probation)

34 [Unlocking Potential: A review of education in prison](#), May 2016

35 For example see, Novus ([SEO0038](#)), City Guilds ([SEO0022](#))

36 ERSA/ AELP ([SEO0039](#))

37 [Q114](#) (Jocelyn Hillman)

38 [Q153](#) (Sam Gyimah, Parliamentary Under-Secretary of State for Prisons and Probation)

39 Ibid

On the question of which single person is responsible, it is definitely right that there have to be clear lines of accountability. The reforms and the future plans that Sam [Gyimah] is outlining go to the heart of that, but we also see this as a shared responsibility. I think you can look at just one person being responsible in two ways, either as a positive or a negative. We think this is a group of people for whom there is such a premium to place them into employment that we absolutely share that responsibility and so do many other groups in society.⁴⁰

18. The absence of a single point of responsibility was cited as a problem for those working in the prison system. Unlock, a prisoner charity, said that the roles and responsibilities of different agencies are unclear.⁴¹ They added that it was difficult for prison leavers to understand who could help them with employment. The Prison Reform Trust, a charity that works to improve the prison system, said:

Simply adding Governors to the long list of individuals and agencies already charged to make a difference in this area will not make things better unless the current confusion of responsibilities is resolved first.⁴²

19. The problem of employment support in prison is partly one of coordination. Over the course of a prisoner's sentence, various agencies and individuals are responsible for helping them to find work on release. Difficulties occur where responsibility changes or overlaps and there is no continuity. It is not clear that an increase in governor autonomy will improve consistency across the whole system. Currently, there is no clear strategy for how different agencies, in different prisons, should work together to achieve the common goal of getting ex-offenders into work. This is partly due to the absence of a single point of responsibility.

20. We recommend that the Government clearly state in response to this report who has ultimate responsibility for helping prison leavers into work.

Planning for the future

21. Planning for future employment should be part of the prisoner journey from induction. For many offenders, this employment planning will need to start with the basic qualifications required for a job or an apprenticeship in order to “get them to the starting line” in competing for jobs.⁴³ A 2005–06 survey estimated that 47% of prisoners had no school qualifications, including GCSEs.⁴⁴ Matt John told us “I went to prison with no qualifications and came out with a degree. It is about being able to access education.”⁴⁵ He found work within two weeks of release.

22. On entering prison, it is Government policy that all newly-sentenced prisoners and prisoners on remand should have a mandatory English and maths assessment. As part of

40 [Q159](#) (Damian Hinds, Minister for Employment)

41 Unlock ([SEO0029](#))

42 Prison Reform Trust ([SEO0023](#))

43 [Q84](#) (Paul Anders)

44 Department for Work and Pensions and the Ministry of Justice ([SEO0033](#))

45 [Q109](#) (Matt John)

this inquiry, we visited the resettlement prison HMP Featherstone in Staffordshire. Staff there told us that basic skills assessments are often inaccurate and learning difficulties are sometimes identified very late in a prisoner's sentence. The NUS said:

Although the new mandatory assessments in literacy and numeracy are expected to screen for disabilities, they largely fail those with learning difficulties as the process is reliant on self-reporting or on staff who may not have appropriate training picking up on issues.⁴⁶

23. It is also Government policy that prison staff carry out a Basic Custody Screening Assessment (BCSA), in order to identify a prisoner's resettlement needs, including education, training and employment requirements. A recent joint report by HM Inspectorate of Probation and HM Inspectorate of Prisons (HMIP) found that, for prisoners serving short sentences, basic custody screenings were "wholly inadequate" and did not "address the most urgent resettlement needs".⁴⁷

24. Dame Sally Coates recommended that every prisoner have a Personal Learning Plan.⁴⁸ She said that Learning Plans should specify the educational activity to be undertaken during custody, be digital so they can easily follow the prisoner and be developed with the engagement of the prisoner. Not all prisoners will be ready to work on release but, where appropriate, plans should be directed towards an "employment pathway".⁴⁹ She found that existing learning plans were of a variable quality and that three fifths of prisoners left prison without an identified education or employment outcome.⁵⁰

25. There is scope for Jobcentre staff based in prisons to make a greater contribution to employment planning. DWP has 150 prison Work Coaches, known as Employment and Benefit Advisers (EBAs), working across prisons.⁵¹ The Government said that it wants to "bring about a greater focus on employment throughout custody, for those Jobcentre staff who work in prisons."⁵² We saw good practice at HMP Featherstone, where the EBA is co-located with the National Careers Service and meets all prisoners at induction.

26. The Government is already looking to develop the role of Jobcentre Plus staff based in prison. These staff are ideally placed to ensure that prisoner assessments accurately reflect a prisoner's employment needs and to contribute to early employment planning. Individual prisoners will have different needs from basic English and maths skills, to vocational training, to formal qualifications. *Building on the recommendation by Dame Sally Coates, all prisoners who will be ready for work on release should have Personal Learning and Employment Plans. We recommend that Work Coaches in prisons sign-off on these Plans to ensure that*

- a) *prisoner employment needs have been accurately reflected; and*
- b) *educational activities are geared towards helping a prison leaver into employment.*

46 National Union of Students ([SEO0031](#))

47 [An Inspection of Through the Gate Resettlement Services for Short-Term Prisoners: A joint inspection by HM Inspectorate of Probation and HM Inspectorate of Prisons, October 2016](#)

48 Dame Sally Coates, [Unlocking Potential: A review of education in prison](#), May 2016

49 Ibid

50 Ibid

51 [Q159](#) (Damian Hinds, Minister for Employment)

52 Department for Work and Pensions and the Ministry of Justice ([SEO0033](#))

DWP should conduct regular reviews of a sample of Personal Learning and Employment Plans to ensure that they are being signed-off appropriately.

The employment offer in prison

27. Once a prisoner's employment needs have been identified, they need access to the right courses and employment programmes to meet those needs. The appropriate range of courses and qualifications will differ between prisons. There are certain ingredients however that appear to create a recipe for success: employers based in or able to access prisons; the use of Release on Temporary License (ROTL) wherever possible;⁵³ qualifications that are valued by employers; and reflecting gaps in the local job market.

28. There is widespread agreement that starting work whilst still in prison can help prisoners to stay in work once they leave. Dr Anne Pike, an ex-Ofsted inspector, said:

The best practice I saw was where prisoners were provided with real employment before release, which was then continued and well-supported post-release (e.g. Timpson). Thus prisoners must obtain ROTL or the employer should provide work within the prison.⁵⁴

29. We took evidence from Timpson and Virgin Trains, two companies who work inside prisons to identify potential employees. Timpson runs workshops inside five prisons. Darren Burns, National Recruitment Ambassador at Timpson, told us:

Think of it like one of our high street stores that we have picked up and just dropped into a prison. Rather than prisoners working on the wing, serving tea and coffee to the officers, working on the servery—things that aren't very vocational—we get them to put on a Timpson uniform. These guys—and girls, because we work in the female estates—turn up to our training academies and we give them full training in all the services that we provide to the public. Once the guys are fully skilled, we meet them at the gate, give them a uniform, introduce them to colleagues and put them to work straightaway.⁵⁵

Both Timpson and Virgin Trains also go into prisons to conduct job interviews. Tammy Moreton agreed that the best way to help people into work was to get employers into prisons:

I think it is about helping while they are still in prison because there is a lot of it—the majority of the time—where you are just sitting around and you have not got anything to do [...] In my personal experience, I think what Virgin and Timpson do is a great idea. It does help and it starts getting more skills and better skills than just what the prison itself can offer.⁵⁶

53 Release on Temporary License allows prisoners to leave the prison for a short time. This can be for a number of reasons, including taking part in activities to help them prepare for release. Some prisoners cannot get ROTL including: category A prisoners and prisoners subject to extradition proceedings.

54 Dr Anne Pike ([SE00049](#))

55 [Q19](#) (Darren Burns)

56 [Q38](#) (Tammy Moreton)

30. Sam Gyimah agreed that employers working inside prisons was a model for success:

What we are seeing in terms of what works very well on a system-wide basis is where you have employment academies in prisons. You have it with Timpson's, you have it with Greggs and you have it with the likes of Clinks, where training in prisons, release on temporary licence and eventual employment are all linked seamlessly. It is that kind of system that allows us to create a conveyor belt of employment rather than patchy initiatives.⁵⁷

31. We heard, however, that it is not straightforward for employers to work in prisons or to secure ROTL for their apprentices. Unlock told us that prisons and CRCs “do not offer a consistent form of support or point of contact for employers interested in this area.”⁵⁸ Darren Burns told us that some prisons were very proactive on engaging with employers but that there were “huge inconsistencies across the board.”⁵⁹ Nathan Dick, Head of Policy and Communications at Clinks, said

In a survey we did with the Prison Reform Trust of the private sector and charities, we heard two-thirds of them saying they found it much more difficult to engage with prisons, to get in there, to get people released on temporary licence.⁶⁰

32. Unlock described ROTL as a “critical bridge between prison and the community.”⁶¹ It helps to prepare prisoners for formal employment and can help to bring stability to their lives on release. The Government told us that the use of ROTL is part of the “gold standard” in vocational training offered by employers.⁶²

33. In March 2015, Prison Service Instruction 13/2015, which placed restrictions on the use of ROTL, was published. This followed three serious breaches of ROTL in 2013 when temporarily released prisoners had committed offences. Since then the number of incidences of ROTL has steadily declined and stakeholders said it is now much harder for prisoners to secure ROTL.⁶³ Unlock said the current process prisons use for ROTL is not particularly welcoming or engaging for external organisations:

It takes a committed employer to remain patient with the bureaucracy and unnecessary processes. For a commercial organisation, which does not have the support of people with convictions at its core, this could easily result in a blanket refusal to engage.⁶⁴

Working Chance said it had stopped the use of ROTL as “relationships with employers were being jeopardised when candidates were not released in time to start their placements.”⁶⁵

34. The Government, charities, employers and ex-offenders themselves all agree that the ‘gold standard’ of employment support involves employers working in prisons and offering work placements through Release on Temporary License. This smooths

57 [Q187](#) (Sam Gyimah, Parliamentary Under-Secretary of State for Prisons and Probation)

58 [Unlock \(SEO0029\)](#)

59 [Q49](#) (Darren Burns)

60 [Q150](#) (Nathan Dick)

61 [Unlock \(SEO0029\)](#)

62 Department for Work and Pensions and the Ministry of Justice ([SEO0033](#))

63 See Clinks and Homeless Link ([SEO0036](#)), Lendlease ([SEO0045](#))

64 [Unlock \(SEO0029\)](#)

65 [Working Chance \(SEO0024\)](#)

the path to employment. Employers need to be welcomed into prisons and should be able to expect the same support across the prison system. ROTL for prisoners must be granted safely but the process for willing employers should be simple.

