CHILDREN'S COMMISSIONER

The educational journeys of children in secure settings

February 2025

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Foreword from Dame Rachel de Souza

Since becoming Children's Commissioner nearly four years ago, I've made it my mission to listen to young people in some of the most challenging circumstances, facing the most uncertain futures.

Children living in secure settings are at the sharpest end of this definition. Their numbers are small, with around 400 at any one time located in just 14 settings of differing structures and quality in England and Wales, but their stories are almost universally ones of being failed by services at every stage of their lives so far.

I firmly believe that every child has a fundamental right to a good quality education. That right is not only a central pillar of my work, but it is also a major part of the UN Convention on the Rights of a Child (UNCRC). It is also what children want for themselves, as thousands of them have told me through surveys, research and in person.

Children living in secure settings are no different. They deserve that access to an excellent education, and they want it for themselves. They recognise its power in creating a more hopeful future for themselves and others and they understand, as most children do, that working hard now can set them up for success in later life.

But currently, despite the relatively small numbers of children living in these circumstances, receiving a quality and consistent education feels like a distant ambition. Of the 390 children living in secure settings who responded

to *The Big Ambition* in 2023, just 38% said they agreed that they enjoy school or college, compared to 51% of their peers.

When we say that these children are being failed, this is not hyperbole. Only 20% of these children who had sat an English GCSE passed, compared to 71% of their peers in schools; and similarly, 20% who sat a mathematics GCSE passed, substantially behind the 72% of pupils in schools who passed.

This report does two things. First, it takes a closer look at the educational experiences of these children, before and during their time in secure settings. It hears from these children themselves, telling their stories over the years preceding their arrival in the justice system. For many, the challenges they encounter began long before they enter custody.

These children are disproportionately more likely to have had lengthy gaps in their education, with more than half (54%) out of education for at least one academic year prior to entering a secure setting, some for more than three. A quarter experienced a permanent exclusion in the years leading up to their experience of custody. In the interviews, the office heard that some of these children did not receive the positive intervention needed to divert them back into their education, or the support needed to start attending lessons regularly.

Two in five of these children also had special educational needs, making it difficult for them to thrive at school. Most have experienced child poverty, with nearly 90% from the poorest neighbourhoods. Many told my team and I that these challenges were never fully explored, despite the compound effect these can have on a child's outcomes, and often they were simply sidelined as 'naughty':

"The school never thought hang on, why is he acting like this, should we do welfare checks ...they never wanted answers." – Boy, 17, living in a secure setting.

Second, this report sets out a vision for what the youth justice system could – and should – be for these children. It illustrates the incentives for getting this right – and how. Ultimately, it is my belief that no child should be in prison except in the most extreme circumstances. Many of the young people I have spoken to, for this report and also in previous work, tell me that their time in the secure estate often exacerbates the disadvantages they face rather than addressing them. I am deeply concerned that instead of providing an opportunity for rehabilitation and positive change, secure settings risk turning out hardened criminals with a palpable distrust in the state whose job it is to protect them and with little to offer by way of skills or employability.

I am a ceaseless advocate for the power and value of education. Education is one of the most powerful tools we have for change. It can provide a sense of stability, opportunity, and hope. For children in secure settings, education can be the key to rehabilitation and promotes a future away from reoffending. For the most vulnerable children, school offers an additional protective factor in their lives because – when it works well - they see them every day and can build trusting relationships. Giving schools the status of fourth statutory safeguarding partner would go some way to sharing their unique perspectives with other professionals.

But it is not the role of education alone to prevent young people with few opportunities from going into crime. Every single professional working with children, in healthcare, education, social care, youth justice and in the community, has a responsibility to act on what these children have told me in this report: that the system failed them long before they offended, and continues to do so.

I first started this piece of research after a teenager in a secure setting told me that he had last been happy or engaged with education when he was in primary school, which is a message I have heard repeated again and again since. As a former teacher and school leader, I could not help but reflect on how this child - and too many others like him - could be failed by our education system for so long during his short life.

As with my previous work on the motivations of children involved in last summer's riots, this report asks some hard questions about the value we place on childhood. One of those is how over one third (36%) of the children in a secure setting during this research had most recently been registered to attend a registered educational setting in West Midlands, with 18% most recently attending a registered setting in Birmingham. The next most common local authorities were Liverpool, Manchester, Milton Keynes, Derby, Sandwell, Coventry and Wolverhampton. I will be writing to the relevant local areas to understand why such concentrations exist and to demand preventative action is taken that learns from the experiences of these children.

When we talk about stopping children from falling through the cracks, these are exactly the cracks that we mean. We need only to look at recent terrible news headlines from Southport, Sheffield and south London to understand the importance of intervening early and swiftly in children's lives – for them, but also for other children's safety and the wider public.

There are cases where it is necessary to temporarily remove a child from a classroom, a school, or even the community, but that shouldn't mean that the system gives up on them. It should be a trigger for more intervention and support, not less. But, well before this point, it underlines the singular importance for children of good attendance and positive engagement with school.

This report does not excuse criminality, nor attempt to ignore the hard task of rehabilitation, but instead proposes a series of solutions designed to unite services and deliver them in a way that reflects how children experience them.

I hope that the findings in this report serve as a call to action for all of us. In a world too often designed by and for adults, listening to children's voices is vital if we are to create a world that, instead of offering a series of obstacles to overcome, allows them to flourish.

Executive summary

"I just wish as a kid I was more understood, and I wish the teachers didn't see me as a bad kid and saw me as someone who needed help." – Boy, 17, living in a secure setting.

Background

The Children's Commissioner has a duty to promote and protect the rights of all children, including those in secure settings for youth justice reasons. Her *Family Contact in Youth Custody*[1] report in 2023 revealed that children in youth custody are highly vulnerable, with the vast majority having complex and interrelated needs before their detention.

Since assuming the role in 2021, the Commissioner has heard from nearly a million children and young people about their experiences of school. In both *The Big Ask*[2] and *The Big Ambition*,[3] children expressed the importance they place on going to school. This generation deeply values their education and sees it as important in and of itself and as a pathway to future success. This was evident in the findings of *The Big Ambition* where "school" was the most commonly used word in the survey responses. In *The Big Ambition* the office received a response from virtually every child educated in secure settings. Their responses showed that they equally value education and want to develop the skills needed for adulthood but also recounted the challenges they faced accessing opportunities.

Many of the challenges faced by children in secure settings are familiar and are issues mirrored across the Children's Commissioner's work. For instance, in the *Attendance Audit*,[4] the Children's Commissioner's office spoke to hundreds of children who were not attending school. This report found that children who were persistently absent were desperate to learn but felt they did not have the necessary support to re-engage and attend education regularly. The reasons for disengagement were complex and multi-faceted. In some instances, children were waiting for support for special educational needs; in others they were facing challenges at home which prevented them from attending school.

It was therefore made a priority in the Commissioner's 2024-25 Business Plan,[5] to examine the educational journeys of children in the secure estate.

This report

This report aims to develop a comprehensive understanding of the educational journeys of children in secure settings. It examines their experiences before and during their time in custody, reflecting these in their own voices so that they are central to educational reforms and interventions.

This report is based on analysis of:

- quantitative administrative data covering the 950 children and young people educated in England then held in secure settings in England and Wales for any period of time between September 2017 and August 2022;[i]
- qualitative interviews with 13 children and six staff members in youth secure settings in England and Wales conducted between June and July 2024;
- the education policies as of September 2024 of seven out of the 14 secure settings that accommodate children on remand or sentenced in England and Wales; and
- 390 responses from *The Big Ambition survey* received September 2023 to January 2024 from children in secure settings in England.[ii]

This report found that children in secure settings often had severely disrupted experiences of education, with many recounting a poor experience of school and a multitude of challenges before entering a secure setting. Many children expressed that they wished they had had greater support at school. Some core challenges included:

- *History of poor attendance:* 77% of children in secure settings were persistently or severely absent in their most recent year at a state-funded school.

[i] Full information on the data sources involved, and their limitations, can be found in the Methodology.

[ii] In financial year 2023-24, there was an average of 430 children in custody at any one time. Youth Justice Statistics Link.

- *Disproportionate additional needs:* Children in secure settings were five times more likely to have an Education, Health and Care Plan (EHCP) compared to pupils in state-funded education and 1.5 times as likely to receive Special Educational Needs (SEN) Support;

- *Experiencing child poverty*: Almost nine out of every 10 children in secure settings grew up in areas with above-average levels of child poverty;

- *History of exclusion*: 25% of children in secure settings had experienced a permanent exclusion. By contrast, there were only eight permanent exclusions per every 10,000 pupils in state-funded schools in 2021/22.[6]

While staff in secure settings worked hard to provide a high-quality education, this report highlights the serious challenges they face delivering education. This included:

- *Restrictions on education choices:* Children are often assigned to educational pathways based on who they could associate with safely rather than their interests or educational ability; this makes it difficult to engage children in class when they all have different levels of ability and may not have any interest in the subjects they've been assigned.

- *Limited continuity and ability to plan:* A large proportion of the children are serving short sentences or on custodial remand, which can limit continuity and progress in their education. For children on custodial remand, they do not know how long they will be in custody for which can lead to their education being disrupted at short notice.

- *Staffing shortages:* It is difficult to recruit qualified and suitable teachers capable of providing the necessary educational support and high-quality education to children with diverse and complex needs.

Recommendations

The Children's Commissioner's ambition is for every child to be prevented from being affected by violence and criminality and able to fulfil their full potential. This means that every child must grow up in a loving, homely environment with access to high-quality education, including those who need secure care. To achieve this, a number of structural changes are needed across the whole system. These were outlined in *The Big Ambition*[7] and include:

- A unique childhood identifier so that no child falls through the gaps in support;
- Clear, reliable, long-term funding streams for children, based on consistent measures of local need;
- A joint children's workforce strategy to ensure those working with children are caring, professional and equipped to do their jobs, with a strong pipeline into senior leadership roles; and
- The Department for Education to assume direct responsibility for the delivery of core services for children.

The recommendations in Section 4 of this report have been separated into two parts. The first looks at preventative measures. It outlines the necessary changes to the school system to ensure that children are better supported at school. The second outlines that the current secure setting system is not fit-for-purpose and needs a complete redesign. While the number of children in secure settings is a very small proportion of all children, the challenges they face and often the long-term implications for public services of those challenges means reform of the youth secure estate should be considered a priority.

Key recommendations for the broader education system include:

- **Recommendation:** The government should introduce a single child plan to coordinate all multi-agency support for young people. This plan should be regularly reviewed at least every year and should always be updated if a child moves local authority. This plan should give schools the ability to commission support services from health and social care when children's attendance starts to deteriorate. Alongside this, the government should introduce national thresholds for children's services support, with a statutory offer of Early Help.
- **Recommendation:** Children's support services should be delivered on school sites to provide the targeted early help that young people need. This could include, but is not limited to, educational psychologists, speech and language therapists, Children and Adolescent Mental Health Service practitioners, social workers, youth workers, school nurses, health visitors, family liaison officers and Family Hubs. The nature of the support should match the needs of the children at the school.
- **Recommendation:** Exclusions should always lead to an intervention. When a child is removed from the classroom, whether through internal exclusion, suspension, permanent exclusion, a managed move or implementation of a 'part time timetable', this should be an opportunity to learn about the child's

underlying needs. A child's needs should be assessed and a plan to address any underlying issues should be implemented, jointly agreed with the child, school, local authority, and where applicable with the alternative provider (AP).

Key recommendation for the youth justice system include:

- **Recommendation:** An ambitious national reform that re-designs the secure care system to prioritise treating children who offend, first and foremost, as children in need of specialised support. The Department for Education (DfE) should be responsible for the delivery of all core services for children in the youth justice system and there should no longer be continued attempts to reform an unsatisfactory youth justice estate that fails to meet these children's complex needs.

  This new system must be based primarily upon a therapeutic model of care developed by DfE and NHS England. It must be delivered in smaller, homely settings close to where children live and there should be a clear, time-bound plan to phase out all Young Offender Institutions (YOI) and Secure Training Centres (STC).

Key interim recommendations for the youth justice system

In the meantime, a number of interim recommendations are necessary to better support children currently in secure settings. These measures aim to support children's educational experiences and care while the broader systemic reforms are developed and implemented.

- **Recommendation:** Every secure setting must have a Youth Council where children can serve as representatives, meeting monthly and providing feedback to staff. This ensures that every child has a formalised process for expressing their voice on issues that matter to them. The views of each Youth Council should be shared to the Ministry of Justice and the Children's Commissioner's Office on a quarterly basis to amplify their voices and advocate for the creation of policy change that is informed by their insights and lived experiences.

- **Recommendation:** The youth sentencing framework should be amended to prohibit sentences with custodial periods that are less than 12 months. Instead, multi-agency community-based interventions should be used to address the underlying causes of offending for children. Alongside this, strong sentencing guidelines and safeguards must be established to prevent up-tariffing.

- **Recommendation:** Vocational education pathways provided by secure settings must always include genuine opportunities for children to undertake traineeships and job trainings in the community. Children must have the opportunity to complete all courses within a pathway to achieve a recognised qualification. Every pathway must have a direct link to how it will support their lives outside of a secure setting depending on their sentence length and how it meets regional employment and skill needs. An educational staff member role should be created that is focused on connecting local employers with children completing vocational pathways.

- **Recommendation:** The governors of secure settings should be included in the procurement and commissioning process of education providers by the Ministry of Justice. The contract should also be amended to enable secure settings to have greater flexibility and authority to coordinate the work of education professionals with residential care, health and psychology staff to ensure a holistic and individualised approach that supports the progress of every child. Secure settings should also be able to draw upon the teaching expertise of local schools, academy trusts, colleges and alternative provisions. This might include enabling local teachers to teach at a secure setting or supporting children to continue with their existing educational courses to maintain continuity in their learning and facilitate a smoother transition back into the community.

Background on youth secure settings

In England, children under 18 who are remanded or sentenced to custody are detained in the following types of secure setting: Young Offender Institution (YOI), Secure Children's Home (SCH), Secure Training Centre (STC) or Secure School (SS).

This report includes the two secure settings in Wales, HMYOI Parc and Hillside SCH, as children from English local authorities can be placed in these settings and Youth Justice is a reserved power. However, the primary focus of this work is on children in England with the quantitative data only examining children in England as education is a devolved power of Wales.

As of September 2024, there are 14 youth secure settings that accommodate children on remand or sentenced across England and Wales. These include:

- **Young Offender Institutions (YOI):** A youth secure setting type that accommodates children and young adults aged 15 to 21. The Youth Custody Service (YCS) is only responsible for commissioning YOIs which hold children aged from 15 to 17.[8] Only YOIs that hold children aged 15 to 17 have been included in this report.

  YOIs are the largest form of youth secures setting, accommodating 73% of the children in secure settings. They also have the lowest staff to child ratio and lowest per capita running cost, averaging £119,000 per child in 2021.[9]

  There are four YOIs in England and Wales: Parc in Wales, Feltham in Greater London, Werrington in the West Midlands and Wetherby in Yorkshire. These are operated by HM Prison and Probation Service (HMPPS), with the exception of Parc, which is privately contracted to G4S Care and Justice Services (G4S).

- **Secure Training Centre (STC):** A youth secure setting type that accommodates children aged 12 to 17.

