Justice Sector Compact – Questions and Answers

Version 4.2 November 2008

This document is aimed at employers and explains what the sector Compact is and the process for implementation. The document has been developed by Skills for Justice in conjunction with the LSC national office.

What is the Justice sector Compact?

The Compact is a non-contractual agreement between the Department for Innovation Universities and Skills (DIUS), the Learning and Skills Council (LSC) and Skills for Justice to work collaboratively to drive up demand for skills across England through Train to Gain.

The Compact goes someway to addressing a number of issues identified through the development of the Sector Skills Agreement for Justice in particular:

- **Restriction on accessing Train to Gain funding**: the Justice sector has until now been ineligible for Train to Gain funding. This has previously left the sector at a disadvantage in terms of its capacity to meet workforce development needs with limited training budgets. This compact for the first time allows the whole of the Justice Sector access to Train to Gain and funding subject to normal Train to Gain rules.

- **Pre-entry training for potential police recruits from a BME background**: the need to attract more BME applicants into Policing and support improved outcomes at the assessment stage for those who are traditionally at a disadvantage has been clearly identified. Skills for Justice are committed to working with the Sector to develop a fit for purpose pre-entry route once developed the LSC will work with the sector to support this with public funding.

- **Supporting third sector to engage in management and leadership training**: traditionally prohibitive for third sector employers for reasons of costs the aim through the Compact is to ensure third sector employers are well represented in cross sector learning activities.

- **Assessor and Verifier capacity**: there is a shortage of occupationally competent assessors and verifiers in the Justice sector. The specialist nature of the skills required means that much learning and development is delivered and assessed in house. An adequate supply of assessors and internal verifiers is essential to delivering the significant increase in vocational qualifications that is articulated in the Compact. This investment provided through the compact will be used as a platform for the sector to build a longer term and sustainable strategy for assessment and verifier capacity in the justice sector.

- **Increase in Apprenticeships**: The Justice sector operates in the context of an aging workforce and shrinking working age population. Apprenticeships are a means to achieve improvements in the sector skills profile, attract new recruits and address issues around retention and diversity within the workforce. Skills for
Justice will be working with sector employers to identify current and relevant frameworks along with new frameworks for development.

> **Higher level skills:** The Justice sector is highly qualified in comparison with other sectors. Many employees are already qualified to Level 3 and above and the entry level qualifications for many occupations are at a higher level. In years 2 and 3 of the Compact Skills for Justice will be working with HEFCE to further develop this area.

The Compact sets out a new offer to employers in the sector within Train to Gain, including setting out the detail of this agreement including the ambition and volumes of increased demand, the specific flexibilities needed to deliver this demand and the phasing of this delivery. Each Compact covers a period of up to three years and is an integrated part of the Train to Gain offer to employers, not a separate programme.

**What does this mean for employers and others involved in skills?**

The Justice sector is central to the political and social environment in the UK and impacts on individual’s quality of life, sense of wellbeing and security. In addition, the existence of a safe and low crime environment is critical to the UK economy. A wealth of diverse organisations in the sector, although operating to individual remits, work towards the same broad purpose – the creation and maintenance of a safe, just and stable society. The main resource the Justice sector has is its workforce. Therefore, knowledge and skills are essential to effective service delivery. The Compact provides an opportunity to increase the capacity of employers to upskill their workforce, address skills gaps where they exist, and increase public confidence through being able to demonstrate workforce competence.

Whether they are paid or unpaid, full-time or part-time, practitioners in the third sector provide essential services to those affected by crime. The outsourcing of Justice services to third sector organisations is now a major plank of Government policy and it is vital that grant in aid funded organisations are supported to develop a workforce that is appropriately vocationally qualified.

The third sector will benefit from the terms of the Compact in the same way as the larger public organisations. However, there is an additional benefit specifically for leaders and managers in small to medium sized enterprises, where strong leadership skills can benefit a large number of employees. In line with the current Leadership and Management offer in Train to Gain there funding will be available for approx. 216 owner/managers, predominantly from the third sector, to participate in regionally located Action Learning Sets.

The support through Train to Gain already enables employers in the sector to access advice on skills and on the Skills Pledge. Train to Gain also offers funding support for a range of vocational skills and qualifications for individuals working employers of all sizes.

The Justice sector has previously been out of scope to access this funded support. However, through the agreement of this sector Compact all employers within the Justice sector are now able to access Train to Gain. The Compact is not intended to reduce the amount of funding that employers spend on training. Through matched funding by the
LSC, it will build extra capacity and enable employers to train more people at every level and access a wider range of provision.