35. *We recommend that all prisons be required to demonstrate strong links with employers, including local businesses, and ensure that the rules and processes for securing ROTL are straightforward and consistent. In addition, all prisons should be required to offer workshop courses, apprenticeships or similar employment opportunities with real employers. This should be a performance objective for governors and DWP Work Coaches in prisons.* We consider employer attitudes to hiring ex-offenders in chapter 3 of this report.

36. In order to create real job opportunities for ex-offenders, and build links with businesses, prisons need to offer courses and qualifications to meet skills gaps. Rachel Reynolds, Head of the Employment Commissioning Group, National Offender Service, told us of the benefits of matching the employment offer to local demand:

One particularly good example we have at the moment is that at HMP Brixton last week we opened a scaffolding workshop. It is very new but the first four graduates went straight into work and the local employers are queuing up to take the next 20, with guaranteed jobs if they get through the system.⁶⁶

37. Over the course of this inquiry, we have seen many other examples of good practice, such as work done by the organisation Blue Sky. The company works with employers to understand their operational and labour needs. They then place ex-offenders with employers and give ongoing support whilst they are with the business. Blue Sky delivers training in prisons and holds operational contracts around London, the South-East and the South-West. This good practice does not however appear to be nationwide. Matt John told us that there were plenty of providers in prisons but “they are not really geared towards what is required in that local area.”⁶⁷ The Shaw Trust, a charity that works with ex-offenders, found that training delivered in prisons was “often not linked to the jobs available in the local labour market, and did not adequately help to develop the core soft skills employers look for in an ideal candidate.”⁶⁸

38. The qualifications offered in prison also need to be of value to employers. Jocelyn Hillman told us:

The skills they are teaching, particularly in women’s prisons, are not particularly applicable to today’s world. They are not teaching them anything that you need in 21st century Britain. They are teaching them hairdressing. We don’t need hairdressers. We have too many hairdressers in this country. They are teaching them sewing. Life has moved on [...] Women in prison should be taught how to do Excel spreadsheets, coding and business administration.⁶⁹

66 [Q168](#) (Rachel Reynolds)

67 [Q110](#) (Matt John)

68 Shaw Trust ([SEO0035](#))

69 [Q116](#) (Jocelyn Hillman)

She also said that NVQ 2 was generally the highest qualification available. Novus, a major education provider in women's prisons, said that the level of qualifications available was "a consequence of restrictions within OLASS contracts".⁷⁰

39. We heard that female offenders had specific needs when leaving prison, which needed to be considered alongside employment support. Tomorrow's Women Wirral, a project that works to reduce female offending and imprisonment, said that more work needed to be done to address female ex-offender's self-esteem and confidence.⁷¹ The Prison Reform Trust told us that greater consideration should be given to "demands of any childcare or care of elderly dependent relatives."⁷² Working Chance, agreed that childcare was a particular problem for female ex-offenders:

Obviously, they usually have children—most of our candidates have children—and they may be main carers, so you have all that to deal with.

Children will be with either a parent or a foster carer when the women come out and their first priority is to get their children back. That is part of what they want to do.⁷³

40. In August this year, our Chair wrote to the Secretary of State for Justice to suggest the piloting of short, sharp apprenticeship courses that cover building trades such as bricklaying and carpentry. These courses would be geared towards local and national labour shortages.⁷⁴ Sam Gyimah responded that governors have been empowered to make decisions about services and that they "may well wish to develop the type of training you suggest".⁷⁵ Under the new freedoms, prisons will be assessed on the quality of work opportunities offered, although the measures for this appear relatively narrow and have yet to be fully developed. The Government said it will include measures on "the number of hours worked in industry" and, in future years, "the time prisoners spend out of their cells".⁷⁶

41. The move to give governors more freedom is welcome and it is right that they should be held accountable. They will, however, need support and adequate resources to deliver the right opportunities for prisoners. Sam Gyimah told us that the £130 million education budget for prisons would be moved from the Department for Education to MoJ so that governors can use the money more effectively.⁷⁷ This will give them more control over spending on education and training but is not new resource. The Jobcentre Plus (JCP) staff based in prisons are ideally placed to help identify local demand. Currently, the role of JCP staff in prisons seems narrow. Tammy Moreton told us that she only met the prison Work Coach once, in order to set up a JSA claim prior to release.⁷⁸ The Employment Related Services Association (ERSA) and the Association of Employment and Learning Providers (AELP) acknowledged that the introduction of JCP staff in prisons was positive but added:

70 [Novus \(SEO0058\)](#)

71 [Tomorrow's Women Wirral \(SEO0057\)](#)

72 [Prison Reform Trust \(SEO0023\)](#)

73 [Q129](#) (Jocelyn Hillman and Lisa Hubbard)

74 [Letter from Frank Field MP to the Secretary of State for Justice, August 2016](#)

75 [Letter from Sam Gyimah MP, Parliamentary Under-Secretary of State for Prisons and Probation, regarding apprenticeships in prisons, September 2016](#)

76 MoJ, [Prison Safety and Reform](#), November 2016

77 Q178 and 129 (Gyimah, Parliamentary Under-Secretary of State for Prisons and Probation)

78 [Q50](#) (Tammy Moreton)

There is concern that provision in prisons can focus on processes such as benefit claims, rather than positive employment support, including understanding an individuals' assets, barriers and aspirations and support with job matching.⁷⁹

The Prison Reform Trust suggested that the role of JCP in prisons be revised to deliver a “more constructive transition on release rather than one that just emphasises signing on.”⁸⁰

42. Damian Hinds indicated that he wanted to revise the role of Work Coaches in prisons to include work on local labour market opportunities.⁸¹ He added that DWP was developing a new approach for Jobcentres to “generate more robust, localised data to be shared in a uniform way.”⁸² **We welcome the suggestion that the Work Coach role in prisons will be revised to include more focus on local labour market needs. We recommend that Work Coaches in prison are responsible for identifying local labour market demands. They should then work with the governor to determine what courses, qualifications and training should be offered in the prison. Governors and Work Coaches must be able to demonstrate how this offer reflects labour market demand.**

43. **We recommend that the funding transferred from the Department for Education to the Ministry of Justice for the education and training of prisoners be ring-fenced for that purpose to protect it from other calls on prison resources. Meeting local labour market demands and developing employment support in prison should be a focus of how this money is spent.**

79 ERSA/ AELP ([SEO0039](#))

80 Prison Reform Trust ([SEO0023](#))

81 [Q173](#) (Damian Hinds, Minister for Employment)

82 Supplementary written evidence from the Department for Work and Pensions and the Ministry of Justice ([SEO0063](#))

2 Transition into the community

The challenge of transition

44. The move from prison back into society can be difficult for ex-offenders, regardless of the length of their sentence. They move from a life with daily regimes, structured learning and closed conditions to some form of independent living.⁸³ HM Inspectorate of Probation and HM Inspectorate of Prisons said the minimum requirements for resettlement were:

- a safe place to sleep, from the day of release
- access to enough money to meet basic needs including food, clothing and transport
- a sense of hope for the future
- active links to other services that can assist them with other needs, for example substance misuse and mental health services.⁸⁴

45. There are risks in transition associated with a higher propensity to reoffend. We heard that, if the minimum requirements set out by the Inspectorates are not met, the “temptation to fall back into crime can be significant”.⁸⁵ Tammy Moreton explained that homelessness and a lack of self-belief are both major challenges:

Some people, if they are not that strong in themselves or do not believe in themselves, if they have been knocked down once, and they try again and get knocked down again, that’s where they turn. They go back to reoffending because they know they’ve got the prison system to rely on. It’s not a good thing, but they know that if they can’t get anything out here they’ve got somewhere. Especially if they’ve been released and have nowhere to go, they will reoffend just to make sure they’ve got somewhere to get their head down.⁸⁶

The problem may be particularly acute for black, Asian and minority ethnic (BAME) ex-offenders. A report by Baroness Lola Young found that BAME ex-offenders:

often come from communities that are concentrated in areas of crime, ill health and general deprivation. This poses challenges for those who have committed crimes and wish to leave offending behaviour behind, yet wish to return ‘home’.⁸⁷

If ex-offenders can successfully resettle, however, they are more likely to take steps that will reduce the chances of them reoffending.⁸⁸

83 Those prisoners subject to subject to MAPPA have more structured transitions due to the higher risk to public safety

84 [An Inspection of Through the Gate Resettlement Services for Short-Term Prisoners: A joint inspection by HM Inspectorate of Probation and HM Inspectorate of Prisons, October 2016](#)

85 Crisis ([SE00044](#))

86 [Q46](#) (Tammy Moreton)

87 [Improving outcomes for young black and/or Muslim men in the Criminal Justice System, 2014](#)

88 [An Inspection of Through the Gate Resettlement Services for Short-Term Prisoners: A joint inspection by HM Inspectorate of Probation and HM Inspectorate of Prisons, October 2016](#)

Through the Gate services

46. In order to facilitate transitions, the Government introduced Through the Gate (TTG) provision in May 2015. TTG services are provided by the 21 Community Rehabilitation Companies (CRCs). As part of the reforms, CRCs should be provided with the Basic Custody Screening Assessment (BCSA) for a prisoner (see paragraph 22) within three days of the individual entering prison. They should then develop the BCSA into a resettlement plan.⁸⁹ CRCs are expected to provide a resettlement service for all prisoners, focussing on the beginning and the end of the custodial period, or throughout the sentence for prisoners with short sentences. Resettlement services include support with finding employment, securing accommodation, finance and debt advice and help for victims of domestic abuse.⁹⁰ The Government said that under TTG reforms:

In most cases the same provider will support induction of an offender into custody, provide them with resettlement services before release, meet them at the prison gates and continue work in the community.⁹¹

TTG provision was designed to deliver a “seamless service from the beginning to the end of the sentence”⁹² and then “give continuous support from custody into the community.”⁹³

47. Early reports on TTG services have been critical. A joint Inspection by HM Inspectorate of Probation and HM Inspectorate of Prisons (HIMP) found that the strategic vision for TTG services had not been realised and that many responsible officers “conveyed a lack of hope and an almost fatalistic acceptance of the likelihood of failure.”⁹⁴ The joint inspection covered all aspects of resettlement services, including employment. Remarkably, it found that not a single prisoner in the inspection had been assisted into employment or training by TTG services.⁹⁵

48. HMIP also found that CRCs did not promote links to local colleges and education providers, or handover to specialist education, employment and training staff in the community:

Most prisoners were involved in work or education as part of their prison day. As a minimum, we hoped that CRC staff would find out what work or education the prisoner had been doing during their sentence, and share that with the responsible officer so that these could be developed on release. We did not find that being done.⁹⁶

89 Ibid

90 Department for Work and Pensions and the Ministry of Justice ([SEO0033](#))

91 MoJ, [Target Operating Model: Rehabilitation Programme](#), September 2013

92 Ibid

93 NAO, [MoJ: Transforming Rehabilitation](#), April 2016

94 [An Inspection of Through the Gate Resettlement Services for Short-Term Prisoners: A joint inspection by HM Inspectorate of Probation and HM Inspectorate of Prisons](#), October 2016. The report looked at resettlement services for short-term prisoners. The report is part of a phased piece of work - the first focussing on short-term prisoners due to high rates of reoffending in this group.

95 The inspection covered four resettlement prisons and sampled up to 20 cases for each prison. It also spoke to responsible officers and, where possible, prisoners once they had been released.

96 [An Inspection of Through the Gate Resettlement Services for Short-Term Prisoners: A joint inspection by HM Inspectorate of Probation and HM Inspectorate of Prisons](#), October 2016.

A report by the National Audit Office on Transforming Rehabilitation found that CRCs delivering resettlement provision were:

focused on commencing services and meeting contractual measures based on completing processes, rather than on service quality.⁹⁷

49. The Government said that TTG services were still in their infancy but acknowledged that they required improvement.⁹⁸ Gita Sisupalan, Deputy Director for Prison Reform Policy, Ministry of Justice, said

We share some of the concerns about how the CRCs are operating. That is why the Minister has asked us to conduct a comprehensive review of probation services [...] Although both the NAO report and the Inspectorate reports have been critical, they did accept that the transition had been well managed and services continued to be delivered.⁹⁹

The nature of resettlement support

50. We heard that the binary nature of resettlement—the help provided in prison and that provided outside—can create a lack of continuity and gaps in support. The ex-offenders we spoke to told us there was often very little help beyond the prison gate.¹⁰⁰ The problem appeared to be particularly acute for short sentence prisoners. The joint HMIP report noted that, for those serving short sentences, “CRC responsible officers in the community appeared to give very little thought to prisoners until they were on the brink of release”.¹⁰¹ Matt John told us that for prisoners under MAPPA arrangements there was a lot of support but “for people who are in for less serious offences, the Prison Service and the Probation Service are quite happy for people to be released with very little money and perhaps nowhere to go.”¹⁰² Tammy Moreton told us

from my personal experience, once you’ve been released, at first there’s not much help and support that people in prisons are made aware of [...] sometimes once they’ve been released they just get left. They are not aware of the extra help and support that can be there upon release.¹⁰³

We were told of instances where prison leavers were “left at the prison gates with only a sleeping bag and tent” or to “fend for themselves”.¹⁰⁴

97 NAO, [Ministry of Justice: Transforming Rehabilitation](#), April 2016

98 [Q162](#) (Sam Gyimah, Parliamentary Under-Secretary of State for Prisons and Probation)

99 [Q166](#) (Gita Sisupalan)

100 [Q46](#) (Tammy Moreton)

101 [An Inspection of Through the Gate Resettlement Services for Short-Term Prisoners: A joint inspection by HM Inspectorate of Probation and HM Inspectorate of Prisons](#), October 2016. Responsible officers were previously referred to as ‘Offender managers’. They may be Probation Officers (POs) or Probation Service Officers (PSOs).

102 [Q82](#) (Matt John)

103 [Q46](#) (Tammy Moreton)

104 Working Chance ([SEO0024](#)), St Giles Trust ([SEO0010](#))

51. Damian Hinds admitted that the nature of support changed on release:

We are working to improve data sharing and all these other aspects to try to make that journey and transition as smooth as possible, but there is a difference. There is a slightly binary thing between being in prison and being at liberty.¹⁰⁵

52. The best practice we have seen is where those outside prisons, such as JCP, employers and mentors, work jointly with those inside prisons to provide seamless support (Box 1). Finding a job or being able to access the right benefits will not, alone, solve the challenges of transition. These factors, however, can help to meet some of those key minimum requirements for resettlement: access to enough money for basic needs and a sense of hope for the future.

Box 1: Examples of smooth transitions

Job Centre Plus: forum respondent

The provision in prison for ensuring I was supported upon my release was excellent. Because I was serving a short sentence (4.5 months), I had fortnightly meetings with the Job Centre, beginning immediately, who ensured that all the paperwork was completed and set up an appointment at my local Job Centre Plus for the day after my release. I was quickly sent to a local Maximus centre which I continued to attend for a couple of months, until I found a job.

Employment: Darren Burns, Timpson

I will form a relationship with a prison governor or a resettlement manager in the prison. We will have a chat. I will give them the criteria of the people we take.

The prison will then do a pre-screen. They will get together 10 or 12 men or women for me to come in and interview. Interviews are very informal. They are five to 10-minute chats. We will give opportunities to the ones who I feel will be suitable for our businesses, and it is as simple as that.

The prison staff will then draw up a licence and the people will be released out into the community to work in our branches. We pay national living wage for everyone who works for us on ROTL.

When these guys eventually get released, we meet them at the gate, we give them their uniform and introduce them to the colleagues who they will be working with, wherever it is they will be released to in the country. We put them to work and we have huge success.

Source: Oral evidence, [HC 58-I](#) and [Unlock online forum responses](#)

53. **A good resettlement is one that minimises the impact of moving from support in prison to support in the community. The Government has recognised the importance of smooth transitions but early reports on Through the Gate services paint a disappointing picture. In their research, HM Inspectorate of Probation and HM Inspectorate of Prisons did not encounter a single prisoner who had been helped into employment by Through the Gate provision. All too often prisoners face a cliff**

105 [Q159](#) (Damian Hinds, Minister for Employment)

edge in support once they reach the prison gate. In this chapter we consider the ways in which resettlement could be improved. Our recommendations focus on financial security, employment support provided by JCP, and measuring transitions.

Financial security

54. Most prisoners receive a discharge grant of £46 when they leave custody and all discharged prisoners receive a travel warrant or fares to their initial destination.¹⁰⁶ The grant has been fixed at £46 since 1995.¹⁰⁷ The Government acknowledged that this was not a lot of money but said it was:

not intended to provide for all the prisoner's needs after release, but rather to assist them in the first few days, before they might reasonably be able to get a job or begin to access state benefits.¹⁰⁸

55. A joint report by the Prison Reform Trust and Unlock found that the “first few weeks after release from custody are critical, and personal finances can be both stretched and a cause of anxiety.”¹⁰⁹ The Prison Reform Trust told us:

No money for basic necessities can quickly cause desperation. This might result in informal borrowing and increases the risk of reoffending. [...] For some offenders, a return to prison comes to be seen as the solution to their multiple difficulties rather than something they are anxious to avoid.¹¹⁰

Matt John said:

I am aware of individuals who have got out who have found themselves with no money and have had to resort to crime to secure finances. That is simply because of the discharge grant, which I don't think has changed in years.¹¹¹

56. For prisoners who are ready to work but do not have a job to go to on release, Jobseeker's Allowance (JSA) claims can be started in prison and activated by DWP on day one of a prisoner leaving custody.¹¹² This policy was introduced to coincide with day one mandation of prison leavers to contracted-out welfare-to-work support on the Work Programme (see paragraph 65). For those prisoners who are not able or ready to work, the discharge grant may need to last until their first Employment and Support Allowance (ESA) payment comes through, which can take weeks.¹¹³ ESA claimants normally wait

106 The grant is available to all prisoners who are 18 and over and who have served more than 14 days in custody.

107 Prison Service Instruction to Governors IG 71/1995, Standing Order 11 and Circular Instruction 7/1980 and 19/1988. These instructions were revoked when two rates (for prisoners aged 18-24 and aged 25 and over) were combined into a single rate for prisoners over 18 from 1 March 2005 in [Prison Service Instruction 2005/003](#)

108 Department for Work and Pensions and the Ministry of Justice ([SEO0033](#))

109 Prison Reform Trust & Unlock, [Time is Money: financial responsibility after prison](#), 2010

110 Prison Reform Trust ([SEO0023](#))

111 [Q80](#) (Matt John)

112 Supplementary written evidence from the Department for Work and Pensions and the Ministry of Justice ([SEO0063](#))

113 Women in Prison ([SEO0042](#))

at least 13 weeks for the full entitlement to be paid.¹¹⁴ The Government said that Work Coaches in prisons could support and advise prison leavers on how to claim ESA on release but that it had no plans to extend the day one payment facility to this benefit.¹¹⁵

57. The joint inspection by HMIP noted that ESA and Universal Credit (UC) claims could not be started in prison and, as a consequence, some prisoners would be reliant on family and friends or charity on release.¹¹⁶ Nacro said the time taken to be assessed and access ESA had a “wide-reaching impact on individuals who have complex health problems”.¹¹⁷ Women in Prison, a charity that supports female offenders, said that the delay between leaving prison and receiving an ESA payment “can have potentially devastating consequences for those with no other source of income”.¹¹⁸

58. We asked DWP what barriers there were to allowing ESA claims to be paid on day one of release.¹¹⁹ The Department did not set out any obstacles to doing so but said that the move to UC would see prison leavers with health conditions applying for benefit through UC. The rollout of UC has been delayed a number of times and on 20 July 2016, the Secretary of State for Work and Pensions announced that the full service would not be available for all new claimants until September 2018.¹²⁰ He also announced that the migration of existing claims not be completed until 2022.