  STCs are generally smaller than YOIs and have higher ratios of staff to children, approximately three staff to eight children. They aim to prioritise education and training for children who are more independent and motivated to attend school or have risk factors which would make a placement in a YOI inappropriate.[10] They average a per capita running cost of £201,000 per child a year in 2021, and accommodate 17% of children in secure settings.[11]

As of September 2024, there is only one STC located in Oakhill, South East England, which is privately contracted to G4S Care and Justice Services (G4S). Two STCs, Medway and Rainsbrook, closed in 2020 and 2021 respectively following findings of poor management and care.[12]

- **Secure Children's Home (SCH):** A youth secure setting type that accommodates children aged 10 to 17[13] that are on remand, sentenced or placed by local authorities on welfare grounds. Only children held in SCHs on remand or those sentenced to custody are included in statistics on the youth justice system and children in SCHs on welfare grounds have not been included in this report.[14]

  SCHs are generally smaller and have higher ratios of staff to children, aiming to accommodate the most 'at risk' children and those with the most complex needs. They have the highest per capita running cost, averaging £271,00 per child a year in 2021, and accommodate just 10% of children in secure settings.[15]

  There are eight SCHs in England and one SCH in Wales that hold children on remand or sentenced. They are run by local authorities in conjunction with the Department for Education (DfE). [16]

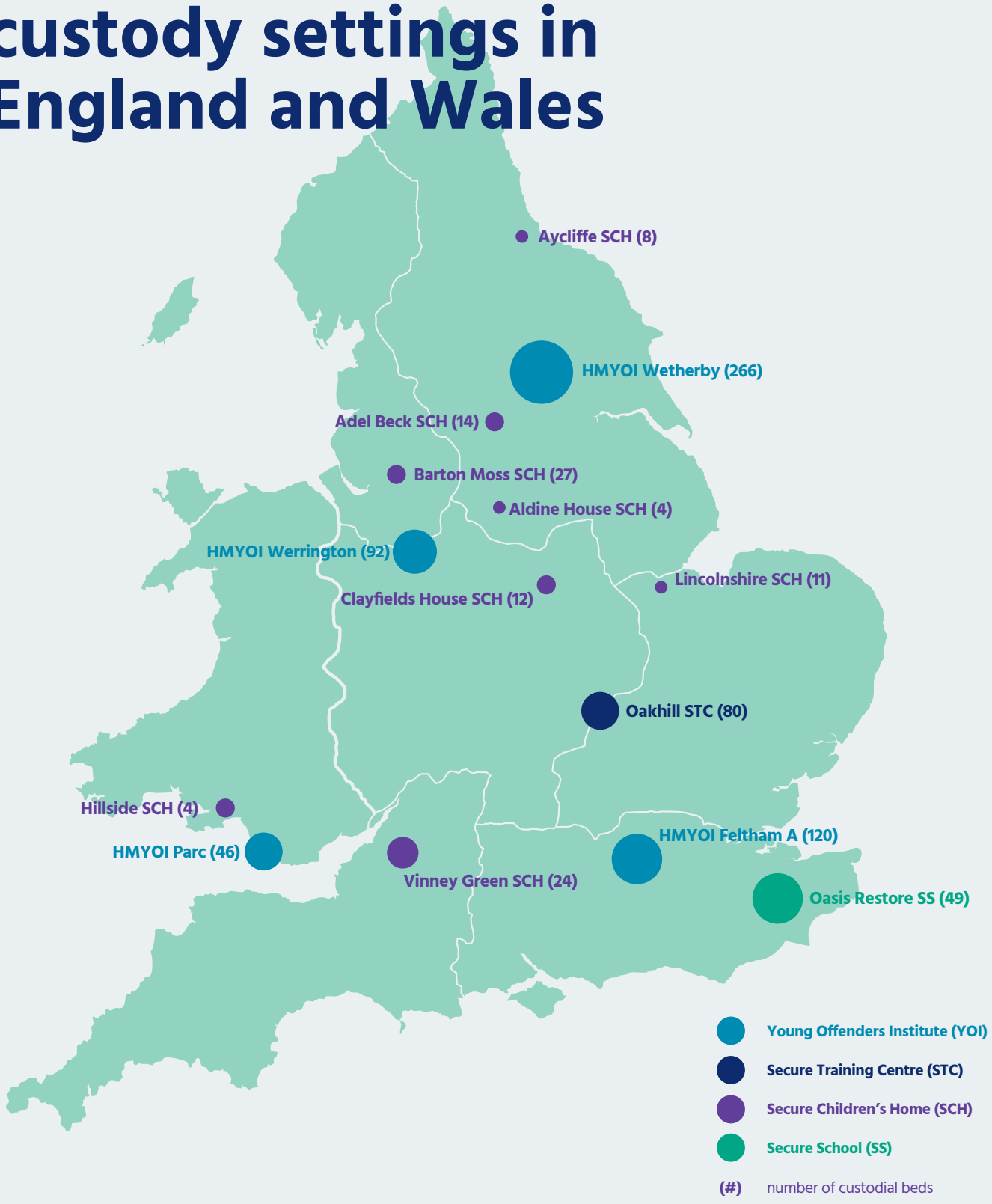
- **Secure School (SS):** A youth secure setting type that accommodates children aged 12 to 17. They are dual registered as a SCH and an academy school for 16 to 19 year olds.[17] The creation of secure schools was the result of the 2016 Charlie Taylor Review of the Youth Justice System,[18] which recommended that the government reconceive youth custodial institutions as schools.[19]

  The first secure school, Oasis Restore, opened in May 2024 by Oasis Restore Trust.[20]

The education, skills and work provisions of every type of secure setting is assessed by Ofsted in England or Estyn for settings in Wales.[21,iii] Further key terms included in this report are defined in Annex A. In 2024, HM Inspectorate of Prisons found no YOI had good enough education provision.[22] Its most recent analysis of 12- to 18-year-olds' perceptions of their experiences in YOIs and the STC (2023-24) found only 78% of children reported engaging with education, and 16% reported that they were not doing any education, training, work or interventions such as offending behaviour interventions.[23]

[iii] No education inspection report on the secure school, Oasis Restore, is available yet. Its first inspection by Ofsted will most likely occur in its third year of operation, which will be 2026/27.

Locations and operational capacities of youth custody settings in England and Wales



CHILDREN'S COMMISSIONER

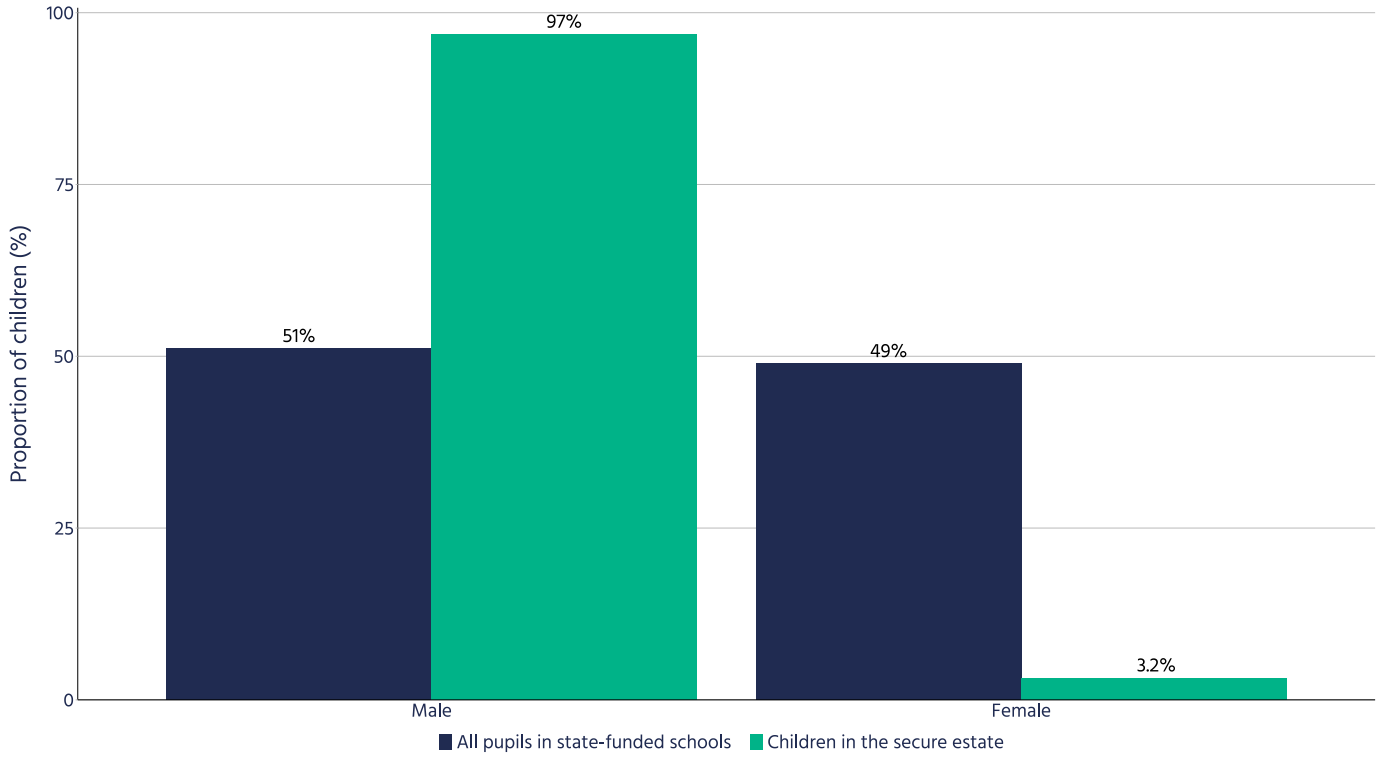
1. Who are the children in secure settings?

Between September 2017 to August 2022, 950 children and young people lived in a secure setting for any period of time. This section analyses the administrative data on these children.

1.1 Gender

The vast majority of the children in secure settings are male, accounting for 97% of the overall population (Figure 1).

Figure 1: Gender of children who were in the secure estate at any time between 2017/18 and 2021/22, compared to the gender of all pupils in 2021/22

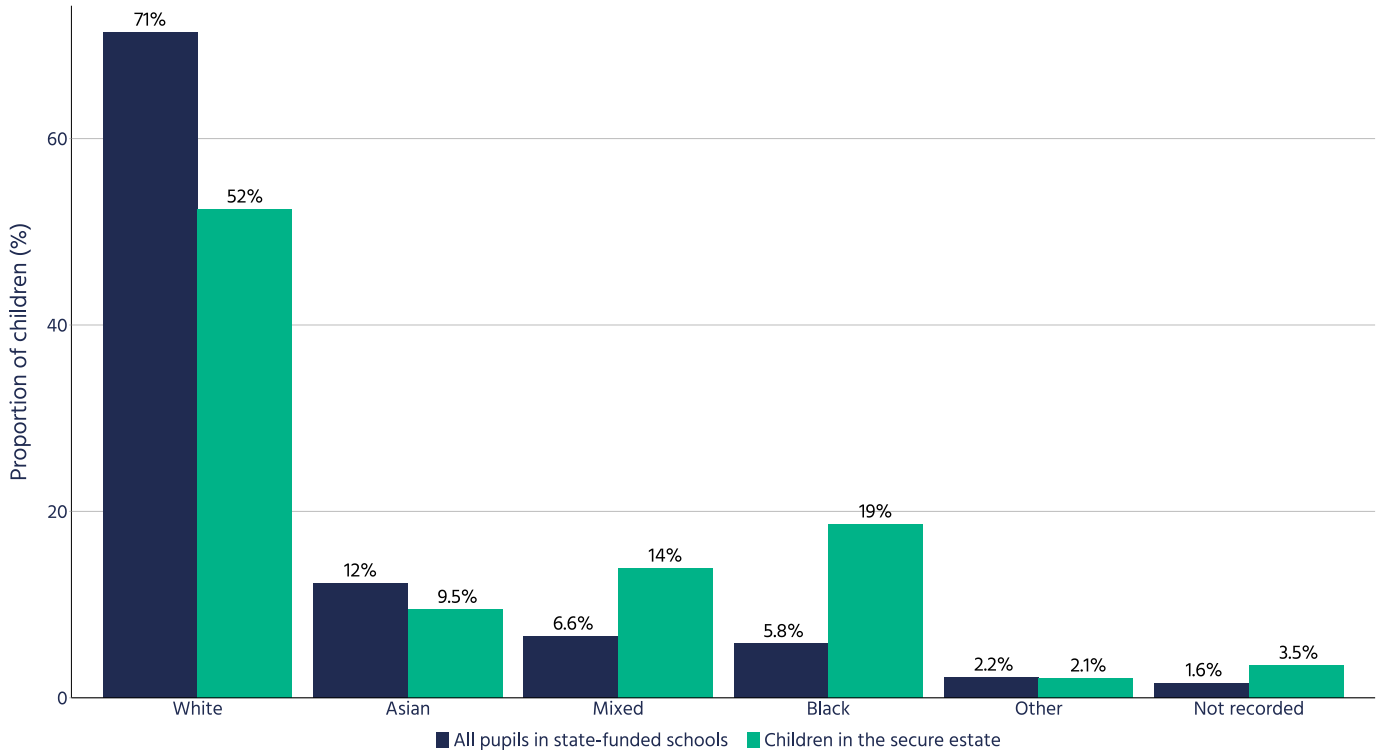


With the small population of girls (3.2%), the secure estate by and large contains single-sex facilities designed to accommodate boys. However, the office's data set was not large enough to confidently reach conclusions about the characteristics and outcomes of girls in secure settings in this report.

1.2 Ethnicity

Children with black or mixed ethnicity are significantly overrepresented, accounting for 33% of the population in secure settings (Figure 2). This is more than double their representation in the broader education system, where they make up just 12%.