In addition to the core areas of support available through Train to Gain, the Compact gives special flexibility subject to funding and capacity for key qualifications to be available for the first time through Train to Gain as repeat qualifications – i.e. employees who already have a NVQ Level 2 or 3 can now be supported to achieve a second Level 2 or 3. This flexibility is focussed on the most important qualifications to the sector (see Level 2 and 3 below).

Through the development of this Compact Skills for Justice have worked with employers to identify the priority provision areas and these are detailed as follows:

<table>
<thead>
<tr>
<th>Level</th>
<th>Programme</th>
<th>Rationale</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pre-entry training</td>
<td>Policing</td>
<td>The Police Service needs to recruit more people from visible minority ethnic groups (VMEG) and increase their representation in the Police Service</td>
</tr>
<tr>
<td>Level 1</td>
<td>Cert in Adult Literacy</td>
<td>Ensuring those delivering or supporting delivery of services have the basic skills they need to perform effectively. Many of these will be support staff who do not always have equal access to training if employers have to focus limited budgets on frontline staff</td>
</tr>
<tr>
<td></td>
<td>Cert in Adult Numeracy</td>
<td></td>
</tr>
<tr>
<td></td>
<td>NVQ ITQ</td>
<td></td>
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<tr>
<td></td>
<td>NVQ Customer Service</td>
<td></td>
</tr>
<tr>
<td>Level 2</td>
<td>Cert in Adult Literacy</td>
<td>High volumes anticipated at Level 2. Many of these will be support staff who are first point of contact for the public; their experience of dealing with the service will be judged by their interaction with these staff</td>
</tr>
<tr>
<td></td>
<td>Cert in Adult Numeracy</td>
<td></td>
</tr>
<tr>
<td></td>
<td>NVQ Custodial Care</td>
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<tr>
<td></td>
<td>NVQ ITQ</td>
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<tr>
<td></td>
<td>NVQ Customer Service</td>
<td></td>
</tr>
<tr>
<td></td>
<td>NVQ CMI Team leading</td>
<td></td>
</tr>
<tr>
<td>Level 3</td>
<td>NVQ Custodial Care</td>
<td>Highest proportion of qualifications will be at Level 3. Frontline workers will complete the majority of these qualifications. Employers are seeking to upskill their workforce and provide opportunities for existing staff to gain formal qualifications as a means of developing their business and improving the services they deliver. Many employers have previously relied on internal training to deliver these skills</td>
</tr>
<tr>
<td></td>
<td>NVQ ITQ</td>
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<tr>
<td></td>
<td>NVQ Management (CMI)</td>
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<tr>
<td></td>
<td>ILM Introductory certificate</td>
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</tr>
<tr>
<td></td>
<td>NVQ Youth Justice Award/Cert in Working with Substance Misuse</td>
<td></td>
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<td></td>
<td>L3 Certificate in Community Justice</td>
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<tr>
<td></td>
<td>NVQ Management (CMI)</td>
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<tr>
<td></td>
<td>ILM Introductory certificate</td>
<td></td>
</tr>
<tr>
<td></td>
<td>NVQ Intelligence Analysis</td>
<td></td>
</tr>
</tbody>
</table>
**SKILLS for JUSTICE**

**Leading learning and skills**

<table>
<thead>
<tr>
<th>Level 4 (for L4 jumpers only in Y1. LSC and Skills for Justice will work with HEFCE to include in Y2 &amp;3)</th>
<th>NVQ Management (CMI) Cert In Coaching and Mentoring (ILM) NVQ Management (ILM) NVQ Youth Justice Force Accredited Prog (Sgt/Insp) NVQ Intelligence Analysis</th>
<th>Includes many leadership and management awards. Often, people with operational skills are promoted to management positions with little management experience and management skills are learnt on the job</th>
</tr>
</thead>
<tbody>
<tr>
<td>Advanced Apprenticeships</td>
<td>Royal Military Police Community Justice (Drug and Alcohol Services)</td>
<td>Apprenticeships provide an opportunity to encourage new entrants, upskill existing staff and increase workforce diversity</td>
</tr>
<tr>
<td>Leadership and Management</td>
<td>Action Learning Sets for 3rd sector</td>
<td>A structured approach to management in the Justice sector is needed, as is a new approach to sharing best practice and ideas across sector strands and organisations</td>
</tr>
<tr>
<td>Other</td>
<td>A1 assessor V1 internal verifier</td>
<td>In order to support the significant expansion in delivery of vocational qualifications that is articulated in the Compact, there needs to be investment in the assessment infrastructure</td>
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</tbody>
</table>

Table 1: Priority qualifications and rationale

**Why is this new initiative needed now?**

Justice is arguably the highest profile of the public sector services and constantly in the headlines. It is a key Government priority to improve public sector delivery across the UK. There is an expectation of consistently high standards, combined with high levels of accountability. Improving the skills of employees at all levels is important in the sector, where change is constant and performance of individuals and organisations is under heightened scrutiny. Change occurs often in the Justice sector in response to legislative or political drivers, and this has far reaching consequences for the organisation that impact on all employees.