59. Claims for Universal Credit are also not paid from the day of release. Unlike JSA, UC claims are made online. The Government said that a “strategic solution will ultimately put in place the facility for prisoners to complete the application in prison”.¹²¹ DWP set out an “interim process” which includes prison Work Coaches ensuring a prisoner has a bank account and arranging an appointment for them at the Jobcentre on the day they leave prison.

60. DWP said that prison leavers are exempt from the seven waiting days in UC claims,¹²² and that measures put in place will see prison leavers receive a first payment as soon as “the first day(s) following release.”¹²³ This first payment however refers to a Benefit Advance, not the first month’s payment of UC. The Advance is a loan and is repaid by subsequent deductions to a prisoner’s UC payments. The Department said that data on the number of UC Benefit Advances and Short Term Benefit Advances (for legacy benefits) applied for and received by prison leavers was not available.¹²⁴ However, Damien Hinds told us:

114 <https://www.gov.uk/employment-support-allowance/what-youll-get>

115 Ibid

116 [An Inspection of Through the Gate Resettlement Services for Short-Term Prisoners: A joint inspection by HM Inspectorate of Probation and HM Inspectorate of Prisons, October 2016.](#)

117 Nacro (SEO0051)

118 Women in Prison (SEO0042)

119 Supplementary written evidence from the Department for Work and Pensions and the Ministry of Justice (SEO0063)

120 <http://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2016-07-20/HCW596>

121 Supplementary written evidence from the Department for Work and Pensions and the Ministry of Justice (SEO0063)

122 Claims for Universal Credit are not paid for the first seven days unless the claimant falls into one of the exempted groups.

123 Supplementary written evidence from the Department for Work and Pensions and the Ministry of Justice (SEO0063)

124 Ibid

We designed Universal Credit without waiting days for prisoners and you can get an advance. [...] Ex-offenders coming out of prison do not come out with a lot of money in [their] pocket. I would expect this to have an extremely high rate of usage.¹²⁵

61. **The discharge grant for prisoners has remained fixed for 21 years. Individuals who leave prison with no home, no job and no support may have to live for several weeks on the discharge grant alone. This may encourage them to return to crime. We considered the case for increasing the grant. It is, however, only intended to meet a prisoner's immediate needs on release. After this, if a prisoner is entitled to benefit support it is preferable for those benefits to be paid promptly rather than increasing the grant. Timely payment of a prisoner's correct benefit entitlement can help to alleviate financial pressure. The move to allow payment of JSA on day one of a prisoner's release is welcome.**

62. *We recommend that, for those prisoners who cannot work, claims for ESA be made in prison and paid on day one of release. We have seen no evidence to suggest there are barriers to doing this. Universal Credit will eventually replace ESA but the timetable for UC continues to be pushed back and in the meantime delays in payment cause avoidable hardship.*

63. *We welcome the Government's decision to exempt prisoner leavers from UC waiting days. DWP envisages a large number of prisoners requiring a Benefit Advance. A better approach would be to make the first month's entitlement to UC available on the day of release.*

64. *Work coaches based in prisons should assess a prisoner's financial circumstances prior to their release and work with Community Rehabilitation Companies to put the appropriate support in place. DWP should regularly review the data Work Coaches have gathered on prisoner's financial challenges on release, in order to better understand ex-offenders' needs.*

Jobcentre Plus and the Work Programme

65. Since 2012, prison leavers who claim JSA have been mandated to join the Work Programme from day one of release. Employment and Benefit Advisors,¹²⁶ were placed in prisons to process and activate JSA claims for this purpose. The DWP's rationale for day one mandation was that the link between employment and a reduction in reoffending rates was well documented.¹²⁷ In addition, a 2014 DWP report stated that prison leavers spent "much longer on benefits than the average claimant of JSA" and that there were "historic difficulties of engaging with prison leavers at an early stage of release".¹²⁸ The Employment Related Services Association (ERSA) said that 19,500 ex-offenders had been helped into work by the Work Programme.¹²⁹

125 [Q196](#) and [Q197](#) (Damian Hinds, Minister for Employment)

126 Now referred to as Work Coaches

127 MoJ, [Analysis of the impact of employment on re-offending following release from custody, using Propensity Score Matching](#), March 2013

128 DWP, [Evaluation of day one mandation of prison leavers to the Work Programme](#), December 2014

129 ERSA, [Work Programme Performance Report](#), Sep 2016. Figures up to June 2016

66. Opinions about the success of the Work Programme for ex-offenders were mixed. The ERSA said “this is a challenging group to support, but the Work Programme has had a demonstrable impact in getting them into employment.”¹³⁰ The Prison Reform Trust told us that the move was “positive in principle”.¹³¹ Matt John told us about his positive experience of the Work Programme when he left prison:

The agency that is delivering the Work Programme in the area where I am from was really supportive. [...] That particular programme did put me in touch with an agency that exclusively works with ex-offenders to find them employment, and there was the opportunity of work through that agency, realistic opportunities, so that referral by that Work Programme scheme was positive.¹³²

67. Other witnesses suggested that, because there were relatively few prisoners on the Programme, generalist support providers were not experienced in meeting their needs.¹³³ Paul Anders, Policy Manager at Revolving Doors, told us that the Work Programme had failed to “bring in the type of specialist support that people will need on release from prison”.¹³⁴ Christopher Stacey, Co-director of Unlock, said that Work Programme providers did not know how to advise ex-offenders about disclosing their conviction when applying for a job:

They do not have a clue what they are talking about when it comes to questions like, “How long do I have to disclose?” and, “Do I have to disclose?”—the rights and responsibilities around that. That is, to some extent, why people have problems later down the line with employers because things have gone wrong.¹³⁵

DWP’s own evaluation of the programme said

Providers also reported low referral numbers for this group. Some providers said that the low numbers meant that it was difficult to focus on this group in terms of differentiating performance or designing specific provision.¹³⁶

68. In 2017, the Work and Health Programme will replace the Work Programme and more support will be provided in-house by JCP. The Government told us that DWP was “currently developing eligibility criteria for the new Programme”.¹³⁷ It is unclear how many ex-offenders will be able to join the new Work and Health Programme and what criteria they will have to meet. Damian Hinds told us that the Programme was still being designed in consultation with stakeholders,¹³⁸ and that access for individuals would be at the discretion of their Work Coach.¹³⁹ When asked how Work Coaches would decide on which individuals would have priority the Minister said

130 Ibid

131 Prison Reform Trust ([SEO0023](#))

132 [Q62](#) and [Q63](#) (Matt John)

133 See, Revolving Doors Agency ([SEO0043](#))

134 [Q84](#) (Paul Anders)

135 [Q86](#) (Christopher Stacey)

136 DWP, [Evaluation of day one mandation of prison leavers to the Work Programme](#), December 2014

137 Department for Work and Pensions and the Ministry of Justice ([SEO0033](#))

138 [Q188](#) (Damian Hinds, Minister for Employment)

139 [Q186](#) (Damian Hinds, Minister for Employment)

In life's great Venn diagram, there may be some overlap between those groups. You may be both an ex-offender and have a mental health barrier. You may also have a history of substance abuse. You may have family issues. You may have financial capability issues. We do not think we see the world in a binary way, prisoners or ex-prisoners and not ex-prisoners.¹⁴⁰

He added that Work Coaches would have a range of interventions and programmes open to them and that DWP wanted to move away from a "one size fits all approach".¹⁴¹

69. Stakeholders suggested that, whilst ex-offenders needed tailored support, this did not require a specialist programme. Christopher Stacey told us

There is a risk, if you are looking ahead to what could change with the Work Programme, of thinking that there needs to be specialist ex-offender specific or prison release specific services. I would not go so far as to say that is the answer.¹⁴²

He highlighted the specialist support offered by charitable groups but added that "they are not part of the Jobcentre."¹⁴³ Paul Andres concurred:

I am never entirely convinced of the merits of specific narrow programmes for people with backgrounds of offending, substance misuse or homelessness, and there have been programmes like that in the past, because you may be attaching a warning sign to people that you are working with. What we do need to find a way of doing is ensuring that that specialist support, which draws in support from health, and the social support that people need, is provided more effectively and more consistently.¹⁴⁴

70. We heard concerns, however, that this kind of specialist support was not being provided by JCP. Witnesses told us that Work Coaches did not have the right training and expertise to help ex-offenders to find work, particularly when it came to advice on disclosing convictions. Work Coaches will be expected to advise and support people with a range of complex needs such as mental health, physical and mental disabilities, learning difficulties and in-work support, as well as ex-offenders. Nathan Dick said that Work Coaches were "being asked to take on really complex and challenging cases but are not being provided with the training and expertise".¹⁴⁵ Jocelyn Hillman told us

We do know from our experience with the JCP inside and outside prison, that they do not have the experience and expertise. Some of our candidates have come to us and said they had been told to lie by their JCP—"Go to an employer and lie; don't tell them you've got a criminal conviction"—and that is a terrible thing because if you are on licence and you lie then you can be sent back into closed conditions.¹⁴⁶

140 [Q189](#) (Damian Hinds, Minister for Employment)

141 [Q186](#) (Damian Hinds, Minister for Employment)

142 [Q86](#) (Christopher Stacey)

143 *Ibid*

144 [Q97](#) (Paul Anders)

145 [Q145](#) (Nathan Dick)

146 [Q115](#) (Jocelyn Hillman)

Damian Hinds said that the rules on disclosing convictions were “not the simplest thing in the world” and that it was “absolutely our aim that nobody advises somebody to lie.”¹⁴⁷

71. Some ex-offenders reported a reluctance from JCP staff to engage with them. Tammy Moreton told us that the Jobcentre did not offer her any help with finding work even though she had told them about her conviction:

I was on jobseekers’ allowance, but I didn’t feel like I got much help or support with them to help me get into employment. [...] I felt that as long as I was looking for jobs, they were happy. They didn’t want to give me any extra support. I asked about some courses, but I didn’t get anywhere with them. [...] Half the time with the jobcentres, when I was going, they just called me up, sat me down, made me sign the piece of paper and let me on my way. They didn’t even speak to me.¹⁴⁸

We held an online forum with Unlock to ask ex-offenders about their experiences of finding employment after leaving prison. Some respondents had a positive experience of JCP, however most reported that they had received little support. One respondent told us

The Jobcentre made no effort to help or offer specialised advice for an ex-offender. If anything, there was a distinct reluctance to assist with job seeking for someone in my position.¹⁴⁹

Another respondent said “I don’t think I got any different treatment to non-offenders. The people were very pleasant and supportive but they just had nothing for me.”¹⁵⁰

72. It is unacceptable for ex-offenders who are job-ready and keen to work to be dismissed by JCP as hard cases. We have seen some evidence of good practice but the quality of JCP support should not depend on which branch an ex-offender walks into. Following the end of day one mandation to the Work Programme, an increasing number of prison leavers will rely on JCP for support.