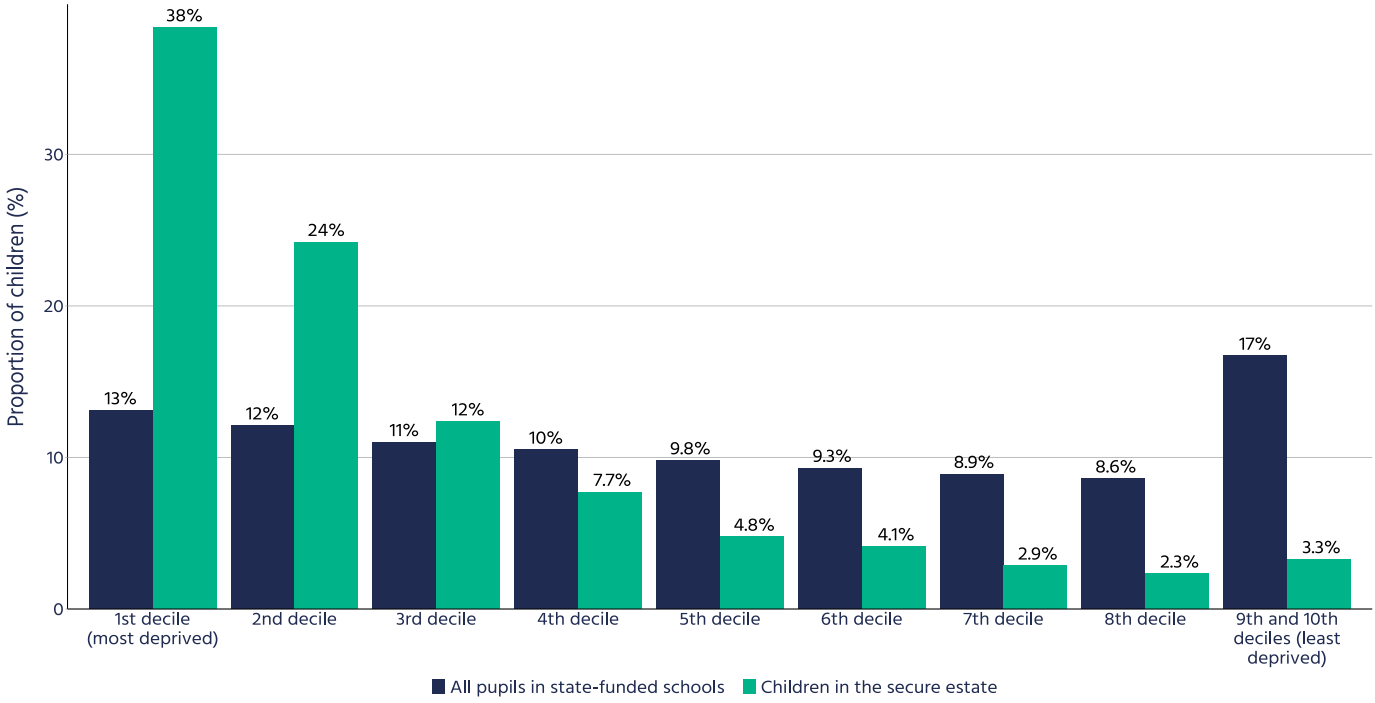
Figure 2: Ethnicity of children who were in the secure estate at any time between 2017/18 and 2021/22, compared to the ethnicity of all pupils in 2021/22



1.3 Child poverty – Income Deprivation Affecting Children Index (IDACI)

Nearly four in ten (38%) of all children in secure settings were living in the top 10% most income deprived neighbourhoods in England when they were most recently in a state-funded school (Figure 3). When the top 50% most income deprived neighbourhoods are considered, this figure rises to 87%, meaning almost nine out of every 10 children in secure settings grew up in areas with above-average levels of child poverty.

Figure 3: Income Deprivation Affecting Children Index of children's most recent home neighbourhood while in a state-funded school before moving into the secure estate, compared to all pupils in 2021/22 [iv]



[iv] The 9th and 10th deciles have been combined to protect the confidentiality of the small number of children from those backgrounds.

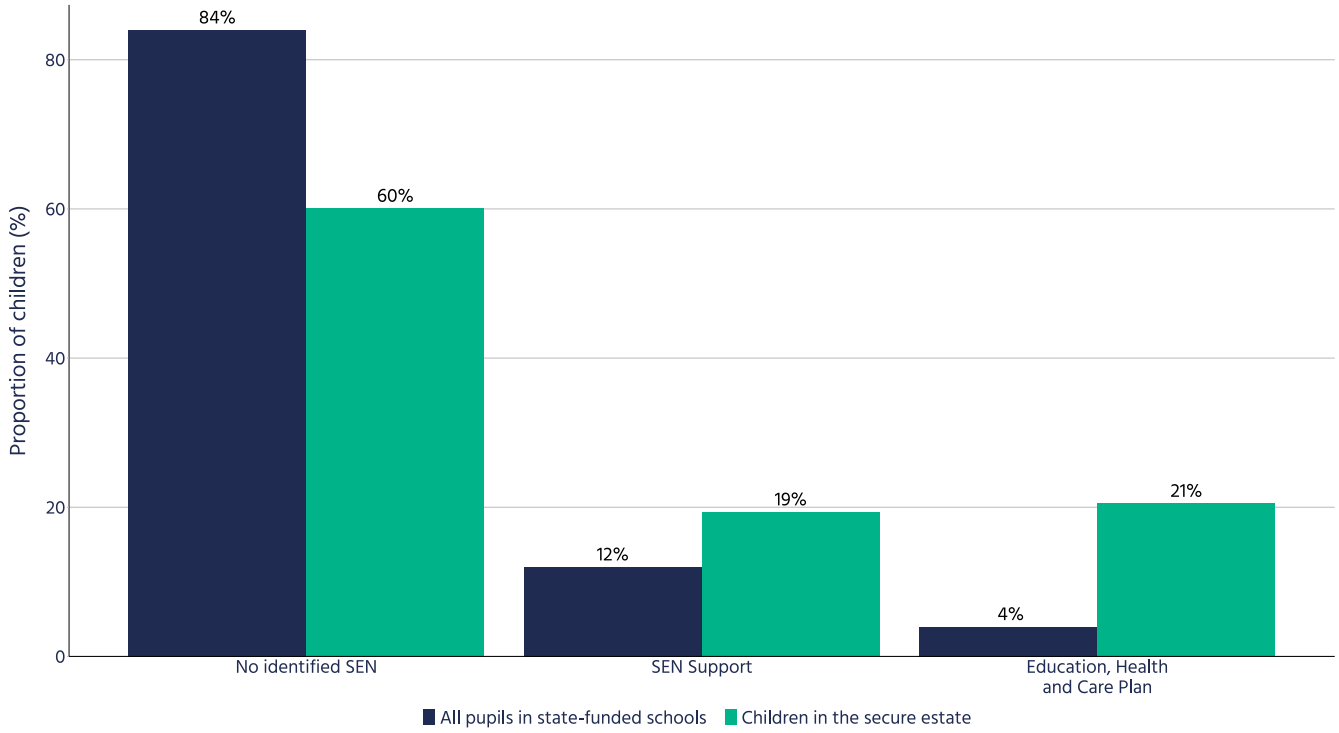
The picture became worse when looking at the income deprivation of children in the office's sample when they *first* entered a state-funded school (this was most frequently in 2006/07). At this point in time, 44% were living in the top 10% most income deprived neighbourhoods.

In *The Big Ambition*, only 55% of children living in secure settings agreed that their family had everything they needed to support them, compared to 83% of all 12- to 18-year-old respondents.

1.4 Special Educational Needs (SEN) and Education, Health and Care Plans (EHCPs)

Children in secure settings were more than twice as likely to have received SEN Support or to have had an Education, Health and Care Plan (EHCP) before entering the secure estate than pupils in the broader education system (Figure 4). Children in secure settings were five times more likely to have an EHCP compared to pupils in state-funded education. Children with an EHCP or SEN Support represent 40% of all children in secure settings. However, these figures may likely be an underestimate as staff members interviewed by the office believed that there is a significant number of children in secure settings that have undiagnosed additional needs (see section 3.2.1 for further details).

Figure 4: Special educational needs provision of children who were in the secure estate at any time between 2017/18 and 2021/22, taken from their most recent record in education, compared to all pupils in 2021/22[v]



[v] Excludes 78 children (of the 950 in the sample) for whom SEN information was missing.

2. What are children's experiences of education prior to entering a secure setting?

Children in secure settings have told the office about their often poor experiences of education before they went into the secure estate. To understand these at a national level, the office linked data on children in secure settings with data from the National Pupil Database and other publicly available datasets to develop a comprehensive picture of children's previous experience of education before entering a secure setting. This was complemented by a series of interviews with young people and staff members in secure settings. This section summarises the office's findings.

2.1 Primary school

The children in secure settings the office spoke to were more likely to reflect fondly on their experience of primary school than secondary school. Most said that they attended primary school regularly and enjoyed making friends.

However, a couple of children shared that they had a difficult experience in primary school with one child speaking about struggling with attention deficit hyperactivity disorder (ADHD) (see section 2.5, SEN and SEN Support, for this) as well as experiencing racism and bullying:

"The kids would be racist to me and stuff because there was only one or two people like me in the school. It was a very white dominated area... One of the main kids that was being racist all the time, his mum was the governor of the school, so it just went nowhere." – Boy, 17, living in a secure setting.

Another child from the Gypsy, Roma and Irish Traveller community spoke about moving in and out of primary schools until Year 5, before being home schooled:

"I didn't stay in school for very long. I didn't learn to read or write, and once I had started learning it was time to move on again. Then eventually my dad took me out, there was no point because I wasn't actually learning anything. I stayed in primary school until Year 5, and where we come from, we get home taught a lot, so we're not really there with a pen and book all the time, but we learned physical stuff. I learnt bricklaying from my dad, that was all teaching. But yeah, that's what I was raised up to do basically." – Boy, 17, living in a secure setting.

2.2 Secondary school

In *The Big Ambition,* 51% of 12- to 18-year-olds agreed with the statement 'you enjoy school or college' but only 38% of those in secure settings agreed with this statement.

This finding aligned with the interviews conducted with children. Most children that the office interviewed in secure settings described poor experiences of secondary school. Many specifically highlighted Year 7 as the period where their school experience began to deteriorate, and their attendance declined.[vi]

Some children explained how elements of their secondary school environment, such as metal detectors at the door, or regular visits from police, made them feel bad. One child described how stressful and overwhelming the amount of new material was, which led him to stop attending. When asked how he would describe secondary school in one word, he said:

"Stressful. Learning new stuff. Felt like lots of things I couldn't handle. I stopped attending in Year 9, just stopped going." – Boy, 16, living in a secure setting.

These poor secondary school experiences that children shared aligned with the office's quantitative findings on children's school attendance (see Section 2.4).

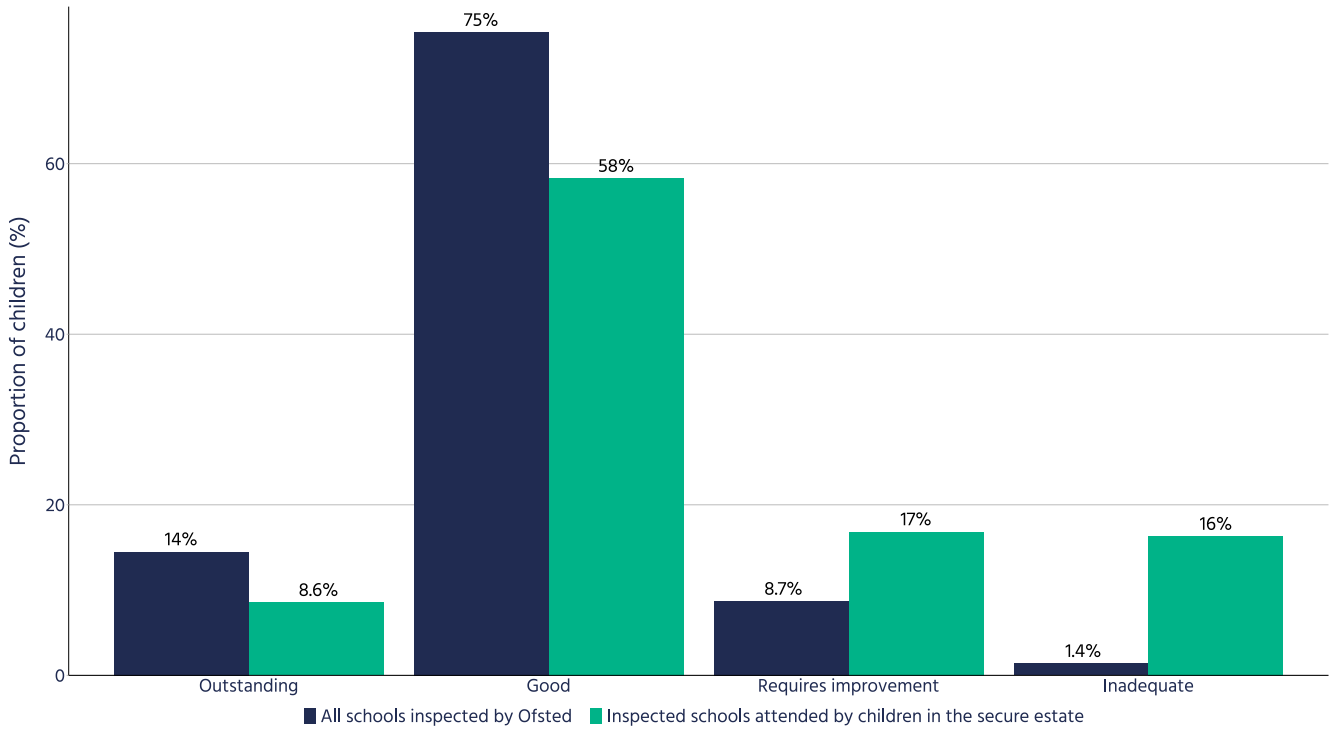
The children had most recently previously been registered to attend 458 different registered settings, most commonly state-funded mainstream schools, state-funded APs, and further education colleges. These settings spanned all regions of England and most of England's local authorities, though there was a concentration in some areas. Over one third (36%) of the sample had most recently been registered to attend registered settings in the West Midlands, and 18% had most recently attended a setting in Birmingham. The next most-frequent local authorities were, in decreasing order: Liverpool, Manchester, Milton Keynes, Derby, Sandwell, Coventry, and Wolverhampton. This analysis only considers the total number of children whose last registered education setting

[vi] The Office's interviews did not explore in depth the impact that Covid-19 lockdowns played in children's school experiences.

was in each local authority, rather than the rate at which children transition from education in those local authorities to the secure estate. Six settings had been the most recent registered setting for 20% of children in the sample.

In areas where such concentrations exist, the Children's Commissioner will write to the relevant Directors of Children's Services and the Department for Education's Regional Directors in order to understand the reasons and whether any further action should be taken. When looking at Ofsted's rating of the schools attended by children living in secure settings, the office found that three in every 10 children living in secure settings went to a school that was rated as 'Requires Improvement' or 'Inadequate' (Figure 5). This is three times higher than for all pupils, demonstrating that children in secure settings are significantly more likely to have received a quality of education that was below national standards and could involve, for example, serious issues with leadership, poor classroom management, and inadequate support for vulnerable pupils.

Figure 5: Ofsted rating of last schools attended by children prior to entering the secure estate, compared to all schools inspected by Ofsted



2.3 Teachers

In the office's interviews with children in secure settings, some spoke fondly about their teachers, saying it was the best part of secondary school. The qualities they appreciated in teachers the most were patience, active listening, mutual respect and the ability to explain concepts clearly.

"I think the best part was obviously the teachers. At my secondary school, I think all the teachers were young. I feel like I can relate to them more, you get me. So, any issue I had, even if it was an outside issue, I could just talk to them... talk to them about everything." – Boy, 17, living in a secure setting.

One child shared that having a teacher who listened and valued their opinions was profoundly important, marking one of the first times they had experienced this:

"Because in terms of other situations and home life, I didn't have someone that could listen to me... if I'm saying well actually, I think this and this then suddenly someone's listening to me and they're taking it in and they're valuing my point. For me, having not had my point valued outside, it was quite a big thing." – Boy, 17, living in a secure setting.

Another child spoke fondly about a deputy headteacher who gave him unwavering support:

"My deputy headteacher... he helped me have a second chance in another school. Then he saw that I was struggling he gave me another second chance... We call it a second chance but realistically it was like a hundredth chance. I didn't take it for granted. I came back. I did what I had to be done. I worked hard and then the outside world just caught me up again and I came to jail [YOI]." – Boy, 17, living in a secure setting.