The ability of leaders to manage this change and employees to work in this climate is critical. This is set against a backdrop of reduced budgets, performance improvement targets and the push to deliver more for less. The Compact will increase the capacity of employers to address the skills needs of their employees to ensure high quality services and productivity. While the Compact will not reduce the amount the sector spends on training, the increased volumes will ensure that more people have the right skills at the right time, and will achieve value for money through economies of scale.

The sector is facing some specific challenges that the Compact will impact on, including addressing specific skills gaps and safeguarding the workforce of the future. The Sector Skills Agreement identified specific skills gaps, many of which cut across the whole sector,
ranging from basic literacy and numeracy skills to leadership and management. The Compact addresses skills levels ranging from foundation tier learning to higher level skills to ensure that the workforce at all levels have the skills they need to perform effectively.

Research shows that the sector is facing a retirement bubble in the coming years and that there are fewer young people in the Justice sector compared to the whole economy (7% compared to 14% nationally). Combined with the shrinking pool of labour which will mean increased competition with other sectors for quality new recruits, this is a significant issue for the sector. There is also a lack of ethnic diversity across the sector with 95% of the workforce coming from white ethnic groups. Apprenticeships are a key component of the Compact and offer a means to attract new entrants to the sector, and increase the diversity of the workforce to ensure that the workforce reflects that communities it serves.

**What is the desired outcome from the Compact?**

The Compact will cover three academic years between September 2008 and August 2011. During this 3 year period, we anticipate the following outcomes will be achieved:

- 28,000 achievements at Levels 2 and 3
- 1000 Skills Pledge commitments
- 216 management & leadership achievements
- 670 Apprenticeships starts in public services
- 44,000 Skills for Life achievements
- 1,000 level 4 qualifications (in years 2 and 3)

Should these outcomes be achieved this equates to an estimated £73 million.

**How will overall progress against the sector Compact be tracked?**

The Learning and Skills Council already track employer engagement in Train to Gain and the Skills Pledge by sector/ SIC code, and collect learner take up of the qualifications identified within the Compact from the Individual Learner Record completed by colleges and training providers. This data collection is part of the standard management information suite, and will be used to compile the progress report as part of the formal Compact review every six months.

**Which organisations are eligible for advice and support through Train to Gain?**

Under the sector Compact all Justice Sector employers based in England are eligible for support through Train to Gain. Funding for skills and qualifications relates to individual employees within these companies – some employees may be eligible for funding support to meet their needs whilst some may not. Both the skills brokers, colleges and training providers can advise on eligibility for funding support as part of the Train to Gain service.
When is this new Train to Gain offer available from?

The Secretary of State signed off the new offer in July 2008. Skills for Justice and the LSC are now working with employers to agree delivery mechanisms and implementation dates.

The amount of funding in the Compact relates directly to the level of demand predicted from employers. If this demand does not materialise, this funding will not be available.

Given this will be the first time the Justice sector has been able to widely access Train to Gain it is anticipated there may not be the required capacity within the current provider infrastructure and therefore a staged approach to developing this may be necessary. The first phase of roll out will focus on three major strands; Custodial Care, Policing and Community Justice. These strands cover the bulk of the Justice workforce, and the majority of private and third sector organisations within it. However, this should not stop you from contacting us if you want to access this offer.

How can employers access the support from Train to Gain including funding for skills?

There will be several mechanisms for roll out because employers in each strand of the Justice sector are configured differently. Where it is deemed relevant by LSC and Skills for Justice, employers will be required to access Train to Gain support and funding for skills using a model called Joint Investment Framework (JIF). For national organisations that manage training across all of their sites centrally, such as HM Prison Service, this is the best option. For third sector organisations, mostly operating in the Community Justice strand, it will not be possible to create a JIF for each employer.