73. All Jobcentres should have a specified person who specialises in helping ex-offenders into employment. This person may be from the third sector or be a JCP employee but they must have expertise on matters such as disclosure of convictions. Ideally the specialist should have experience of the prison system themselves.

74. For some ex-offenders, the Work and Health Programme may be the most appropriate form of support. We recommend that ex-offenders who are ready to work should have access to the Work and Health Programme on a voluntary basis.

Measuring successful transitions

75. Throughout our inquiry, stakeholders told us about the absence of data on ex-offenders. City Guilds, a vocational education organisation that works in prisons, told us that data on ex-offender employment was “severely lacking” and that the data gap was

147 [Q195](#) (Damian Hinds, Minister for Employment)

148 [Q5](#) and [Q7](#) (Tammy Moreton)

149 [Unlock online forum responses](#)

150 *Ibid*

“one of the most pressing and obvious areas” for improvement.¹⁵¹ In October, our Chair tabled a Parliamentary Question, asking about employment and reoffending rates for each prison:

Box 2: Prisoners’ release: written question

Question:

To ask the Secretary of State for Justice, (a) how many and (b) what proportion of people released from each prison in England and Wales (i) reoffended and (ii) went into employment within six months of their release in each of the last five years.

Answer:

Mr Sam Gyimah:

Information on the employment status of prisoners beyond the point of release is not available centrally and can only be obtained at a disproportionate cost.

All other information requested can be found on GOV.UK.

Source: [Written Questions and Answers and Written Statements - 46986](#)

76. The lack of data on ex-offender employment rates means that those providing education and employment support cannot know what works. Novus told us:

Across the board there is very little data-based links that can trace positive job outcomes back to causes. The availability of such information would be extremely useful for a number of purposes, including continual improvement by providers.¹⁵²

On our visit to HMP Featherstone, we heard that it can be difficult for prisons to measure the success of different workshops and courses because they do not have appropriate employment data after a prisoner is released. Similarly, Ministers acknowledged that they did not know enough about employment rates for prison leavers.¹⁵³ Damian Hinds said “there is no pretence from either of us that we know all there is to know. Absolutely no way.”¹⁵⁴ Sam Gyimah told us

The data we have, which is self-reported by prisoners, is that something like 25% of prisoners are in employment. That data is not data that I hang a lot on but there is some data.¹⁵⁵

77. Community Rehabilitation Companies (CRCs) are not required to provide data on the number of ex-offenders they have helped into work. CRC performance is measured against 17 Service Levels and 7 Assurance Metrics. None of these levels or metrics are on helping ex-offenders find employment or on measuring employment rates.¹⁵⁶ The joint Inspectorate report on Through the Gate services stated:

151 City Guilds ([SEO0022](#))

152 Novus ([SEO0038](#))

153 [Q182](#) (Damian Hinds, Minister for Employment)

154 [Q183](#) (Damian Hinds, Minister for Employment)

155 [Q181](#) (Sam Gyimah, Parliamentary Under-Secretary of State for Prisons and Probation)

156 [Community Performance Quarterly Management Information release](#), April 2016 - June 2016

None of the CRCs we visited were able to provide us with any information on the outcomes they had achieved for prisoners receiving Through the Gate services. We hoped they would have been using this information to improve their services but they told us it was too early to be able to do that. Prison managers commented that they were not routinely given information about outcomes for prisoners.¹⁵⁷

78. The Government has outlined plans to “measure the rate of prisoners in employment on release compared to before they entered custody”.¹⁵⁸ This measure will be included in prison performance agreements and will be the responsibility of prison governors. Whilst this is a welcome move, as it stands this measure will only capture data on prisoners going straight into work on release. Many prisoners will not, however, go straight into employment on release and will need assistance from their CRC.

79. Information is fundamental to good policy. The Government should be seeking to ensure as many ex-offenders as possible get jobs. We are astonished by the current lack of data on employment for prison leavers. *Community Rehabilitation Companies should be required to track the outcomes of the prisoners they resettle, including whether they have helped them into work. This data should then be used to inform Government decisions about employment and education interventions.*

157 [An Inspection of Through the Gate Resettlement Services for Short-Term Prisoners: A joint inspection by HM Inspectorate of Probation and HM Inspectorate of Prisons, October 2016.](#)

158 [MoJ, Prison Safety and Reform, November 2016](#)

3 Changing employer attitudes

80. The previous chapters have focussed on how to help ex-offenders prepare for work and successfully resettle into the community. The benefits of this, however, will only be fully realised if more employers choose to hire ex-offenders. There are over 10 million nominal criminal records held on the Police National Computer.¹⁵⁹ Many individuals with criminal records “routinely suffer difficulties” when trying to gain employment.¹⁶⁰ Damian Hinds said:

This is absolutely fundamental. You need to have people leaving prison who are as work-ready as possible but you also need to have employers who are willing to take on ex-offenders.¹⁶¹

81. Revolving Doors, a charity that works with ex-offenders, said that employer concern was “potentially the most significant” challenge ex-offenders faced in finding work.¹⁶² Nacro told us this was because employers had:

skewed assumptions particularly around perceived risk to company security and harm prevention as well as a belief that people with criminal records lack personal attributes such as honesty and reliability.¹⁶³

A 2016 YouGov survey commissioned by DWP found that that 50% of employers would not consider employing an offender or ex-offender.¹⁶⁴ The survey also showed that, whilst only 32% had concerns about ex-offenders’ skills and capability, 40% were worried about the public image of their business and 45% were concerned ex-offenders would be unreliable.

Table 1: Factors of concern to employers

Concern	% of employers
How to interact with them	28%
Their work skills and capability	32%
They may upset their colleagues	36%
They may damage the public image of the business	40%
They may have health issues that affect their work	13%
They may be unreliable	45%
None of the above	15%
Not sure	12%

Source: YouGov / DWP Survey Results, 2016

82. Prisons report that that just over 26% of prisoners enter employment on release.¹⁶⁵ Only 22.6% of black offenders have a ‘positive employment outcome’ on leaving prison.¹⁶⁶ We

159 This includes those persons with convictions and also those with impending prosecutions, cautions, cases that require no further action and any other criminal justice activity on their record, e.g. arrested but not charged.

160 Unlock ([SEO0029](#))

161 [Q173](#) (Damian Hinds, Minister for Employment)

162 Revolving Doors Agency ([SEO0043](#))

163 Nacro ([SEO0062](#))

164 [YouGov/DWP Survey Results](#)

165 Department for Work and Pensions and the Ministry of Justice ([SEO0033](#))

166 [Improving outcomes for young black and/or Muslim men in the Criminal Justice System, 2014](#)

heard that “rumours and myths” discouraged many employers from hiring ex-offenders.¹⁶⁷ Nacro told us that some employers mistakenly believe that the terms of their employer liability insurance would be invalidated by employing people with unspent convictions.¹⁶⁸ Christopher Stacey said that “insurance is one of those areas that, in practice, it isn’t a problem but there is a real myth that that is a problem for employers.”¹⁶⁹ We were told that employers also struggled with the rules around hiring ex-offenders. Nacro said

The statutory framework which governs criminal record disclosure is complex and has created confusion for employers attempting to make sense of what the criminal record disclosure regime means for their individual business and how to lawfully apply its provisions in their recruitment processes. For example, some employers may mistakenly believe that they cannot employ a person until their conviction or caution is spent.¹⁷⁰

83. Ex-offenders told us about the impact of being rejected by employers because of a criminal record. One online forum respondent told us

I don’t believe I was given realistic advice about how difficult it would be to get a job when I left prison. When I started to apply for work, I was really shocked at the way that employers discriminate against ex-offenders. I really feel that this should have been made clearer to me.¹⁷¹

Another said “I am still being punished. Because of the toxic atmosphere surrounding people with my type of offence, no employer will touch me”.¹⁷² Janice Nix, a rehabilitation engagement worker, told us that she faced employer rejection years after leaving prison, even though she had secured a good job on release (Box 3).

167 [Q44](#) (Darren Burns)

168 Nacro ([SEO00062](#))

Convictions with a sentence of 4 years or less will become spent after a certain period of time. This is known as a rehabilitation period. It is against the law for employers to turn someone down for a job or dismiss them because they have been convicted of an offence if the conviction or caution is ‘spent’ - unless an exception applies.

169 [Q104](#) (Christopher Stacey)

170 Nacro ([SEO00062](#))

171 [Unlock online forum responses](#)

172 *Ibid*

Box 3: Janice's story

I was released a little while ago and I started to work for the NHS (Woking Community, St Peter's). I applied for that job while I was away and they knew where I came from. They knew my history and I told them about myself, and they were still happy to employ me on my credibility. I stayed with them for five years and nine months.

I had seen another job obviously for more money (King's College Hospital). I went forward for it. I had to declare [my criminal record] in my application. I asked them if they wanted me to speak about this during interview, and it was not appropriate so we did not speak about it.