However, this positive experience with teachers was not the case for all the children the office spoke to, with some explaining that they could not recall any supportive or caring teachers or staff across the various schools they attended. When one child was asked "Across all of the schools you attended, was there anyone or any staff who were supportive?" he said:

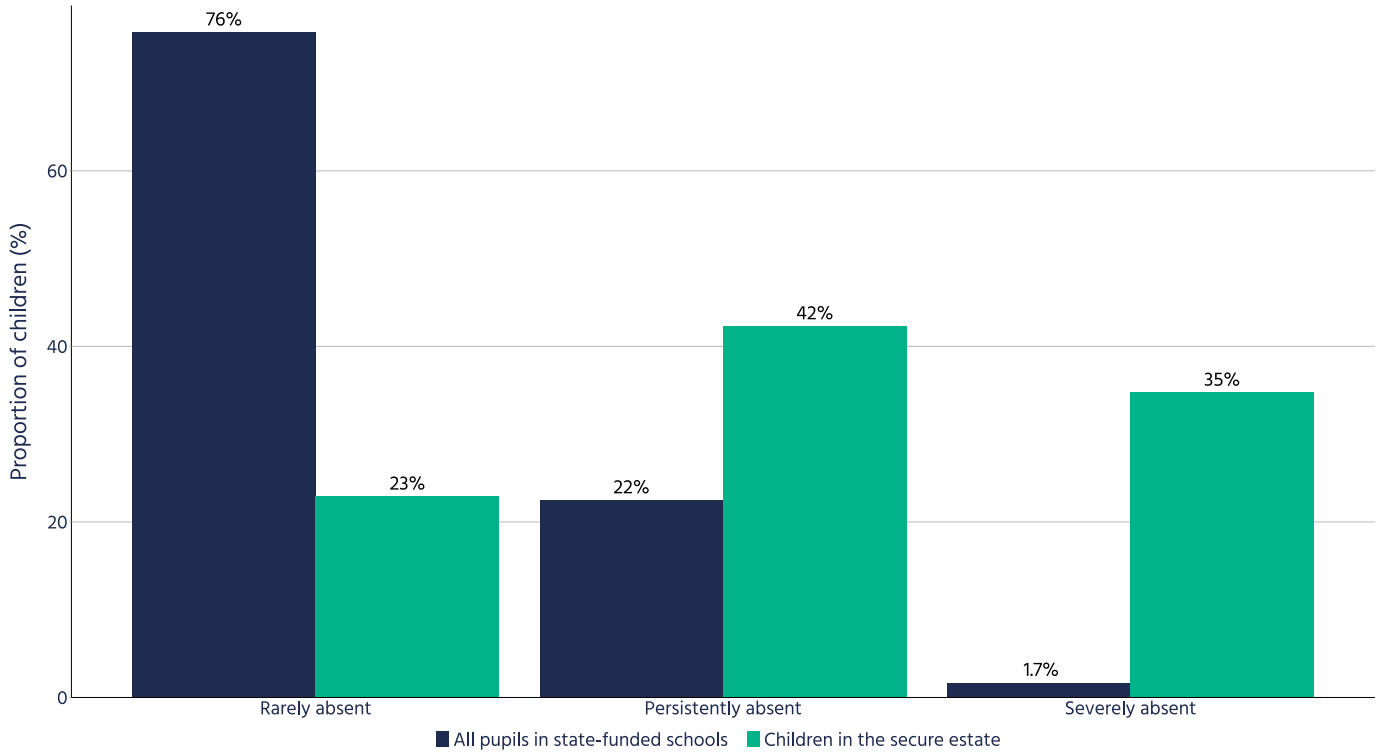
"No, there was teachers and that... but they didn't care, they didn't try." – Boy, 17, living in a secure setting.

2.4 Attendance pattern

Among children in the secure estate, 77% were persistently or severely absent at their most recent year at a state-funded school (Figure 6).[vii] This was three times higher than pupils in state-funded schools in 2021/22, of which only 24% were persistently or severely absent. When looking at severe absence only, it was over 20 times higher for children in secure settings than pupils in state-funded schools, at 1.7% versus 35%.

[vii] Time spent in the secure estate is not defined by DfE as an absence, and therefore will not contribute to a child's absence rate if they were in the secure estate in the same year that they were last in a state-funded school.

Figure 6: Attendance pattern of children who were in the secure estate at any time between 2017/18 and 2021/22, taken from their most recent record in a state-funded school, compared to all pupils in 2021/22[viii]



The office's interviews with children in secure settings revealed issues at home, poor educational experiences and a lack of support at school as reasons why children in the secure estate stopped attending school.

One child the office spoke to expressed his feelings of loss and anxiety when his father passed away. This led him to stop attending school and ultimately to be excluded. When asked about whether any teachers helped him during this time or provided support he said no:

[viii] Excludes 12 children who had either not previously attended a state-funded school, or who had attended but whose attendance data was missing.

"I kinda did my own thing. I wasn't really telling people, you know... I was, like, walking out the school a lot. The teachers knew that something happened but with the stress I'm not really sure. I kinda just dealt with it in my own way." – Boy, 17, living in a secure setting.

Many children felt that they weren't learning at school and stopped attending as a consequence. One child told the office that she would go on the bus to school and then hang in town with other pupils rather than go to school. She reasoned:

"I'm not learning anything anyway, no point in going and just sitting there" – Girl, living in a secure setting.

Another child spoke about his life-long dream of joining the British Army and after reading that they did not require school qualifications he stopped attending:

"It was actually my goal to be in the forces and I thought that I didn't need the qualifications. So therefore, I was like, whatever you know? Let me just do my own route and focus on what I want to do. I wasn't attending school. I'd read a guideline where it was saying that just to be a standard regular infantry, you wouldn't need even Maths or English, but then it was only later on I realised you didn't need Maths and English, but they were looking for Maths and English. A lot of them would tell you to go and get your Maths and English and then come back." – Boy, 17, living in a secure setting.

Once children stopped attending, children told the office that they did not always receive the support to reengage with education:

"I didn't have a social worker, nobody came from the local authority or the school." – Boy, 16, living in a secure setting.

Even when schools attempted to reengage young people, it was not always successful. One young person told the office that they did not want to engage with the attendance support the school offered:

"I went three or four times a week... Sometimes they came up the house and knocked but I didn't answer." - Boy, 16 living in a secure setting.

In contrast, some children described alternative provisions (AP) putting in more effort to secure regular attendance. They said that rather than just completing standard checks, staff would reach out to family members to understand the reasons for non-attendance.

"They tried to get us to go and that, they cared more than the mainstream… they'd like get onto your Nan." – Boy, 17, living in a secure setting.

2.5 Special Educational Needs (SEN) and Education, Health and Care Plans (EHCPs)

Children who received SEN Support and who had an Education, Health and Care Plan (EHCP) are significantly overrepresented in secure settings, accounting for 40% of children in secure settings (Figure 4), much higher than the equivalent among all pupils.

Several of the children in secure settings that the office spoke to said that they wished they had better support at school including more 1:1 support, with a few children saying that their classes had too many people in, making them stressful.

Another child spoke about wanting teachers to be aware of neurodiversity, even in instances where children do not have diagnoses, so that he could receive similar and more positive behavioural support to other children with SEN:

"I guess I'd like teachers to be more aware of neurodiversity… because there was this kid in my class, he was autistic and even though we behaved the same, I would always get told off… Because he has autism, whereas I was just seen as the naughty kid and he was seen as the kid with a problem… I guess I just wish as a kid I was more understood, and I wish the teachers didn't see me as a bad kid and saw me as someone who needed help." – Boy, 17, living in a secure setting.

Some of the children the office interviewed said that they had never been tested for SEN. Others said that they were assessed at school as needing extra support but felt that they did not actually receive it:

"I was evaluated by an educational psychologist at school, and they basically said that I did need extra help and support." – Boy, 17, living in a secure setting.

When asked if he was ever provided with support after his assessment at any of the schools he attended, he responded *"No"*.

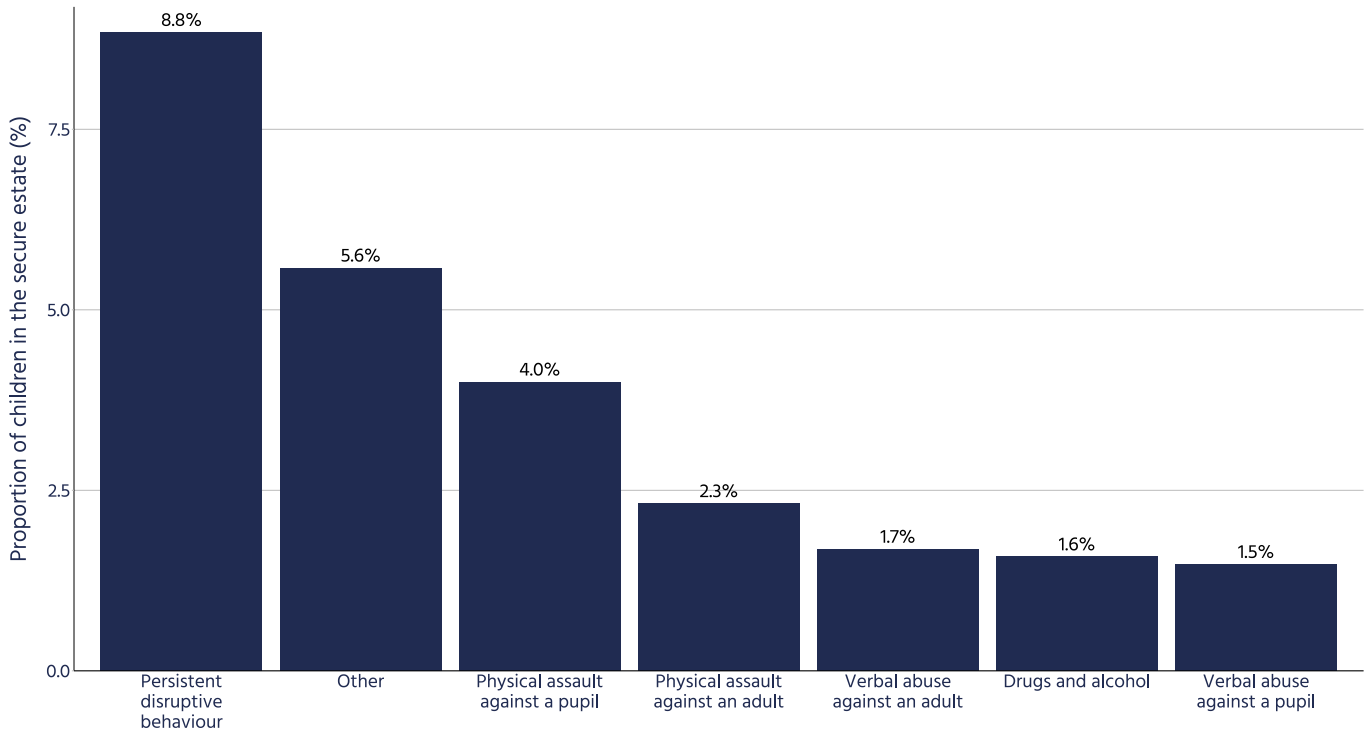
2.6 School exclusions

Children in secure settings were more likely to have experienced an exclusion prior to entering the setting. Nearly 1 in 4 (23%) of children in secure settings had been permanently excluded once, and 1.7% permanently excluded twice, at any time between 2012/13 and 2021/22. None had been permanently excluded more than twice. That compares to eight permanent exclusions per every 10,000 pupils in state-funded schools in 2021/22.[24]

Persistent disruptive behaviour was the most common reason for a child in a secure setting to have been permanently excluded (Figure 7). The office's analysis found 8.8% of all children in the secure estate had experienced exclusion for persistent disruptive behaviour. Physical assault against pupils and adults were the third and fourth most common reason for permanent exclusions for children in the secure estate.

In some instances, the exclusion may have been related to the child's offending history. However, the office's analysis did not link whether the cause of children's school exclusion was related to the incident they were sentenced for. Similarly, the report does not establish any causal relationship between being excluded from school and spending time in a secure setting.

Figure 7: Proportion of children in the secure estate who had ever been excluded for a given reason between 2012/13 and 2021/22



While schools need to have the power to exclude children as a last resort, the Commissioner's office is clear that any form of exclusion, including internal exclusion, should always be an urgent trigger for additional support.[25] Exclusion from a school should never mean exclusion from education. All children who are excluded or suspended should have their needs assessed, and a plan should be put in place for those needs to be met.

In the interviews, the office heard from several children who were excluded from school for persistently disruptive behaviour. A number of children spoke about their poor behaviours at school being linked to issues at home. They also spoke about teachers reprimanding them for their behaviour without identifying any safeguarding concerns:

"Some of the behaviours that the school were picking up on was affected by home things and the school never thought hang on, why is he acting like this, should we do welfare checks …they never wanted answers." – Boy, 17, living in a secure setting.

In *The Big Ambition,* a much lower proportion of children living in secure settings agreed with the statement 'you have somewhere to call home' (67%), compared to 95% of all 12- to 18-year-old respondents.

Children told the office about their experience of multiple exclusions. One child described being temporarily excluded five times and when he was finally placed in a school he enjoyed, he was found with drugs and was permanently excluded. Again, based on children's accounts, schools did not try to understand the reasons behind children's actions including a safeguarding action into how he was able to acquire drugs as a child. Exclusions for any reasons should always be a trigger for safeguarding actions.

"Honestly it was a perfect school…it was good. But… I got found with stuff, you know what I mean. They kicked me out." – Boy, 17, living in a secure setting.

This child also spoke about being desensitised to school exclusions and by the time he realised that he wanted to return, it was too late:

"I thought I don't even care I'll just go to another school. Until I started realising that was probably the best place for me, but then at the stage when I could go back [to that school], I ended up here [in this YOI]." – Boy, 17, living in a secure setting.

Many children spoke about disruptive behaviour being the reason for their permanent exclusion. One young person reflected:

"I was just getting involved with bad people that probably weren't good influence. And when I did go to school, I ended up getting excluded. Because I was just messing around because I had nothing to do. I was quite bored. … and it was silly things like set off fire alarm, just dumb things. I look back and think why was I doing that." – Boy, 17, living in a secure setting.

Again, based on children's accounts, schools did not attempt to understand the reasons behind a child's disruptive behaviour or reflect on what actions could have been taken to support the child and prevent their exclusion.

Further, children spoke about their poor experiences of behavioural sanctions such as being placed in isolation, and not receiving teaching, with one child saying that he did not have any teacher as he waited to be placed at another school:

"Before the end of Year 7 into about the first month of Year 8, they put me in isolation. And I couldn't mix with anyone. I mean that was quite bad. My mum made complaints. I'd go in with everyone else and then from the start time, I'd be in isolation for the whole day. They just gave me an iPad with BBC Bitesize and that, you know, I'm not even doing proper learning and I wasn't even seeing a teacher or anything. No. Literally they just put in there and that's because they couldn't find a placement for me at another school. It's like being on segregation there." – Boy, 17, living in a secure setting.