If the JIF model is not deemed to be relevant for your business LSC will arrange for a Skills Broker or specialist advisor to visit and start the process of analysing how your organisation’s performance can benefit from investment in employee skills. Both LSC and Skills for Justice are working together on behalf of employers and will call on each others service on behalf of employers as needed. For advice on training and development and on qualifications available to employers through Train to Gain, employers can also talk to colleges and training providers.

The JIF is a joint commitment between an employer, the Learning and Skills Council and Skills for Justice to invest in the skills of your employees.

The JIF requires a £ for £ match of employer investment against the investment from the LSC. The match must be a cash contribution, not in kind, and must be spent on learner provision not learning materials, travel expenses, backfill, etc.

This model is used by the LSC with organisations from the public services sector to help demonstrate to Government that LSC investment is about delivering additional skills to workforces which often have training and development funds which ultimately flow from Treasury.
Any training provision can be counted as matched funding as long as it meets the needs identified in the training plan. The JIF will clearly set out the type and volume of provision that you and the LSC each agree to fund. For your contribution, this could include:

- Development Awards
- Qualifications at Level 4 and above
- Bespoke training
- Non-accredited training
- Training for employees who are not eligible for Train to Gain
- This would not include mandatory / legislative training such as health and safety

If you are a multi-sited or large employer the JIF will be arranged via LSC National Office. For employers with single sites it is likely the JIF will be arranged by your regional LSC office.

This framework will simply set out the core national offer to you as an employer and in return what investment you will be making and on what skills to match this. In addition to this, you may well be able to access regional flexibilities to this which LSC regions may have in order to address regional priorities and needs (this includes ESF). Information on specific flexibilities will be available from the regional LSCs at the point of delivery.

The framework will also involve identifying the most effective brokerage and organisational mechanisms to identifying skills needs and relevant training providers, taking into account the regional and local context. Whether a JIF has been nationally or regionally agreed, the implementation and funding will always be regionally delivered and will almost certainly involve a Skills Broker.

All LSC funds are paid to the provider for the delivery costs of the training. As an employer, you will not receive any funds from LSC.

**How do employers choose their training provider?**

**For skills funded by LSC directly:**

Across England, there are hundreds of colleges and training providers with contracts to deliver skills through Train to Gain - both sector specific vocational skills and generic skills including business administration and customer service.

For employers who wish to work with a training provider who does not have a Train to Gain contract, the LSC will work with new providers providing that a minimum number of learners are engaged through the contract. All providers within Train to Gain have to meet a minimum set of requirements and success measures in order to receive, and maintain a provider contract. Without a contract in place, a provider cannot receive funding through Train to Gain.

**For skills funded by you:**
You will continue to procure these services under your current business practices.

**My organisation delivers provision in house, how can we be funded to deliver Train to Gain?**

Employers who are also providers of training can apply to become a Train to Gain provider in the usual way, through the national Open and Competitive Tendering (OCT) procurement process or the Regional Response Fund process. Employers would need to meet the same requirements as all LSC providers in terms of capability and capacity, and meet LSC quality standards. For enquiries on becoming a Train to Gain training provider please contact your regional or local LSC or email traintogain@lsc.gov.uk.

**Who will arrange the training being funded by LSC?**

When you have decided on your preferred provider, the Train to Gain training provider will arrange delivery of the training direct with the employer.

**Do Skills Brokers have specialist knowledge of the sector and its qualifications?**

Skills for Justice has agreed to work with the LSC and the regional brokerage teams to deliver a credible skills brokerage service for the Justice sector employers ensuring Skills Brokers are knowledgeable on the Justice sector and understand the context you operate within. The Skills for Justice sector leads will have input into discussions around the best model for implementation and the Skills for Justice Compact Co-ordinator will provide a crucial link between employers, regional and national LSC and the skills brokers to ensure the Compact is rolled out in a way that best meets employer’s needs.

**Which qualifications are supported through Train to Gain funding?**

- **Basic Skills and Skills for Life**
  The LSC provides funding for literacy, numeracy and a contribution towards English language skills.

- **First full Level 2 qualification (equivalent to 5 good GCSEs)**
  For employees who do not already have a full Level 2 qualification the LSC provides funding for their first full Level 2 qualification

- **Contributions to Level 3 qualifications (equivalent to 2 A-levels)**
  For employees with a Level 2 qualification, the LSC will contribute significantly towards the cost of a Level 3 qualification. For employees who do not have a Level 2 qualification but have the skills to progress straight to Level 3, the LSC will provide full funding for the Level 3 qualification

- **Apprenticeship programmes**
  Funding is available for Apprenticeships and Advanced Apprenticeships. Apprentices of all ages are supported through the LSC’s Apprenticeship Programme.
• **Leadership and management skills**  
For organisations with 10 to 250 employees, the LSC offer an in-depth skills analysis for owner/managers, plus grant support of up to £1000 to develop leadership and management skills.