I was employed. I started working, enjoyed my job and got through three weeks in to be told one morning when I went to work, "You're suspended and the reason why is your criminal record." I was told by a line manager that my record was not compatible with that of a customer care officer. If the employer had looked at my previous record, I had letters from consultants that had expressed how well I did my job. I was suspended and then eventually sacked because of my criminal record.

What that did was it wrecked me. My father had to send me away because my thinking was, "What, do I go back and live a criminal lifestyle or do I press on?" The story after that is I went into depression. I had to re-evaluate myself and re-evaluate what life is like living legal. I felt that society was not forgiving, even though you try your hardest to show people that you have changed. I certainly know that I tried in every single way to prove to society that I have changed, and I wasn't forgiven. However, luckily, I started working with an organisation called St Giles Trust and they pushed me forward, and I now work with a rehabilitation company. Now I am happy that I pressed on.

Source: Q69–Q77 and Q93

The benefits to employers

84. We took oral evidence from two employers, Timpson and Virgin Trains, who actively employ ex-offenders into their businesses. They told us that the concerns employers had over hiring ex-offenders were unfounded, and that in reality ex-offenders were often loyal and productive employees.¹⁷³ Darren Burns said

I do not think there are any real barriers. I personally think that it is a perceived lack of education [...] Historically, the majority of employers perceive ex-offenders to be lazy, untrustworthy, problematic and so on. We have found the complete opposite to be true.¹⁷⁴

173 Q22 (Darren Burns)

174 Ibid

Kathryn Wildman, Lead Recruiter at Virgin Trains, concurred and said “the people we have taken add value to our business.”¹⁷⁵ Both Timpson and Virgin Trains have seen very low rates of re-offending for the people on their schemes¹⁷⁶ and Timpson said that ex-offender employees were less likely to steal from the company than other colleagues.¹⁷⁷

85. Timpson and Virgin Trains told us that giving ex-offenders a second chance was the “right thing to do”.¹⁷⁸ Both companies, however, stressed that the main reason for hiring ex-offenders was because it was beneficial to their businesses. Kathryn Wildman said:

There are 65,000 offenders in prison at any one time in the UK, with very few businesses actively recruiting those people. It gives us access to a talent pool that we would not get access to otherwise—people with some great skills and experience who can add value to the business.¹⁷⁹

Darren Burns said:

The most important reason we do it is because it is good for business. I am pretty confident that if it was not good for business, we would stop doing it tomorrow. [...]By us showing the trust to give them that opportunity, it is paid back in loyalty and highly productive colleagues.¹⁸⁰

86. We heard that employing ex-offenders can also help companies tackle skills shortages. Lendlease, a property and infrastructure company, told us that hiring ex-offenders helped them to “address the recruitment challenges the business faces”:¹⁸¹

The construction industry faces a major skills gap. The Construction Industry Training Board’s recent Construction Skills Network forecast suggested an extra 200,000 new jobs will be created over the next five years as the industry expands.¹⁸²

The Government provided us with an overview of the sectors with the greatest skills gaps, which included manufacturing (173,400), wholesale and retail (242,200), and construction (44,500).¹⁸³ Whilst these industries faced skills gaps, unemployment was at an 11-year low. The Government said that made it harder, though more important, to get the “more difficult to place” into work.¹⁸⁴ In chapter one we made recommendations on training prisoners in order to meet local labour shortages (paragraphs 37 to 43).

87. We applaud those employers who have recognised the benefits of employing and supporting ex-offenders. Until more employers choose to follow suit, ex-offenders remain a largely untapped resource, at a time when many sectors face major skills shortages. We hope that more businesses choose to follow the examples set by Timpson, Virgin Trains and others.

175 [Q22](#) (Kathryn Wildman)

176 Timpson think 15% of ex-offenders on their scheme reoffend. They employ around 450 ex-offenders. Virgin employ 30 ex-offenders and none have reoffended.

177 [Q23](#) (Darren Burns)

178 [Q22](#) (Kathryn Wildman and Darren Burns)

179 [Q21](#) (Kathryn Wildman)

180 [Q22](#) (Darren Burns)

181 Lendlease ([SEO0045](#))

182 Ibid

183 Supplementary written evidence from the Department for Work and Pensions and the Ministry of Justice ([SEO0063](#))

184 [Q192](#) (Damian Hinds, Minister for Employment)

Supporting and incentivising employers

88. Stakeholders suggested a number of ways to encourage more employers to hire ex-offenders, including imposing quotas. Darren Burns suggested that companies who took on apprentices could be compelled to take a proportion of ex-offenders but added “I think it would be a huge mistake to force ex-offenders upon anybody—particularly those [ex-offenders] who are not work-ready and suitable”.¹⁸⁵ Kathryn Wildman concurred: “if you are compelled to take ex-offenders, they still need to be right for your business.”¹⁸⁶

89. We heard that employers would benefit from guidance on how to hire ex-offenders. Darren Burns said the Government should produce a “myth-busting piece of literature to dispel some of the rumours and myths about ex-offenders and about the problems of employing ex-offenders.”¹⁸⁷ Christopher Stacey said that many employers needed “practical support in changing policies and practices.”¹⁸⁸ Paul Anders told us there was a gap for

guidance around dealing with criminal records, dealing with disclosure and dealing with risk, both in terms of whatever service they are providing but also in terms of the perceived risk that there may be to them as a business.¹⁸⁹

90. Timpson and Virgin Trains told us they produced some resources for other employers. Kathryn Wildman said that Virgin Trains had released a toolkit which “tells the story about how we took our first step in employing ex-offenders”.¹⁹⁰ Timpson provides consultancy for businesses that are considering hiring ex-offenders.¹⁹¹ Darren Burns said there needed, however, to be “something standardised, which is produced and given to employers”.¹⁹² Kathryn Wildman added that there also needed to be a central link between different stakeholders:

It would be great if the DWP could link or facilitate that contact between businesses, the different charities and the different prisons, and give people some guidance in that first step and in how to make contact.¹⁹³

91. Another option suggested was to reduce National Insurance contributions, or offer some other form of financial incentive, for employers who take on ex-offenders. Revolving Doors said that this could “influence employer recruitment behaviour” and Darren Burns said it would “be a huge incentive.”¹⁹⁴ Christopher Stacey agreed that there was a strong case to look at financial incentives for employers:

People with convictions are the most likely disadvantaged group to be refused work by employers. [...] There is not much innovation from that perspective in trying to change the way that employers approach

185 [Q48](#) (Darren Burns)

186 [Q48](#) (Kathryn Wildman)

187 [Q44](#) (Darren Burns)

188 [Q105](#) (Christopher Stacey)

189 [Q103](#) (Paul Anders)

190 [Q44](#) (Kathryn Wildman)

191 [Q44](#) (Darren Burns)

192 Ibid

193 [Q44](#) (Kathryn Wildman)

194 [Q48](#) (Darren Burns)

people with convictions. [...]We can provide guidance and there can be campaigns done, but on a practical level, we need to look at other ways such as incentives, and a way of piloting those to see if they could be effective.¹⁹⁵

Sam Gyimah agreed that financial incentives should be considered and that this had worked for apprenticeships:

The financial incentive point for employers—the National Insurance point—I think is a very powerful one. The case I would make to the Treasury is that if the Prime Minister wants our country to be a country that works for everyone, then certainly looking at incentives of this nature can make the difference is something that we should prioritise, and we do have the evidence of what it has done in the apprenticeship space.¹⁹⁶

He added that he wanted to recognise and champion those employers who are “making a real difference in this area.”¹⁹⁷

92. Many businesses are fearful of hiring ex-offenders—50% of employers would not even consider offering them a job. This is due to long-standing beliefs about ex-offenders’ reliability and the risks they pose to a company’s public image. Employers need to be encouraged to change their recruitment practices, and given the support to do so. The Government said it wants to recognise and champion those employers who are already employing ex-offenders. *We recommend that the Government pilot the reduction of National Insurance contributions for those employers who actively employ ex-offenders. The Government should also consider other ways to recognise and reward employers who take corporate social responsibility seriously and actively employ ex-offenders. It could, for example, be a factor in procurement and commissioning decisions.*

93. *We recommend that DWP develop practical guidance to help employers recruit ex-offenders. This should include information on spent and unspent convictions, insurance and how to recruit to different roles. It should also include information on businesses who have already hired ex-offenders and what support they can provide to other employers.*

Banning the Box

94. There are a number of campaigns and networks that seek to encourage employers to hire ex-offenders. DWP’s See Potential campaign and the Employers Forum for Reducing Reoffending (EFFRR) have both been welcomed by stakeholders. The Government said that the See Potential campaign “showcases the talents and skills of people from disadvantaged groups, including ex-offenders, through social and mainstream media”.¹⁹⁸ The EFFRR is a group of around 200 employers who have committed to employing offenders. We heard, however, that these initiatives had only a limited impact. Darren Burns and Christopher Stacey said that See Potential had been “limited to social media” and that employers needed more practical support.¹⁹⁹ Paul Anders said that See Potential was well-designed but that campaigns of its nature were “slow and incremental”.²⁰⁰ Unlock told us:

195 [Q105](#) (Christopher Stacey)

196 [Q221](#) (Sam Gyimah, Parliamentary Under-Secretary of State for Prisons and Probation)

197 [Q212](#) (Sam Gyimah, Parliamentary Under-Secretary of State for Prisons and Probation)

198 Department for Work and Pensions and the Ministry of Justice ([SEO0033](#))

199 [Q42](#) (Darren Burns) and [Q105](#) (Christopher Stacey)

200 [Q105](#) (Paul Anders)

Current good practice employer networks have difficulties in converting commitments from large employers to practical changes in recruitment. For example, many EFFRR employers that proactively and positively work with prisons (e.g. Marks and Spencer) through the gate, fail to follow this through in their broader attitudes towards people with convictions.²⁰¹

Sam Gyimah admitted that some employers wanted credit for employing ex-offenders without changing wider practices. He told us:

Timpson keeps coming up all the time because they are doing a great job and 10% of their workforce are ex-offenders. They should be recognised. There are some other employers that talk about it and only employ one or two, and that is it, and they like to wear the CSR [Corporate Social Responsibility] badge rather than doing a lot.²⁰²

95. Ban the Box is an international campaign that invites employers to remove criminal record disclosure questions from initial job application forms (Box 4). The campaign was started in the US and was launched in the UK by Business in the Community, a charity that promotes responsible business, in 2013.