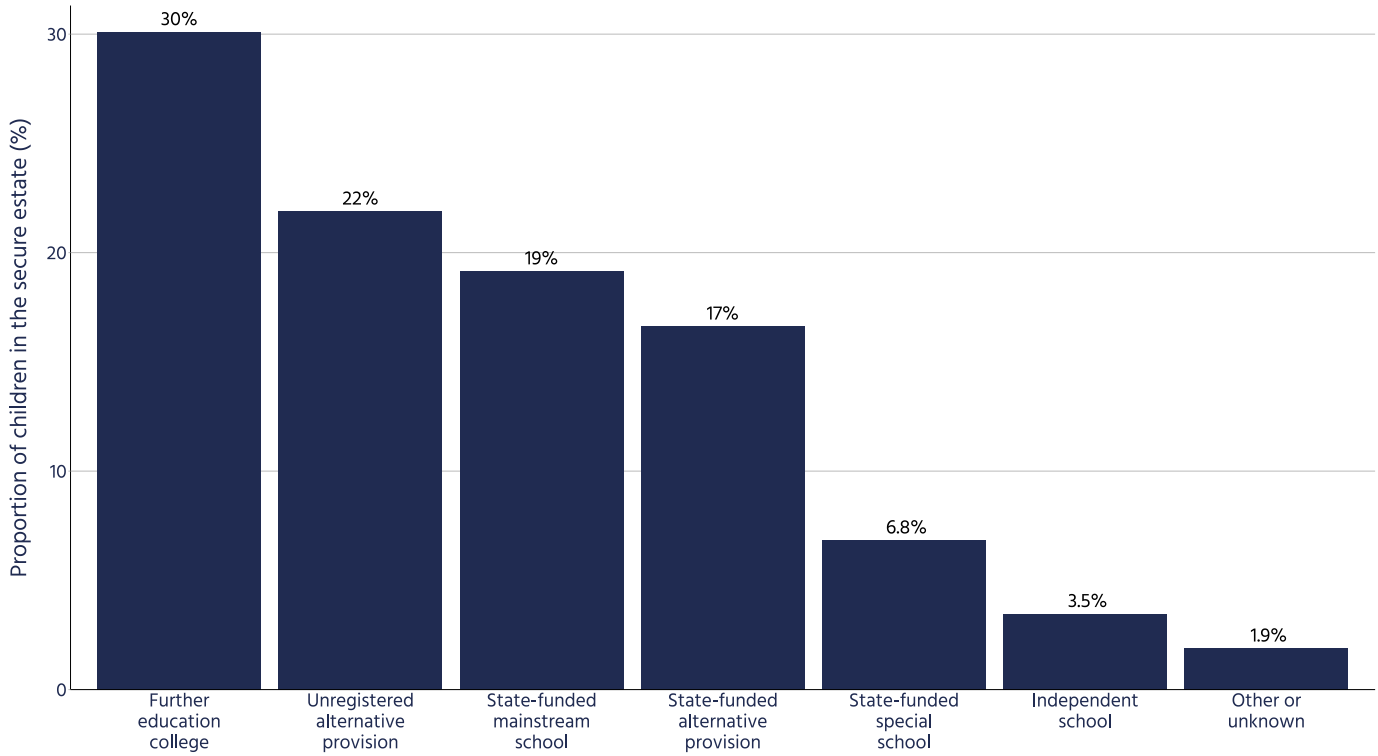
Several children reflected on the negative impact of isolation not just on their education but also on their mental health, with it often leading to even more challenging behaviour such as walking out or stopping school attendance altogether. One child said that being sent to isolation was *"worse than being in jail [YOI]"* and other children said that they would stop attending after being sent to isolation. For many, isolation led to greater disengagement with education. Some children felt as though anything they said to a teacher would lead to them being kicked out of lessons. One said:

"Some of the lessons I did go to, I just got kicked out straight away. They would say go to isolation, but I would just walk out." – Boy, 17, living in a secure setting.

2.7 Alternative provision

Prior to entering a secure setting, 17% of children had been attending a state-funded alternative provision (AP) (Figure 8). By comparison, 0.1% of all pupils were in a state-funded AP in 2021/22.[26]

Figure 8: Type of education provider last attended by children who were in the secure estate at any time between 2017/18 and 2021/22



Note: The 'other or unknown' category includes, for example, specialist post-16 providers, and records without type of establishment information.

Of the nine children the office interviewed who had been excluded, all nine said they were referred to an alternative provision (AP) with five specifically mentioning that they were referred to a pupil referral unit (PRU, a state-funded AP maintained by a local authority).

One child said that he was referred to a PRU because no other school would take him after being permanently excluded:

"Basically, no school could take me because I had been excluded. I had been partly excluded from two schools and refused to go to another school... So, the only school that would take me at that time was the PRU." – Boy, 17, living in a secure setting.

Several children mentioned that they were placed in AP settings (often further education colleges) which were not schools.

Unregistered AP was the second most common education provider last attended by a child prior to entering a secure setting, with 22% of children in secure settings last attending unregistered AP prior to entering a secure setting. This is in stark contrast to the broader population where only approximately 0.1% of all pupils attend unregistered AP.[27,ix] Unregistered APs are not registered with the Department of Education which means they are not governed by the same regulations as registered schools. The Children's Commissioner's office will continue to explore unregistered APs in the future to better understand the quality of care and education which they provide.

Some of the children referred to AP said that they benefitted from the more vocational subjects on offer. They stated that the courses that they could pursue were more aligned with their interests. One child said that they were referred to an AP college, which they preferred because they were able to learn woodwork. Another talked about how they were given opportunities to progress with music during their time in AP:

"I'm into music a lot they've got a studio in the class … That was a good thing, [the studio guy] gave us that opportunity. He used to give us links to all of these other people, so I feel like it helped me a lot." – Boy, 17, living in a secure setting.

One young person said that they liked being in AP because it allowed him to participate in a vocational course in bricklaying:

"I enjoyed the bricklaying course the most. That was like my bread and butter. That was the thing I was good at." – Boy, 17, living in a secure setting.

[ix] In 2022-23. This report uses 2021/22 data for most comparisons with children in the secure estate, as 2021/22 was the latest year children in the office's sample could have been in the secure estate. However, DfE only started publishing the number of local authority funded placements in AP, by type of placement (and therefore by whether the setting was registered), in 2022/23.

However, several young people said that while they enjoyed being in AP, it was not academically stretching for them.

"I could do what I want. I could go in yeah, and I'd just walk out whenever I want and do whatever. I'd just have like, two lessons a day. It was dead." – Boy, 17, living in a secure setting.

"I felt like I enjoyed being outside, but I don't think I got something academically out of it, apart from social skills, maybe." – Boy, 17, living in a secure setting.

One child spoke about the lack of opportunities to achieving qualifications:

"Yeah. I never got any qualifications. Obviously if I'd been going into the school and they'd be doing, say, vocational mechanics and that and then I'd get the qualification. I was engaging in an outdoor course but they weren't giving me any qualifications, they were just taking me out to go have fun." – Boy, 17, living in a secure setting.

Some young people also talked about the challenges that came from being placed in AP settings with unsuitable peer groups. One child said they were placed in a setting where they did not want to mix with the other children. Their inability to attend led to a placement breakdown.

"I never went into the building. Again, I had issues with people in there... And there [was] no systems they were gonna put in place or anything." – Boy, 17, living in a secure setting.

The same child spoke about being placed in a different alternative provision (AP) for children much older than him:

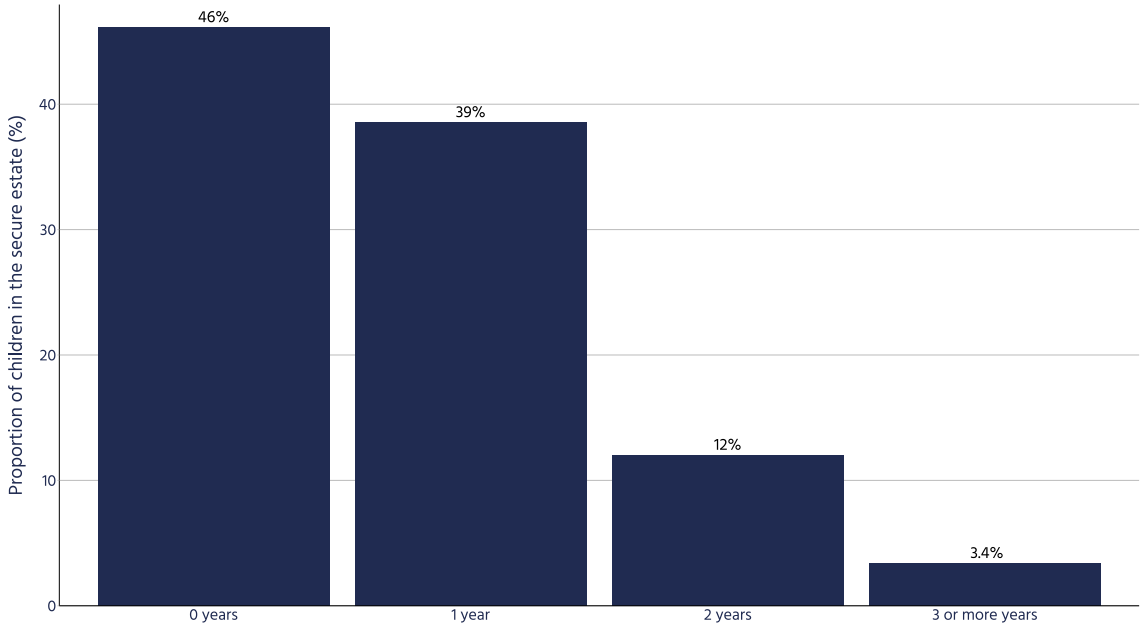
"I also went to this college, the issue was that people were older so it wasn't really appropriate for them to put me there because it was for 16 to 18 year olds and I was 14 at the time. I did make friends, but they were a little bit older, and they weren't exactly great friends." – Boy, 17, living in a secure setting.

2.8 Periods outside of education

Although nearly half of all children (46%) were last in education and entered the secure setting in the same academic year, 54% of children in secure settings were out of education for one academic year or more prior to

entering a secure setting, with some out of education for three or more years (Figure 9).[x] These children may have been home educated, abroad, in an independent school not paid for by the local authority, missing from education, or no longer of statutory school age.

Figure 9: Number of academic years between most recent education and first entering the secure estate



In the office's interviews, several children spoke about their experience of being a child missing education. This term was not used by any children, but 'child missing education' status has been inferred from descriptions of their circumstances. The Children's Commissioner's research on children missing education has shown that some of the most vulnerable children experience long stints outside of education, with inadequate support for their

[x] Children who are 16- to 17-years-old may be in training rather than in education, which is not captured in the education data.

reintegration.[28] The children interviewed became children missing education due to a breakdown in their placement at school or AP or due to challenges at home.

One child explained how issues at home and isolation at school led to him dropping out of education. When his family left the local authority, he was not given adequate admissions support, and the inability to find a school led to him being out of education for a year:

"I stopped going to school…partly because of things at home, stress and mental health and things like that. And then I was found a placement at another school in my area, but I never attended because I had issues with older students there and I was worried about bullying. And then when I had problems at home, we moved into another area and the school I wanted to go to was full. So, they were trying to send me to that other school in the same area as my old home, but I had problems with people there, so I could never attend that one. So, for the whole of Year 8 I was out [of education]." – Boy, 17, living in a secure setting.

Another stated that they did not receive education for half a year because there was no available AP:

"They told me you can start [at the PRU] in six months' time. And in the meantime, we're not gonna give you very much to do." – Boy, 17, living in a secure setting.

A few children spoke about wanting to work after leaving school, but finding this difficult without having connections. One young person said it was difficult to find a job due to their lack of experience and age:

"I couldn't get a job. I was trying to, but no one would hire me. So yeah, I was literally just doing nothing really for six months or so. It was frustrating because I wanted to work, but I couldn't and I didn't want to go back to, like, selling drugs and my social worker helped me do my CV and I was supposed to get a job at Domino's doing deliveries, but they said I had to be 18 and I was 17 at the time." – Boy, 17, living in a secure setting.

2.9 GCSE results

Fewer than half of children in secure settings (42%) had sat at least one GCSE in an academic year prior to or during the academic year in which they entered the secure estate.[xi] This aligned with the office's qualitative data, with the majority of the children interviewed said that they had not sat any GCSE prior to entering a secure setting.

Of the 42% of children who sat a GCSE, 77% had sat both an English language GCSE and mathematics GCSE, 14% sat mathematics only, 4% sat English language only and 5% had done neither English language nor mathematics.

Excluding English language and mathematics, the most common GCSE subjects children sat in descending order were English literature (48%), history (15%), art and design (14%), religious studies (12%), biology (10%), geography (9%), physical education (7%) and business studies (5%).

As part of interviews with children in secure settings, the office asked what their favourite subjects had been at school. Common answers were physical education, business studies, music and food technology.

In the office's interviews with staff at secure settings, education staff stated that it is difficult to engage children in class when they all have different levels of ability.

2.9.1 English GCSE

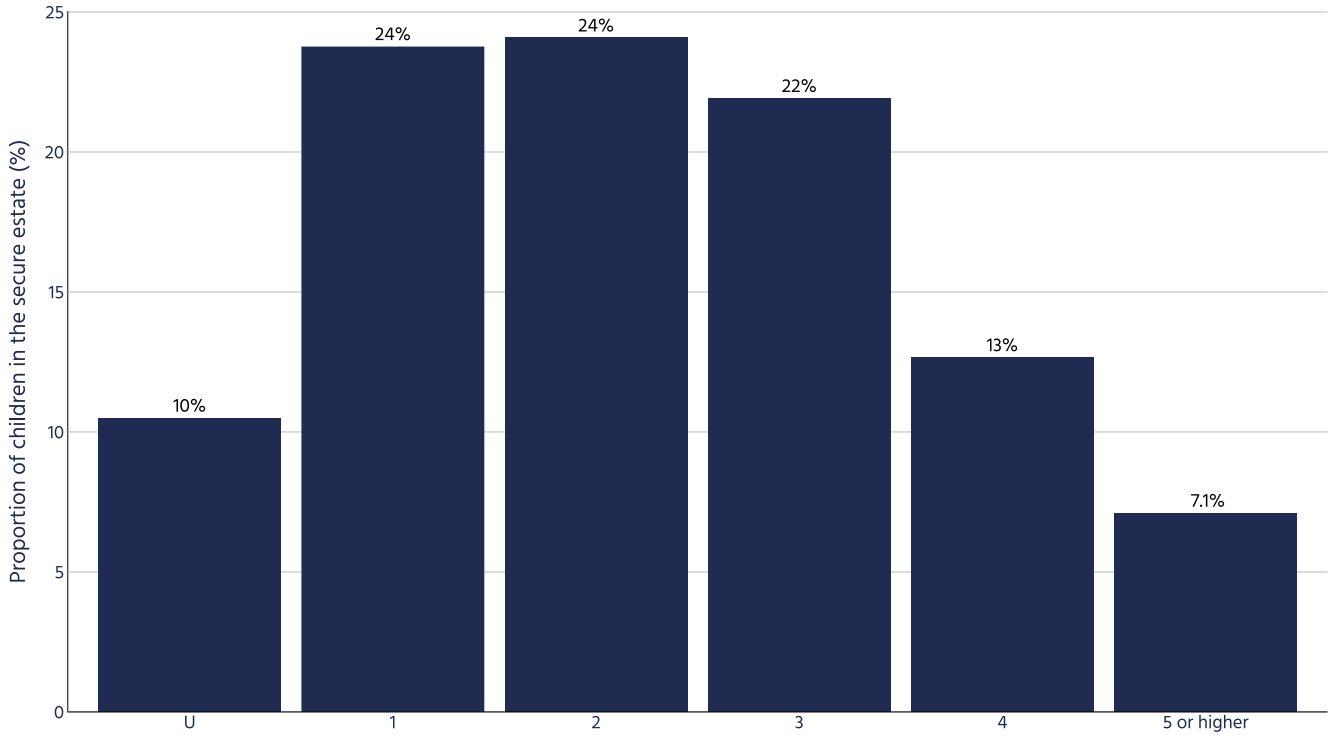
Among the children who had sat an English language GCSE, the average (mean) grade, excluding children whose grade was 'U', was a failing grade of 2.6. The highest grade achievable for GCSEs is 9, pupils need a 4 for a 'standard