Funding is available for any individual without a first Level 2 or equivalent. The Compact gives special flexibility for key qualifications to be available for the first time through Train to Gain as repeat qualifications subject to funding availability – i.e. employees who already have a NVQ Level 2 or 3 can now be supported to achieve a second Level 2 or 3.

This flexibility is focused on the most important qualifications to the sector. See table one above for a list of the priority qualifications.

**Is there a time limit for learning to be completed?**

No.

**How does this differ from the Train to Gain programme?**

This is part of the Train to Gain programme. It is a specific offer to employers in the Justice sector, based on this driving increased demand from employers.

**My employees need skills and training at Level 4 and above. Will this be funded?**

No, not through LSC and Train to Gain. DIUS and Skills for Justice will work with colleagues in Higher Education Funding Council in year 1 to explore how to support skills at level 4 and 5 for years 2 and 3 of this Compact.

**Development Awards are key to my business. Can I get funding for these?**

No. Skills for Justice, LSC and DIUS will work together to consider how best to introduce and fund via Train to Gain other specific qualifications and units that address particular needs of employers in the sector. These will be drawn from the Skills for Justice Sector Qualification Strategy.

**What is the Skills Pledge and why should I make it?**

Making the Skills Pledge is your commitment to increasing the skills of your workforce. It is a promise that, through training, you will work to boost the productivity of your business and realise the potential of your employees.

**What are the benefits?**

Version 4 October 2008
Since its 2007 launch, the Skills Pledge has helped thousands of companies get the skills they need to succeed. It is a great way to:

- Boost the productivity, capability and happiness of your employees
- Motivate and retain good people by supporting their development
- Get impartial expert advice and Government support
- Show your employees and customers that you’re serious about skills

What am I committing to?

When you make the Skills Pledge, you are publicly committing to support your employees as they gain valuable skills to boost your business. How you fulfill that commitment is entirely up to you - you are free to choose whatever timescale and methods suit you best. All we ask as a minimum is that you sign up to a basic form of words.

How do I know what skills my employees need?

You can get impartial, one-to-one advice from a Train to Gain skills broker. They will help you assess your business needs and the current skills of your employees and come up with a tailored training programme.

Who can make the Skills Pledge?

One person should make the Skills Pledge on behalf of your organisation. This can be the Chief Executive, Chief Operating Officer, owner/manager, or Board member.

The Joint Investment Framework will play an important role in helping to promote the Skills Pledge in the Justice sector through its support for the implementation of the Train to Gain service in Justice sector organisations.

Who is Skills for Justice and what is their role in the process?

Skills for Justice is the sector skills council covering all employers, employees and volunteers working in the UK Justice system. They provide the support necessary to enable the Justice sector to identify its current and future learning needs, to engage more effectively with learning providers in order to meet these needs with high quality development programmes, and to link the acquisition of learning to reputable and valued qualifications.

Skills for Justice agreed with senior DIUS officials and the national LSC the Compact that describes how significant amounts of Train to Gain funding will be used in support of qualifications and development for employers in the Justice sector over the next three years. The Compact discussions have brought Ministers to a point where they have confirmed the eligibility for Train to Gain funding of all public sector employees delivering Justice services; traditionally those in the public sector have been excluded. Volunteers are also now included.
Skills for Justice are now working with employers and the LSC to agree delivery mechanisms and will continue to work with these partners to facilitate roll out of the Compact.

The SSC will not provide training.

**Who is the Learning and Skills Council and what is the LSC’s role in the process?**

The Learning and Skills Council exists to make England better skilled and more competitive. They have a single goal: to improve the skills of England’s young people and adults to ensure we have a workforce of world-class standard.

The LSC commissions and contracts with colleges and training providers to deliver skills and qualifications for employees through Train to Gain. As part of this existing commitment, the LSC will provide funding through the Train to Gain budget and signpost employers to the providers who can deliver the training they need. The employer can choose which training provider to use.

The LSC is an England wide organisation with a National Office, nine regional offices and a number of local offices. National Office has negotiated this Compact however, Yorkshire and Humber have been identified as a “lead region” to work closely with National Office to identify and unblock barriers to implementation on behalf of all nine LSC regions. They will not roll out ahead of the other regions but will develop amendments to national policy where necessary and agree them with national LSC.

**Who should I contact to find out more?**

**Skills for Justice**

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