Box 4: Criminal conviction declaration

<p>Have you ever been convicted of a criminal offence? (You do not have to declare any offence deemed as spent under the Rehabilitation of Offenders Act 1974).</p> <p>If yes, please give details:</p>	<p>Yes <input type="checkbox"/> No <input type="checkbox"/></p>
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<p>Have you any court appearances or alleged criminal offences outstanding or pending at the time of your application?</p> <p>If yes, please give details:</p>	<p>Yes <input type="checkbox"/> No <input type="checkbox"/></p>
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Source: Generic job application declaration (provided by Nacro)

96. Removing this tick-box from the application process gives ex-offenders the chance to get further into the application stage before disclosing a conviction. Ex-offenders will still normally need to disclose a conviction, particularly where the job involves working with vulnerable people, but this can happen at a later stage in the process.²⁰³ Damian Hinds told us it gave employers an opportunity to meet an ex-offender before making a decision:

You have had an opportunity to meet this person, to see their potential, to find out about their talents and what they can achieve. Then, at the job acceptance stage, you can ask that question. Then the person has an opportunity to explain a little bit more about it.²⁰⁴

Jocelyn Hillman said that when employers actually met ex-offenders “they all come away saying, ‘they are just human beings, just like me.’”²⁰⁵

201 [Unlock \(SEO0029\)](#)

202 [Q212](#) (Sam Gyimah, Parliamentary Under-Secretary of State for Prisons and Probation)

203 These jobs require a Disclosure and Barring Service (DBS) check

204 [Q176](#) (Damian Hinds, Minister for Employment)

205 [Q150](#) (Jocelyn Hillman)

97. In 2013, David Cameron announced that the civil service would Ban the Box for initial recruitment stages, with exceptions for jobs with specific security requirements.²⁰⁶ Jocelyn Hillman noted that Damian Green MP, Secretary of State for Work and Pensions, had hired a female ex-offender. She told us:

We need more MPs and more big names to hire our candidates and talk openly about it and say, “I have hired women ex-offenders and they are great and the world does not stop”.²⁰⁷

98. Nacro told us that in the United States, Banning the Box was a statutory requirement for government employers and any companies in their supply chain.²⁰⁸ Employers are asked to consider factors such as the nature and seriousness of an ex-offender’s crime, the length of time since the offence and the nature of the role applied for. This allows ex-offenders to provide more information about their conviction and allows employers to make a fairer assessment of the risk to their business. Unlock said:

In the city of Minneapolis, where the City Council banned the box, 57.4% of applicants with convictions in the last seven years were hired (2007–08), compared to just 5.7% hired before the box was removed (2004–6).²⁰⁹

Nacro suggested that the UK Government should consider a similar approach, particularly when many employers “complain of chronic skills shortages”.²¹⁰

99. Ban the Box does not oblige employers to hire ex-offenders but it increases the chance that they will consider them. When ex-offenders are allowed to progress to later stages in the recruitment process and meet employers, they have the opportunity to show their potential. We welcome the Government’s decision to Ban the Box for the majority of civil service roles. We recommend that the Government extend Ban the Box to all public bodies, with exclusions for the minority roles where it would not be appropriate for security reasons. The Government should also consider making banning the box a statutory requirement for all employers.

100. The successful rehabilitation of ex-offenders is good for the economy. The cost of reoffending to the taxpayer is around £15 billion, plus the cost in benefits for those ex-offenders who want to work but cannot get a job. Helping ex-offenders into work would mean more taxes for the Exchequer and could reduce the skills gap for some industries. Ex-offenders who have served their sentence and want to change their lives deserve a second chance. Prisons, the Government and employers all have a responsibility, and an interest, to help them take it.

206 See, <https://www.gov.uk/government/speeches/prison-reform-prime-ministers-speech>

207 [Q149](#) (Jocelyn Hillman)

208 Nacro ([SEO00062](#))

209 Unlock ([SEO0029](#))

210 Nacro ([SEO00062](#))

Conclusions and recommendations

1. The prison and rehabilitation systems are in desperate need of reform. With such serious challenges around safety and capacity, we are concerned that rehabilitation may not be a priority for the prison service. However, the successful rehabilitation of offenders makes moral, social and economic sense. The financial cost of reoffending stands at around £15 billion per year. Added to this is the wider human cost to families and society. (Paragraph 8)
2. We acknowledge that offender rehabilitation is complex and that there is no silver bullet solution. We welcome the Government's commitment to reform. We are currently still in the foothills and much more needs to be done. (Paragraph 9)
3. The problem of employment support in prison is partly one of coordination. Over the course of a prisoner's sentence, various agencies and individuals are responsible for helping them to find work on release. Difficulties occur where responsibility changes or overlaps and there is no continuity. It is not clear that an increase in governor autonomy will improve consistency across the whole system. Currently, there is no clear strategy for how different agencies, in different prisons, should work together to achieve the common goal of getting ex-offenders into work. This is partly due to the absence of a single point of responsibility. (Paragraph 19)
4. *We recommend that the Government clearly state in response to this report who has ultimate responsibility for helping prison leavers into work.* (Paragraph 20)
5. The Government is already looking to develop the role of Jobcentre Plus staff based in prison. These staff are ideally placed to ensure that prisoner assessments accurately reflect a prisoner's employment needs and to contribute to early employment planning. Individual prisoners will have different needs from basic English and maths skills, to vocational training, to formal qualifications. *Building on the recommendation by Dame Sally Coates, all prisoners who will be ready for work on release should have Personal Learning and Employment Plans. We recommend that Work Coaches in prisons sign-off on these Plans to ensure that*
 - a) *prisoner employment needs have been accurately reflected; and*
 - b) *educational activities are geared towards helping a prison leaver into employment.*

DWP should conduct regular reviews of a sample of Personal Learning and Employment Plans to ensure that they are being signed-off appropriately. (Paragraph 26)
6. The Government, charities, employers and ex-offenders themselves all agree that the 'gold standard' of employment support involves employers working in prisons and offering work placements through Release on Temporary License. This smooths the path to employment. Employers need to be welcomed into prisons and should be able to expect the same support across the prison system. ROTL for prisoners must be granted safely but the process for willing employers should be simple. (Paragraph 34)
7. *We recommend that all prisons be required to demonstrate strong links with employers, including local businesses, and ensure that the rules and processes for securing ROTL*

are straightforward and consistent. In addition, all prisons should be required to offer workshop courses, apprenticeships or similar employment opportunities with real employers. This should be a performance objective for governors and DWP Work Coaches in prisons. (Paragraph 35)

8. We welcome the suggestion that the Work Coach role in prisons will be revised to include more focus on local labour market needs. *We recommend that Work Coaches in prison are responsible for identifying local labour market demands. They should then work with the governor to determine what courses, qualifications and training should be offered in the prison. Governors and Work Coaches must be able to demonstrate how this offer reflects labour market demand. (Paragraph 42)*
9. *We recommend that the funding transferred from the Department for Education to the Ministry of Justice for the education and training of prisoners be ring-fenced for that purpose to protect it from other calls on prison resources. Meeting local labour market demands and developing employment support in prison should be a focus of how this money is spent. (Paragraph 43)*
10. A good resettlement is one that minimises the impact of moving from support in prison to support in the community. The Government has recognised the importance of smooth transitions but early reports on Through the Gate services paint a disappointing picture. In their research, HM Inspectorate of Probation and HM Inspectorate of Prisons did not encounter a single prisoner who had been helped into employment by Through the Gate provision. All too often prisoners face a cliff edge in support once they reach the prison gate. (Paragraph 53)
11. The discharge grant for prisoners has remained fixed for 21 years. Individuals who leave prison with no home, no job and no support may have to live for several weeks on the discharge grant alone. This may encourage them to return to crime. We considered the case for increasing the grant. It is, however, only intended to meet a prisoner's immediate needs on release. After this, if a prisoner is entitled to benefit support it is preferable for those benefits to be paid promptly rather than increasing the grant. Timely payment of a prisoner's correct benefit entitlement can help to alleviate financial pressure. The move to allow payment of JSA on day one of a prisoner's release is welcome. (Paragraph 61)
12. *We recommend that, for those prisoners who cannot work, claims for ESA be made in prison and paid on day one of release. We have seen no evidence to suggest there are barriers to doing this. Universal Credit will eventually replace ESA but the timetable for UC continues to be pushed back and in the meantime delays in payment cause avoidable hardship. (Paragraph 62)*
13. *We welcome the Government's decision to exempt prisoner leavers from UC waiting days. DWP envisages a large number of prisons requiring a Benefit Advance. A better approach would be to make the first month's entitlement to UC available on the day of release. (Paragraph 63)*
14. *Work coaches based in prisons should assess a prisoner's financial circumstances prior to their release and work with Community Rehabilitation Companies to put*

the appropriate support in place. DWP should regularly review the data Work Coaches have gathered on prisoner's financial challenges on release, in order to better understand ex-offenders' needs. (Paragraph 64)