[xi] Of this group, 66% most recently sat GCSEs in an academic year prior to entering the secure estate, whilst 34% sat GCSEs in the same academic year. Of those who sat their GCSEs in the same academic year as their entry into the secure estate, it is not possible to know whether they were in the secure estate at the same time as when they sat their GCSEs. The academic years following entry into the secure estate have not been analysed.

pass' and at least 5 for a 'strong pass'. Pupils who fail to reach the minimum standard receive a grade of 'U' meaning 'unclassified'.[29]

80% of children in secure settings who sat English language GCSE did not achieve a pass (grade 4 or above), with 10% of children receiving a grade U (Figure 10). Only 20% of children passed, which is substantially below their peers being 71% for all pupils in 2022/23.[30]

Figure 10: English language GCSE results of children in the secure estate who sat the exam in an academic year prior to or during the academic year in which they entered the secure estate



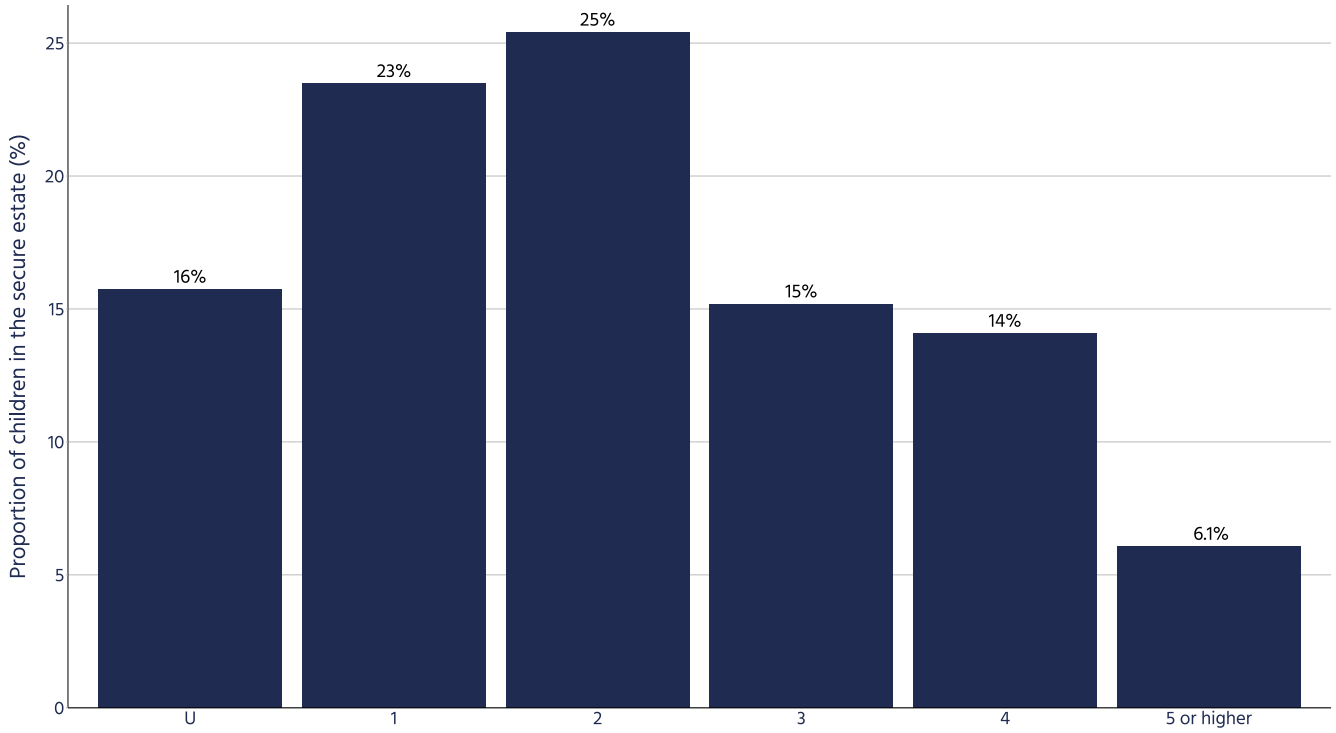
2.9.2 Mathematics GCSE

Among the children who had sat a mathematics GCSE, the average (mean) grade achieved, excluding children whose grade was 'U', was a failing grade of 2.5.

80% of children in secure settings who sat mathematics GCSE did not achieve a standard pass and 16% of children received a U grade (Figure 11). Only 20% of children achieved a grade of 4 or above, which is significantly below their peers being 72% for all pupils in 2022/23.[31]

As with English, the differences in mathematics GCSE attainment prior to entering a secure setting makes it a challenge for secure settings to teach classes with age-appropriate resources.

Figure 11: Mathematics GCSE results of children in the secure estate who sat the exam in an academic year prior to or during the academic year in which they entered the secure estate



2.10 What would children change about their school experience?

Children in secure settings told the office that they may have remained in school if they had received more support and had subjects with vocational offerings and career-relevant content that supported them in their future life.

"I would have rather worked and made money, rather than do all that work at school and maybe not get a job at the end of it." – Boy, 16, living in a secure setting.

"I don't think school teaches you about life, personally, you gotta learn that stuff yourself. They could make it help you, but what you learn in school is nothing to do with the outside world. Learning about business, how to open businesses. Finance, stuff like, day to day life. They don't teach you that." - Boy, 17, living in a secure setting.

In *The Big Ambition*, children living in secure settings reported a similar level of knowledge of 'money and life skills' as their peers (68% of children in secure settings agreed, as did 68% children aged 12 to 18). However, a lower proportion of children in secure settings (55%) agreed that they knew about apprenticeships, university options and career paths when compared to 12- to 18-year-olds (67%).

Children in secure settings also spoke about wanting more free extra-curricular activities as a child:

"Open up more youth centres. Charities do things for young people, but it always runs out due to funding issues. Young people don't have nothing to do, and you start selling drugs and doing this and doing that... I used to do dance lessons and that when I was a bit younger but that stopped due to the funding." – Boy, 17, living in a secure setting.

In *The Big Ambition,* 70% of 12- to 18-year-olds felt that they had the same opportunities as other children and young people but only 39% of those in secure settings agreed with this statement.

In *The Big Ambition*, when asked what the government could do to make children's lives better, some children in secure settings suggested how education could be improved. This included increasing funding for schools, teaching practical skills, providing free food in educational settings, and making school less stressful by providing more breaks. Children in secure settings also highlighted the importance of providing support to children with special needs:

"The government should make more schools for special needs people as they struggle to fit in and would find it easier being in school with people who can relate to them." – Boy, 12, living in a secure setting, The Big Ambition.

Children also referenced cost-of-living concerns and gave suggestions for tackling poverty in response to the question on what the government could do to make children's lives better. This included providing parents and carers with more money, offering free and better food choices, allowing children to earn money at a younger age,

and creating better paying jobs. One child living in a secure setting highlighted how addressing financial difficulties might influence both school attendance and a child's mental wellbeing:

"They should make school meals free and make the bus pass free as well because not all people can afford it causing them to not go to school or not eat at school and it is stress in children that is not needed". – Girl, 12, living in a secure setting, The Big Ambition.

Children living in secure settings called for the government to introduce more activities for teenagers, such as youth clubs. One child suggested that a lack of available leisure activities may have contributed to their offending:

"More stuff for youths as this is why most children offend so young as we get bored because there is nothing for us to do and then we end up getting dragged into the life of crime. More stuff like youth club activities stuff to keep kids busy." – Boy, 17, living in a secure setting, The Big Ambition.

3. What is the experience of education in secure settings?

Entering the secure estate is an opportunity to reset children's education and ensure they receive educational provision that is appropriate for them. To understand the education they get, the Children's Commissioners Office received documents that outlined the education policies of seven out of the 14 secure settings in England and Wales that accommodate children who are on remand or sentenced. This section analyses these policies alongside the interviews conducted with children and staff in secure settings.

3.1 Education provision – schedule and class sizes

Each secure setting type is governed by its own legal framework and therefore has different requirements from their model of education. For example, Secure Children's Homes (SCHs) aim to accommodate the most 'at risk' children with the most complex needs while STCs are for children who are more independent and motivated to attend school or have a risk factor that would make a placement in a YOI inappropriate. [32]

Accordingly, education policies varied substantially between secure settings. SCHs outlined 25 hours of education a week with a similar schedule to a school day timetable starting around 9am and finishing at 3:30pm. YOIs outlined 30 hours of education a week with a schedule starting at 8:30am or 9am and finishing at 4:30pm or 5pm with between 1 hour 45 minutes and 2 hours for a lunch break and no sessions on Friday afternoons.

Although most children the office interviewed said that they received all the offered hours of education a week, a couple of children said that they did not receive all their education hours in practice as the secure setting divided the education schedules of children to prevent rival groups from interacting. The time required for youth justice prison officers to move children from their rooms to education also reduced their education hours. In one instance, a young person said this resulted in them receiving less than 9 hours of education a week:

"Nowadays its quite bad you know, because [education is] split. Two months ago, we had Maths, English, PSHE and ICT most days and a full day of barbering. But now, we have half days, so we only get three sessions a week, so 9 hours a week. But it's not even 9 hours, because you come up late and you go back early, and then setting up and all that takes time." – Boy, 17, living in a secure setting.

Additionally, the need to prevent children from different groups coming into contact with each other led to children being contained in their classrooms for more than three hours (with lesson breaks inside), which education staff said made it difficult for children to concentrate in class.

The office also spoke to four children who had previously lived in at least one other secure setting besides the one that they were currently residing in. Of these children, two had previously lived in a SCH and enjoyed the education at their SCH due to smaller class sizes and larger subject offerings:

"Education wise [SCH] was 100% better, because there were less kids there." – Young man, 18, living in a secure setting.

"I've been to a SCH before yeah. [Education was] better than here [YOI]. It was more like a school. You could do Maths, English, Science, Sports, there was more you know." – Boy, 17, living in a secure setting.

The difference in experience reflects the differences in rules and regulations between the settings, including the different staff to pupil ratios. One child who had attended an STC prior to a YOI spoke about how larger classes sizes, even by just an increase of three pupils, can affect their learning:

"I think it's because there was more freedom, it's not as many people at the STC than in here [YOI]. There was only about four people in our class there. Here, I'm in a class right now and there's seven of us. Like even at three people, it might look small, but it's actually big." – Boy, 17, living in a secure setting.

However, another child who had previously attended an STC described larger class sizes at the STC and preferred the education at the YOI where they received 1:1 lessons, as it was hard to focus in a group of seven other children and *"just spent time messing around."*

3.1.1 Education provision for children who are separated from their peers

One of the challenges consistently raised by both children and staff was separations between children – where for a range of reasons children in a secure setting are unable to mix with their peers. Between January to March 2024, there were 141 separations involving 49 different children in SCHs, 128 separations involving 46 different children in the STCs, and 297 separations involving 197 different children in YOIs.[33] Each setting applies different rules and regulations in the application of separation but all children must only be separated from their peers as a last resort to manage risk to the child or others and only when alternative interventions have been exhausted.[34]

The staff at secure settings said that education is often paused for children who have been separated. During this time, secure settings aimed to provide "on-wing education" with 1:1 sessions for a child but this was difficult to staff, and children who are separated are often in crisis and not in the right frame of mind for learning. One secure setting said that they took a phased approach, for example starting with half days of lessons, to reintegrate these children back into education. Staff also noted that the unpredictable nature of separations were disruptive to the provision of education in secure settings and resulted in staffing and class content needing to be adjusted on short notice.

3.2 The induction process and choice of subjects and pathways

Each secure setting had different induction processes and assessed children entering the setting in different ways. However, most aimed for assessments to take place within the first five days, to include mathematics and English, and aimed to create an individualised plan for each child including short and long-term targets. Most did not include any policy on assessing other subjects, with one setting outlining that an informal test in classes in other subjects would be completed once the child had left the induction group.

In the office's interviews, a Head of Education staff member said that a number of children had not been to school in years and so during induction they focused on building engagement through building trust and discussions with the child and getting to understand their social and emotional development, not just their academic development. One described the focus of the induction as building up relationships with 'support and progression coaches' who will work with each child throughout their time in the YOI, some were centred around understanding the child's preferred subjects and vocational pathways.,

3.2.1 Recognition of previous education and SEN

Some education policies noted that a screening for specific learning disability (SpLD) or SEN assessment is carried out during the induction process. Another setting said that children who feel they need additional support in education can receive a referral for learning difficulty assessments.

One child said they took ADHD medication for the first time after entering a secure setting and had found it very helpful to their learning and general life. However, other children the office interviewed said they did not know if they had any SEN as they had never been tested and were not assessed by the secure setting.

"Coming here they were never aware of any of my educational needs or anything. They asked if I had dyslexia, autism or any learning difficulties like that. I said no because I haven't been diagnosed with anything like that, but they never assessed me. When I came here, they asked if I had those basic things. I said no, and that was it." – Boy, 17, living in a secure setting.

This was also reflected in interviews with education staff members, who believed that many more children should have had an EHCP prior to entering a secure setting.

Staff members noted there was limited funding to support these children. Despite local authorities having statutory requirements to maintain existing EHCPs for children who enter secure settings,[35] education staff at one secure setting stated that local authorities stopped their EHCP funding provisions when a child enters a secure setting. While staff at other settings said that they encountered a lot of difficulties with EHCP paperwork and getting EHCPs processed due to each local authority having different processes and non-standardised documents.

Several children who had a special educational need said that they did not receive extra education support and help within their secure setting. When asked "Does the extra support and help happen here?" one child replied:

"No, I haven't really had it. I've got extra time in my exams, but apart from I haven't really needed any extra support, I've sort of learned by myself to try and deal with it I guess." – Boy, 17, living in a secure setting.

When asked about join up and communication between their previous education institutions and the secure setting, most children thought this had not happened. Information on a child's prior education history and other background information including health, family and social relationships, is through the work of YJS Teams who gather and share relevant information to the secure setting at induction. Education staff explained that if they needed further information, they would use their own network and connections to chase down a child's prior education history including where they last attended education and records of previous achievements but noted that these relationships with children's previous schools are often a "hit or miss".

3.3 Subject choice and availability

Besides English and mathematics, each secure setting offered different subjects to children. Common subjects taught at several of the secure settings were art, PSHE, hair & beauty, or barbering.

YOIs often only delivered three or four academic subjects (English, mathematics, IT or PSHE) choosing to focus heavily on vocational education. This may be because the majority of children in YOIs are older than the compulsory school age – 55% of children in custody were age 17 in an average month in 2023.[36] Additionally, YOIs said that hands-on, practical education was more engaging for the children in their care.