15. It is unacceptable for ex-offenders who are job-ready and keen to work to be dismissed by JCP as hard cases. We have seen some evidence of good practice but the quality of JCP support should not depend on which branch an ex-offender walks into. Following the end of day one mandation to the Work Programme, an increasing number of prison leavers will rely on JCP for support. (Paragraph 72)
16. *All Jobcentres should have a specified person who specialises in helping ex-offenders into employment. This person may be from the third sector or be a JCP employee but they must have expertise on matters such as disclosure of convictions. Ideally the specialist should have experience of the prison system themselves. (Paragraph 73)*
17. For some ex-offenders, the Work and Health Programme may be the most appropriate form of support. We recommend that ex-offenders who are ready to work should have access to the Work and Health Programme on a voluntary basis. (Paragraph 74)
18. Information is fundamental to good policy. The Government should be seeking to ensure as many ex-offenders as possible get jobs. We are astonished by the current lack of data on employment for prison leavers. *Community Rehabilitation Companies should be required to track the outcomes of the prisoners they resettle, including whether they have helped them into work. This data should then be used to inform Government decisions about employment and education interventions. (Paragraph 79)*
19. We applaud those employers who have recognised the benefits of employing and supporting ex-offenders. Until more employers choose to follow suit, ex-offenders remain a largely untapped resource, at a time when many sectors face major skills shortages. We hope that more businesses choose to follow the examples set by Timpson, Virgin Trains and others. (Paragraph 87)
20. Many businesses are fearful of hiring ex-offenders—50% of employers would not even consider offering them a job. This is due to long-standing beliefs about ex-offenders' reliability and the risks they pose to a company's public image. Employers need to be encouraged to change their recruitment practices, and given the support to do so. The Government said it wants to recognise and champion those employers who are already employing ex-offenders. *We recommend that the Government pilot the reduction of National Insurance contributions for those employers who actively employ ex-offenders. The Government should also consider other ways to recognise and reward employers who take corporate social responsibility seriously and actively employ ex-offenders. It could, for example, be a factor in procurement and commissioning decisions. (Paragraph 92)*
21. *We recommend that DWP develop practical guidance to help employers recruit ex-offenders. This should include information on spent and unspent convictions, insurance and how to recruit to different roles. It should also include information on businesses who have already hired ex-offenders and what support they can provide to other employers. (Paragraph 93)*

22. Ban the Box does not oblige employers to hire ex-offenders but it increases the chance that they will consider them. When ex-offenders are allowed to progress to later stages in the recruitment process and meet employers, they have the opportunity to show their potential. We welcome the Government's decision to Ban the Box for the majority of civil service roles. *We recommend that the Government extend Ban the Box to all public bodies, with exclusions for the minority of roles where it would not be appropriate for security reasons. The Government should also consider making banning the box a statutory requirement for all employers.* (Paragraph 99)
23. The successful rehabilitation of ex-offenders is good for the economy. The cost of reoffending to the taxpayer is around £15 billion, plus the cost in benefits for those ex-offenders who want to work but cannot get a job. Helping ex-offenders into work would mean more taxes for the Exchequer and could reduce the skills gap for some industries. Ex-offenders who have served their sentence and want to change their lives deserve a second chance. Prisons, the Government and employers all have a responsibility, and an interest, to help them take it. (Paragraph 100)

Formal Minutes

Members present:

Frank Field, in the Chair

Heidi Allen Steve McCabe

Mhairi Black

Draft report (*Support for ex-offenders*), proposed by the Chair, brought up and read.

Ordered, That the draft Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 100 read and agreed to.

Resolved, That the Report be the Fifth Report of the Committee to the House.

Ordered, That the Chair make the Report to the House.

Ordered, That embargoed copies of the Report be made available, in accordance with the provisions of Standing Order No. 134.

[Adjourned till Monday 19 December at 3.30 p.m.]

Witnesses

The following witnesses gave evidence. Transcripts can be viewed on the [inquiry publications page](#) of the Committee's website.

Wednesday 7 September 2016

Question number

Darren Burns, National Recruitment Ambassador, Timpson, **Kathryn Wildman**, Lead Recruiter, Virgin Trains, and **Tammy Moreton**, Apprentice, Virgin Trains

[Q1–60](#)

Wednesday 14 September 2016

Paul Anders, Policy Director, Revolving Doors, **Janice Nix**, Revolving Doors, **Matt John**, Revolving Doors, and **Christopher Stacey**, Co-director, Unlock

[Q61–110](#)

Jocelyn Hillman, Chief Executive, Working Chance, **Lisa Hubbard**, Housing Officer, Working Chance, and **Nathan Dick**, Head of Policy and Communications, Clinks

[Q111–150](#)

Wednesday 26 October 2016

Damian Hinds MP, Minister of State for Employment, **Michelle Dyson**, Director, Children, Families and Disadvantage, Department for Work and Pensions, **Sam Gyimah MP**, Parliamentary Under-Secretary of State for Prisons and Probation, Ministry of Justice, **Gita Sisupalan**, Deputy Director for Prison Reform Policy, Ministry of Justice, and, **Rachael Reynolds**, Head of Employment Commissioning Group, National Offender Service, Ministry of Justice

[Q151–224](#)

Published written evidence

The following written evidence was received and can be viewed on the [inquiry publications page](#) of the Committee's website.

SEO numbers are generated by the evidence processing system and so may not be complete.

- 1 Apex Charitable Trust ([SEO0004](#))
- 2 Cambridgeshire Office of the Police and Crime Commissioner ([SEO0013](#))
- 3 Centrepont ([SEO0018](#))
- 4 CFINE ([SEO0006](#))
- 5 City & Guilds ([SEO0022](#))
- 6 Clinks ([SEO0060](#))
- 7 Clinks and Homeless Link ([SEO0036](#))
- 8 Co-operatives UK ([SEO0017](#))
- 9 Crisis ([SEO0044](#))
- 10 Department for Work and Pensions and the Ministry of Justice ([SEO0063](#))
- 11 Department for Work and Pensions and the Ministry of Justice ([SEO0033](#))
- 12 Dr Anne Pike ([SEO0049](#))
- 13 ERSA and AELP ([SEO0039](#))
- 14 Financial Action & Advice Derbyshire ([SEO0034](#))
- 15 FUTURES UNLOCKED ([SEO0009](#))
- 16 HM Inspectorate of Prisons ([SEO0025](#))
- 17 HM Inspectorate of Probation ([SEO0016](#))
- 18 learndirect ([SEO0030](#))
- 19 Lendlease ([SEO0045](#))
- 20 London Youth ([SEO0021](#))
- 21 Mr Anthony Harris ([SEO0048](#))
- 22 Mr Tony Hall ([SEO0027](#))
- 23 Ms Tracey McMahon ([SEO0007](#))
- 24 MyBnk ([SEO0040](#))
- 25 Nacro ([SEO0051](#))
- 26 Nacro ([SEO0062](#))
- 27 Name Withheld ([SEO0041](#))
- 28 National Grid ([SEO0019](#))
- 29 National Housing Federation ([SEO0054](#))
- 30 National Union of Students ([SEO0031](#))
- 31 North East Homelessness Think Tank ([SEO0012](#))
- 32 Novus ([SEO0058](#))
- 33 Novus - part of LTE group, a trading name for The Manchester College ([SEO0038](#))

- 34 Pluss ([SEO0011](#))
- 35 Prison Reform Trust ([SEO0023](#))
- 36 Professor Thom Brooks ([SEO0014](#))
- 37 Prospects Services ([SEO0052](#))
- 38 Rethink Mental Illness ([SEO0055](#))
- 39 Revolving Doors Agency ([SEO0043](#))
- 40 Safe Ground ([SEO0037](#))
- 41 Seetec ([SEO0015](#))
- 42 Shaw Trust ([SEO0035](#))
- 43 St Giles Trust ([SEO0010](#))
- 44 St Mungo's ([SEO0032](#))
- 45 Standing Committee for Youth Justice ([SEO0056](#))
- 46 Thames Valley Community Rehabilitation Company ([SEO0008](#))
- 47 The Open University ([SEO0046](#))
- 48 Tomorrow's Women Wirral ([SEO0057](#))
- 49 Unlock ([SEO0029](#))
- 50 Unlock ([SEO0061](#))
- 51 Women in Prison ([SEO0042](#))
- 52 Women's Breakout ([SEO0026](#))
- 53 Working Chance ([SEO0024](#))
- 54 Working Chance ([SEO0059](#))
- 55 YMCA England ([SEO0020](#))

List of Reports from the Committee during the current Parliament

All publications from the Committee are available on the [publications page](#) of the Committee's website.

The reference number of the Government's response to each Report is printed in brackets after the HC printing number.

Session 2015–16

First Report	Pension freedom guidance and advice	HC 371 (Cm 9183)
Second Report	Welfare to work	HC 363 (HC 720)
Third Report	A reconsideration of tax credit cuts	HC 548
Fourth Report	Benefit delivery	HC 372 (HC 522)
Fifth Report	The local welfare safety net	HC 373 (HC 924)
Sixth Report	Understanding the new state pension – interim report on pension statements	HC 550
Seventh Report	Communication of state pension age changes –interim report	HC 899
Eighth Report	Communication of the new state pension	HC 926 (HC 229)
Ninth Report	Support for the bereaved	HC 551 (HC 230)
Tenth Report	In-work progression in Universal Credit	HC 549 (HC 585)
Eleventh Report	Automatic enrolment	HC 579 (HC 610)
First Special Report	Progress with automatic enrolment and pension reforms: Government and Financial Conduct Authority responses to the Committee's Fourth Report of Session 2014–15	HC 375
Second Special Report	Improving Access to Work for disabled people: Government response to the Committee's Second Report of Session 2014–15	HC 386
Third Special Report	Benefit Sanctions: Beyond the Oakley Review: Government Response to the Committee's Fifth Report of Session 2014–15	HC 557
Fourth Special Report	Pension freedom guidance and advice: Financial Conduct Authority Response to the Committee's First Report of Session 2015–16	HC 719
Fifth Special Report	Welfare-to-work: Government Response to the Committee's Second Report of Session 2015–16	HC 720
Sixth Special Report	The local welfare safety net: Government Response to the Committee's Fifth Report of Session 2015–16	HC 924

Session 2016–17

First Report	BHS	HC 54
Second Report	The future of Jobcentre Plus	HC 57
Third Report	Intergenerational fairness	HC 59
Fourth Report	Concentrix	HC 720
First Special Report	Communication of the new state pension: Government Response to the Committee's Eighth Report of Session 2015–16	HC 229
Second Special Report	Support for the bereaved: Government Response to the Committee's Ninth Report of Session 2015–16	HC 230
Third Special Report	Benefit delivery: Government Response to the Committee's Fourth Report of Session 2015–16	HC 522
Fourth Special Report	In-work progression in Universal Credit: Government Response to the Committee's Tenth Report of Session 2015–16	HC 585
Fifth Special Report	Automatic enrolment: Government Response to the Committee's Eleventh Report of Session 2015–16	HC 610