As a result, one YOI was focused on teaching academic subjects like mathematics and English through vocational offerings. For example, in barbering children learnt English by being taught how to write emails and develop marketing materials and learnt mathematics by being taught the accounting principles necessary to run a business. This idea of integrating academic learning into vocational education was shared by staff members at other YOIs:

"Kids really enjoy skill learning – kids don't want to learn about angles in a classroom but are eager to learn if it's part of tiling and are learning about it in a practical way." – Head of Education at a secure setting.

Some children said that their secure setting offered good pathways, with many children saying that they enjoyed barbering and cooking the most. Other children said that there was not a great selection of courses available and that they wanted a wider variety of subjects that would help them when they left the secure setting:

"Wider variety you know. Electrics, Engineering, wider variety. Things that would help you when you come out of jail. Not everyone likes doing paperwork. That's what I've seen you know, kids in here they don't like doing paperwork, we'd rather do hands-on stuff. Barbering has been good." – Boy, 17, living in a secure setting.

A few secure settings allowed children to apply to self-study subjects that were not available as lessons, such as history, psychology or languages. A few children said that they had done this, with one child saying he chose sign language and music and another child saying he was studying physics independently:

"I self-study physics. There is a person who could teach me but he's not a science teacher. I see him once a week so he can monitor my progress. He has the same books as me so he can follow what I'm doing but I mark my own work." – Boy, 16, living in a secure setting.

Several children said that they had expressed interest in studying business or other subjects, but some felt their applications were not being progressed.

Additionally, teacher retention was a recurring issue across multiple secure settings and this had a significant impact on education offerings as subjects either needed to be paused if no one was available to teach, or be taught by unqualified teachers.

"We had ICT but the teacher's left now. So, it's like that's quite a regular occurrence as the teacher leaves and all of a sudden we're stopped from learning that subject because no one's there to do it." – Boy, 17, living in a secure setting.

Most children said that they were assigned subjects rather than studying subjects of their choice. This aligned with the interviews of staff members and review of education policies that found that all subject placements were subject to risk, non-associations, class space and security. One setting noted that each of their residential units had different vocational pathways available. This meant that a child's education is not only determined by what secure setting they are placed in but also which residential unit within the secure setting they were placed in.

Some children also spoke about how restrictions on safety impacted the availability of education subjects. For example, although a secure setting offered carpentry, they were not able to use certain tools. This severely restricted what children were able to learn and consequently, children were not able to gain full vocational qualifications at the secure setting.

"We have a carpentry that isn't very hands on. It's mainly painting and sewing and stuff. [The adult men's prison] they make and fabricate all the things for us. See, we want a box. Yeah. They'll make the box. We sand it down ...and we paint it." – Boy, 17, living in a secure setting.

Many children believed that adult men's prisons had better education and work opportunities and were waiting for these opportunities after they transitioned to the adult secure estate.[xii]

[xii] However, in the most recent *Annual Report 2023-24* of the adult secure estate, HM Chief Inspector of Prisons for England and Wales found that men and women continued to spend far too long locked in their cells with nothing to do. Prisons did

"Men's has definitely got more. I don't know the reason why but they've got more facilities and offer better qualifications and better education." – Boy, 17, living in a secure setting.

Staff members also spoke about the difficulty providing education for children with different sentence lengths as well as for children on remand where it is not known how long the child will be at the secure setting. In financial year 2023-24, 15% of children who left the secure estate had been there for 14 nights or less.[37] For settings such as a YOI, where a staff member told the office the induction period can last up to 14 days, many of these children may not leave the induction area.

For children with longer sentences, some secure settings said they invested in longer-term courses such as A-level equivalent distance learning packages to support the child become qualified for specific job roles. However, in the office's interviews it was clear that not all children with longer sentences were receiving an education that motivated them, with children telling the office that they were not enjoying education and wanted more tailored education to avoid having to study the same topics again:

"Recently education has been a bit dry recently. Honestly, it's been it's been a bit dry. Yeah, with me especially... I'm a lifer. I'm in here for a long time. Yeah. So, I feel like with this education, like, there's not enough opportunities for people like me." – Boy, 17, living in a secure setting.

3.3.1 The impact of preventing children from rival groups from interacting with one another

A key challenge for secure settings was to deliver education that prevented children from rival groups from interacting, with one setting saying that they had split the children into two blocks based on external associations, to prevent them from crossing paths. Another setting said that COVID-19 protocols which separated children into small 'family' groups of 2 to 3 created strong divisions which had persisted until now. This has

not provide meaningful work, education and skill, with "purposeful activity" rated "poor" or "insufficiently good" in 80% of prisons. Link.

increased difficulties in providing education as children are assigned educational pathways based on their associations rather than their skills and interests.

A few settings reported that their new Conflict Resolution Team was very successful in reducing mixing issues. These teams focus on establishing structures that enable conflicts to be identified and work with children to find solutions, demonstrating that managing conflicts is a shared responsibility and welcoming children's perspectives. One such team also assessed the conflicts between children weekly, noting that conflicts are highly volatile, and classes and education plans needed to be changed on a weekly basis as a result to manage interpersonal dynamics within the classrooms.

3.4 Education experience and qualifications

A number of children spoke about the positive education experience they had had at their secure setting. One reason for this may be that settings provided young people for the office to interview, and it is likely there was a bias in the office's sample towards those with better than average engagement with education, higher attainment, or better experiences with education (see Methodology). One child the Office spoke to was from the Gypsy, Roma and Traveller community, he shared that he learnt to read and write after coming into the secure setting and that he was now supporting other children from the same ethnic backgrounds who faced similar challenges in secure settings:

"Coming here, you've got to learn to read and write because of the signs, the canteen, all the bits and bobs you need to know. I did get offered straight away to read and write. The opportunity was there straight away, so I took the opportunity, and I learned in 3-4 weeks. Then I could read letters, the canteen was good, and the teachers were great, so it was good. I was doing something called multi-skills and there was a lady who used to come into multi-skills and sit down with me for 45 minutes and go through a reading list and a writing list and I enjoyed it, y'know? It was great. It was 3-4 times a week. I had to get it done because I needed to. I'm still learning now but I'm at a way higher level. I use the library to read books now." – Boy, 17, living in a secure setting.

Other children also spoke about it being easier to study in a secure setting, with many saying that they were proud of themselves for achieving qualifications:

"Yeah, I sat my English and maths, but I only got like the Level 1 functional skills... only since I've been here [YOI] that I've actually worked towards GCSEs. So I redid my maths and English, I'm quite happy. I actually felt very

different. It was quite different because I've done so much more revision and a lot of the teachers have said before that I was capable but I hadn't put in the work. So now I put in the work. Well, this time I revised in my own time as well in my cell and things like that and now I felt confident going forward." – Boy, 17, living in a secure setting.

However, several children spoke about the frustration that their secure setting does not offer A-level qualifications or other recognised qualifications:

*"Some pathways they don't offer the actual A level qualification. They offer, like some, I don't know, essential skills or some **** like that.... You could do gym qualifications if you want but they're not good qualifications, if that makes sense. It's not recognised."* – Boy, 17, living in a secure setting.

Another child said that they were doing a security industry course to get their Security Industry Authority (SIA) licence but that the licence only lasts two and half years despite many children having long sentences:

"What's good for me might not be good for someone else... The [SIA] card only lasts 2.5 years but quite a lot of people have long sentences" – Boy, 17, living in a secure setting.

Many children were focused on getting qualifications for when they leave the secure setting and saw them as a motivation to engage in education.

"I'm just trying to get as many qualifications as I can at the minute, to leave here with some qualifications" – Boy, 17, living in a secure setting.

When one child was asked "What do you think makes a difference for the people that can and can't be bothered with education?", he responded:

"I'm not sure. Everyone deals with situations differently, you know. Some people just want their own space, and don't want to bother with education." – Boy, 17, living in a secure setting.

Another child spoke about the impact of criminal trials, he said one child in his unit was being required to attend education during his 12-week trial:

"They're still making him go to education. He's like "I'm stressed, I'm stressed." I think we need breaks." – Boy, 17, living in a secure setting.

One child spoke about the long wait for mental health support. He said there was a psychiatrist available, but they only come when an appointment was booked, and it took 8 months to see them.

"Even when you're at breaking point they say you're still on the waiting list. It's not very helpful." – Boy, 17, living in a secure setting.

3.5 Extra-curriculars and release on temporary licence (ROTL)

Many children spoke very fondly about enrichment and extra-curricular activities. This included gym, sport and games as well as making podcasts with the national prison radio station.

Many children spoke about the importance of their library. They told the office that they were satisfied with the books available and often the library staff would try their best to get the book they wanted. One child said that the library was helping them write a book about their life story and wanting to make a kettle cookbook for the whole secure setting so that other young people could borrow it from the library and see what they could cook in their cell.

"I'm writing a book with education helping me. They told me I had to write like 10,000 words but then I actually wrote 15,000. The book is all about me. A lot of people just think I just turned crazy or whatever, but the book is called the truth and it's just like what I went through as a kid." – Boy, 17, living in a secure setting.

At least one setting had a Youth Council which enabled children to serve as representatives of their units, meeting on a monthly basis and providing feedback to staff. Staff believed that this gave children a sense that their voice mattered, especially when the children experienced the implementation of changes proposed by them. The most common topics were regime, education, canteen and food.

Two children spoke about participating in the Duke of Edinburgh Award scheme and enjoying the volunteering aspect of giving back to the community and the opportunity to be Released on Temporary Licence (ROTL):

"I've got my bronze ready in August. I'll be going out overnight for my day release [ROTL], I'm looking forward to that. We do volunteering, cooking for the homeless and stuff like that." – Boy, 17, living in a secure setting.

The staff at one secure setting shared that they use educational ROTLs for children to go to a college and try courses. However, a number of children said that ROTLs were not common:

"You have to request [ROTL]. Me and [another child in the secure setting] are the only people doing it. The higher up people are always threatening to take it away. If you drop off the [good behaviour system] we'll take away your ROTL. If you're having a bad day, everyone has bad days...they use it as a tactic. They took it away from us once." – Boy, 17, living in a secure setting.

3.5.1 Accessing employment

The education policies reviewed by the office showed that some secure settings provided opportunities for part-time employment, including off-site employment, if a child had obtained their Stage 2 qualifications in English and Maths.

Despite these policies, most of the children the office interviewed said that they did not have experience of employment within their setting. Instead, many said they were looking forward to transferring to the men's adult prison for this opportunity.

"I feel like maybe [YOIs] could do a bit more of the labour jobs like on the adult estate. On the adult estate they do bricklaying and mechanics." – Boy, 17, living in a secure setting.

3.5.2 Reward system

A number of education policies described their reward system to motivate children. This included children receiving payment if they attend and engage in their allocated education session or received merit points in class for doing something special.

The education policy of one secure setting stated that:

Merits are given to students who work well in the classroom and have stood out for doing something special. Each child can earn a maximum of 2 merits for one lesson and can earn £5 for every 16 merits. For children who attend every lesson and get full points for their engagement, they will receive special rewards at the end of the week and term including special meals and activities.

However, a number of children spoke about the negative impact on the points system and how many children wanted a break from education due to their mental health:

"If you're struggling and have mental health problems the next day you're not thinking about education, want to chill, they'll say you have to go to education, we're not signing you off, they take your points. Education is where you get most of the points." – Boy, 17, living in a secure setting.

The reward systems also often included penalties for children. For example, in one setting, children who refused to attend education could receive a negative case note entry which could lead to the loss of gym access. One staff member spoke about the need to establish a solely merit based reward system rather than one driven by deterrence and punishment. They argued that punishment-based systems are ineffective for children in secure settings given that these children have likely received multiple punitive measures prior to their entry into a secure setting, which failed to change their behaviour. Instead, the staff member observed that these children had often received little praise or positive reinforcements throughout their lives and tended to respond far better to positive reward-based approaches focused on encouragement and recognition.

3.6 Teachers

In the office's interviews with children, many said that they had some good teachers in their secure settings. The barbering teachers at different secure settings were praised as being particularly kind and helpful.

"I can't fault the staff, they want to help. And they work hard. There was one of the maths teachers in particular that really helped me with my GCSE revision. He came in even on a Sunday. He came and helped me and I mean he was really dedicated." – Boy, 17, living in a secure setting.

However, children said that some teachers were better than others in their setting:

"The teachers for English and Maths don't care. They just sit there and try their best not to get abused by the kids. They just let you do whatever... The teachers for employability and citizenship are decent. They have better facilities, and you do learn in the classroom." – Boy, 17, living in a secure setting.

Multiple children said that they receive 1:1 attention with teachers which was helpful to their learning.

"I just get on with my teachers here. They're definitely better than in normal school. There's less people in the class, more help. It's definitely different [from mainstream school]. Teachers can focus on what you need, not what everyone needs." – Boy, 17 living in a secure setting.

Staff at the secure settings said that the teachers' personalities were as important as their teaching skills. When hiring new teachers, they looked for teachers that were engaging, funny and could demonstrate that it's ok to open up and be emotionally vulnerable.

"We want (teachers) to be laughing every lesson, to get the young people to open up and show that they don't have to be the hard man." – Head of Education at a secure setting.

Other secure settings stressed the importance of emotionally available and trauma-informed staff as they wanted to prioritise the psychological safety of children. Some said their teachers were mainly from mainstream schools, but did have teachers who had previously worked in Alternative Provision (AP) and Pupil Referral Units (PRUs).

"*It all depends on the teacher in this type of environment, some teachers know how to deal with people like us, you know, like prisoners and hyperactivity and stuff like that.*" – Boy, 17, living in a secure setting.

A number of staff members spoke about the difficulty in retaining staff, with one setting said that many of its staff and teachers had been working in the setting for less than 12 months which meant they were often less knowledgeable about the setting than the children.

A number of staff also said they found it extremely difficult to attract teachers with experience in vocational industries such as tiling, painting, and barbering, as they would make more money working in their trade than teaching at the secure setting. One setting said they were looking to offer vocational teaching qualifications as an incentive for these people to come and train to be teachers at the secure setting. Another setting said they had been working with recruitment companies and using financial incentives to attract vocational education teachers.

Many staff spoke fondly about working at the secure setting and how fulfilling the role was. At one setting, the Head of Education spoke about the power of changing a child's life even within a short period of time:

"Our young people assume that their time here will be like normal education and particularly if they are on a shorter sentence, they don't think it's worth working towards anything, as there isn't enough time. But we show them that in even three months they can get four to five qualifications. We give them taster courses and show them the expectation of doing work, for example cookery. There's a power of giving someone a certificate." – Head of Education at a secure setting.

3.7 Preparation for the future

Many children said they would have liked their education to be more practical and relevant to their future life.

"I don't honestly really think this education has been suitable and I mean it can't provide me that. I feel like it can only provide me the basics. Like English, maths, music. Other than that, there's not really much. Like there's workshops but I'm here for two more years. What happens after I do all that? So, it just gets to the point where you're just in a cycle, you're doing everything over and over. It's like, what's the plan? What's the next thing? How you how can you develop?" – Boy, 17, living in a secure setting.

A number of children the office spoke to did not feel prepared for their transition to an adult male prison.

"I'm pretty sure you can get a job, but obviously with all the jails being so full at the minute, the regime might be like a bit different than what it would be normally. So, I don't know. I couldn't say, to be honest but hopefully I can get a job." – Boy, 17, living in a secure setting.

Staff members at one secure setting said that the lack of technology available for children in secure settings was a barrier to future opportunities. One setting said they were looking to facilitate more online participation at college and job fairs.

3.8 Family contact

Some children spoke about the importance of staying connected with their family and home while they were in a secure setting.

"I've been here about six months, and I've got one visit in that time. It's hard for my family to visit because it's a long way [over 250km]. I would've wanted to be placed closer to home." – Boy, 16, living in a secure setting.

Family contact of children in secure settings was explored further in the office's *Family Contact in Youth Custody* report.[38]

4. Recommendations

The Children's Commissioner's ambition is for every child to be prevented from being affected by violence and criminality and able to fulfil their full potential. This means that every child must grow up in a loving, homely environment with access to high-quality education, including those who need secure care.

The findings from this report demonstrate that children in the secure estate have often been failed by the education system prior to their entry into the youth secure estate. As a result, it falls to the youth secure estate to address the significant gaps in support that should have been addressed much earlier in children's journeys through the education system.

Children living in secure settings, like their peers, deeply value their education, but need their education settings to provide them pastoral support, to show curiosity when they are struggling, and to support them to engage with education to achieve their full potential.

Children told the office that they needed an education system different to the one currently offered. They wanted an education that provides tangible qualifications and a curriculum that enables them to thrive, offering a clear pathway towards future employment so that they are equipped with the skills to build a stable and successful future.

The recommendations below have been separated into two sections. The first is preventative. It outlines the necessary changes to the school system to enable schools to adequately support children, so that children that are missing education or disengaging from school are provided with support and understanding to reengage with their education.

The second section outlines that the current secure setting system is not fit-for-purpose and needs a complete redesign. Children in secure care must be seen first and foremost as children in need of support and provided with the care and education necessary for them to thrive. It also identifies a number of immediate improvements necessary for the current delivery of education and training within secure settings, ensuring that they are better equipped to provide engaging, supportive and practical education leading to tangible accreditations.

Although children in secure settings have complex needs and vulnerabilities that are challenging to address, their total numbers are small, reflecting the success of large-scale government reforms to divert children away from

secure settings.[39] Now, the focus must shift to the children who still require secure care. With the right interventions, the provision of specialised support and meaningful education that supports their future is a solvable problem.

4.1 The education system

4.1.1 Addressing absenteeism

The office's interviews with children in secure settings revealed a number of issues that led to them being absent from school. This included finding the curriculum irrelevant to their future, experiencing issues at home, or a breakdown of relationships between the school and young person.

- **Recommendation:** As part of the government's review of the curriculum and assessment system,[40] the curriculum in secondary school should offer a broader range of vocational pathways, with clear links to employment.

- **Recommendation:** The government should introduce a single child plan to coordinate all multi-agency support for young people. This plan should be regularly reviewed at least every year and should always be updated if a child moves local authority. This plan should give schools the ability to commission support services from health and social care when children's attendance starts to deteriorate. Alongside this, the government should introduce national thresholds for children's services support, with a statutory offer of Early Help.

- **Recommendation:** Children's support services should be delivered on school sites to provide the targeted early help that young people need. This could include, but is not limited to, educational psychologists, speech and language therapists, Children and Adolescent Mental Health Service practitioners, social workers, youth workers, school nurses, health visitors, family liaison officers and Family Hubs. The nature of the support should match the needs of the children at the school.

- **Recommendation:** Every local authority should establish a multi-disciplinary forum to discuss cases of children at risk of missing education and children who are severely absent to meet at least every fortnight. These forums should be complemented by strategic regional boards convening education, health, youth

justice and other related professions to focus on region-wide solutions to improving entrenched absence challenges.

4.1.2 Managing transitions

Almost all children the Office interviewed said that their experience of secondary school was poor. Many specifically highlighted Year 7 as the period where their school experience began to deteriorate, and their attendance declined. This issue was similarly identified in the office's *Lost in Transition* report,[41] and consequently the recommendations in this section align with those made previously.

- **Recommendation:** The Department for Education should introduce a national transition protocol with recommendations on how to support children to adjust to a new school. Learnings should be taken from the existing Attendance Advisors to develop a national best practice guide. This guidance should outline how primary and secondary schools can ease the process of transitions, helping children to gradually become more independent and should also ensure that children who need additional support are flagged and single child plans detail the pastoral support needed to aid a successful transition.

4.1.3 Special educational needs and/or disabilities

The Office's analysis shows that children in secure settings were disproportionately likely to have identified special educational needs and/or disabilities (SEND). As much as 40% of children in secure settings were in receipt of SEN Support or had an EHCP.

In the interviews, children said that they did not always get access to the SEND provision they needed to access education. Several of the children said they wished they had better support at school, including more 1:1 support. Some stated that even after undergoing assessments for an EHCP, they did not receive the support they needed.

The Children's Commissioner has previously stated that the government must radically reform the SEND system.[42] Children are being failed by an adversarial system which often does not meet their needs and, in the worst cases, denies their right to education. The government must rethink its approach to SEND, to ensure mainstream schools can consistently support children with SEND and provide specialist support where necessary.

- **Recommendation:** Alongside introducing a more robust offer of specialist support, through the single child plan, the government should invest in mainstream schools to create more inclusive learning

environments. All staff in schools who work with children should be trained to identify and understand all different types of SEND to the appropriate level. To ensure children in mainstream schools can access high quality SEN support without a diagnosis, the government should publish a national framework for SEN support in nurseries and schools which sets out the minimum offer for ordinarily available provision in mainstream schools.

- **Recommendation:** To deliver that support, schools and nurseries should receive a greater level of funding linked to the needs of their cohort of children. That funding should be a ringfenced – or identifiable – element of their core funding but with greater flexibility over how that funding is used.

4.1.4 School exclusions

Many children in secure settings who experienced school exclusions did not receive the support they needed to reengage in education. Children told the office that their poor behaviour at school was often linked to issues occurring at home and children's accounts clearly indicated that they were in particular need of early help.[43] However, children told the office that they were often seen as a "naughty child" and were not given the support they needed to reengage with education.

Although some children will need to be excluded to keep other children and staff safe, no child should be able to fall through a gap in our education system after having been excluded or suspended. Exclusion from a school should never mean exclusion from education. Any form of exclusion, including the use of isolation, is an urgent signal that further intervention is needed. All children who are excluded or suspended should have their needs assessed, and a plan should be put in place for those needs to be met.

- **Recommendation:** Exclusions should always lead to an intervention. When a child is removed from the classroom, whether through internal exclusion, suspension, permanent exclusion, a managed move or implementation of a 'part time timetable', this should be an opportunity to learn about the child's underlying needs. A child's needs should be assessed and a plan to address any underlying issues should be implemented, jointly agreed with the child, school, local authority, and where applicable with the alternative provider (AP).

- **Recommendation:** Schools should be required to outline in their behaviour policies how sanctions, including suspensions, permanent exclusions and isolation, will be a trigger point for additional support,

how they will work with the child and their family to understand any underlying challenges which have led to their behaviour and to put in place additional support where needed.

- **Recommendation:** AP outreach interventions should be commissioned by schools and local authorities proactively for children at risk of exclusion. Schools should receive support from APs to help teachers and schools understand how to respond to disruptive or poor behaviour at school. This was recommended in the government's 2022 SEND Consultation and Review[44] and needs to be delivered urgently.

- **Recommendation:** Schools should be given responsibilities to support children who are excluded or moved off roll and held accountable by Ofsted for these children's results.

- **Recommendation:** Children who are excluded should never be without education even while awaiting a placement. Ofsted should hold schools and local authorities accountable for ensuring children who are excluded still receive high-quality education while they wait for a placement.

- **Recommendation:** Children who are excluded from school should only ever be placed in a regulated setting. The government should introduce a register for all alternative provision, to encompass providers which are currently not registered as schools, with a vision for the standards these settings should abide by.

4.1.5 Safeguarding

Schools play an essential role in safeguarding. While the majority of the children in this report had a disrupted experience of education, many stated that they had good relationships with their teachers. In some instances, they wished their school had taken a more active interest in the challenges that led to their poor behaviour or more actively addressed the safeguarding concerns that were visible at school.

Despite the centrality of school for so many young people, education settings are not a mandatory safeguarding partner. They do not attend multi-agency meetings on safeguarding and they do not have a strategic role in shaping a local area's approach to safeguarding.

- **Recommendation:** The government should make schools a statutory safeguarding partner, alongside the local authority, health and police. To coordinate schools, each local authority should establish a forum of school Designated Safeguarding Leads to share common challenges on safeguarding. This forum would

help to coordinate local schools' safeguarding approaches, and provide an interface between individual schools and the Safeguarding Partnership.

- **Recommendation:** In areas where this report found a concentration of children entering a secure setting from the same educational setting, the Children's Commissioner will write to the relevant Directors of Children's Services and the Department for Education's Regional Directors in order to understand the reasons and whether any further action should be taken.

- **Recommendation:** FE Colleges are the most common setting for children prior to entering the secure estate. It's vital that colleges are resourced adequately to provide the pastoral support that children need.

4.2 A child-centred youth justice system

A core ambition of the Children's Commissioner is for every child to be prevented from being affected by violence and criminality. To achieve this there is an urgent need to ensure the development of a truly child-centred youth justice system that prioritises a safeguarding first approach, beginning with diversion and prevention all the way to how we provide secure care.

4.2.1 Child-centred secure settings

The Children's Commissioner's ambition for children who need secure care, is that every child receives it in a loving, homely environment with access to high-quality support and education that prepares them for their future.

Children in secure settings are some of the most vulnerable in society, with common experiences of missing education, school exclusion and SEND. Despite best efforts from staff to support these children, placing children in large prison-like settings is harmful and must not occur.

Currently, each of the four types of secure setting is governed by different legal frameworks and operate under distinct models. This has led to a muddled, fragmented approach[45] to the provision of education where a child's education experience, opportunities and support is determined by the type of setting they are placed in. In 2023, the UN Committee on the Rights of the Child urged the government to prioritise reforming youth justice to align with its international children's rights obligations.[46]

Although children in secure settings have complex needs and vulnerabilities that are challenging to address, their total numbers are small. In FY 2023-24, there was an average of 430 children in custody at any one time.[47] This reflects the success of ambitious large-scale government reforms to divert children away from secure settings.

Now, the focus must be placed on the children who are still in secure care.

- **Recommendation:** An ambitious national reform that re-designs the secure care system that treats children who offend, first and foremost, as children in need of specialised support is essential. There should no longer be continued attempts to adapt an unsatisfactory youth justice estate that fails to meet these children's complex needs. Ultimately, the youth justice system must be primarily designed to address the needs of our most vulnerable children. These new settings should be as ambitious for children as they are for themselves and set children up to thrive outside of the secure estate.

- **Recommendation:** The Department for Education (DfE) should be responsible for the delivery of all core services for children, including youth justice and secure settings.

- **Recommendation:** A model of therapeutic care for children in need of secure care must be established by DfE and NHS England. This must be based on a model of smaller settings that are closer to where children live and should include a plan to phase out all Young Offender Institutions (YOI) and Secure Training Centres (STC). A comprehensive, long-term strategy for its development should include step-down services for when children are ready to move on from secure provision, into gradually more open settings. These could be organised regionally to enable children to be as close to home as possible.

- **Recommendation:** All staff members who interact with children in need of secure care must have achieved high-quality specialist accreditation that equips them with the right skills to support children with highly complex needs. This must be linked to a joint children's workforce strategy that ensures anyone working with children are caring, professional and equipped to do their jobs. The people who make the most difference to children's lives, who keep them safe, nurture them, and provide them with the stable loving relationships are not sufficiently valued. Across all sectors there are real challenges with both recruitment and retention. A cross-sector strategy, which acknowledges that often different sectors are looking for a workforce with similar strengths and motivations, is needed. This strategy must also consider routes into leadership roles, to ensure that there is a strong pipeline for the next generation of leaders.

4.3 Interim recommendations for the youth justice system

In the meantime, a number of interim recommendations are necessary to support children currently in secure settings. These measures aim to support children's educational experiences and care while the broader systemic reforms are developed and implemented.

4.3.1 Embedding children's voices

At least one setting provided a Youth Council for children to raise issues to staff members. Staff said it gave children a sense that their voice mattered, especially when children experienced the implementation of changes that were proposed by them. Other settings also provided similar forums; however, these are only effective if children's voices can inform decision-making and policy change.

- **Recommendation:** Every secure setting must have a Youth Council where children can serve as representatives, meeting monthly and providing feedback to staff. This ensures that every child has a formalised process for expressing their voice on issues that matter to them.
- **Recommendation:** The views of each Youth Council should be shared to the Ministry of Justice and the Children's Commissioner's Office on a quarterly basis to amplify their voices and advocate for the creation of policy change that is informed by their insights and lived experiences.

4.3.2 Cohort of children in secure settings

Between those who are sentenced to short periods in custodial setting and those on custodial remand, more than half (52%) of the children in secure settings are there for 3 months or less in the financial year 2023-24.[48] This figure has remained relatively consistent over the past 6 years. These short periods create lasting negative effects as even short periods in secure settings are disruptive to children's education, expose them to criminal influences, weaken crucial support networks by separating them from family and communities, and does not support them to becoming better citizens. These children must be diverted from custodial settings wherever possible.

- **Recommendation:** The youth sentencing framework should be amended to prohibit sentences with custodial periods that are less than 12 months. Instead, multi-agency community-based interventions should be used to address the underlying causes of offending for children who would otherwise have

served a custodial sentence shorter than 12 months. These interventions should be tailored to the individual needs of the child, ensuring that appropriate support is provided to prevent reoffending and promote rehabilitation.

- **Recommendation:** Alongside the removal of short custodial sentences for children, strong sentencing guidelines and safeguards must be established to prevent up-tariffing. This should include support and guidance for courts regarding these changes and additional resources for community-based support.

Staff at YOIs shared that breaches of Detention and Training Order (DTO) conditions are a common reason for young people to be placed in custody on a short-term basis. Alternative methods should be explored for addressing these breaches within the community rather than through secure settings. The same consideration should be extended to breaches of bail conditions.

- **Recommendation**: The Ministry of Justice should commission an independent review focused on prohibiting the placement of children in custody for less than 12 months. This should also include exploration of multi-agency, community-based responses for breaches of DTO conditions and bail conditions, ensuring that custody is only used as a last resort.

In financial year 2023-24, children remanded in youth custody accounted for 43% of the average youth custody population in the latest year but almost two thirds (62%) did not subsequently receive a custodial sentence.[49]

- **Recommendation:** The Ministry of Justice should conduct a comprehensive review on the decision-making of courts in denying bail for children who do not receive a custodial sentence.

In financial year 2023-24, 15% of children who left the secure estate had been there for 14 nights or less.[50] For settings such as a YOI, where the induction period can last up to 14 days, many of these children may not even leave the induction area.

- **Recommendation:** Local authority children's services departments should review and expand their local authority accommodation options for bail and remand to ensure there are sufficient provisions for children. Children on remand must not be able to be placed in a YOI or STC, except in exceptional circumstances. Any use of custodial remand must have a strict time limit.

Currently, YOIs accommodate children aged 15 to 17. This means that they are required to provide education for children both of compulsory school age and beyond, so their education provisions need to apply to two cohorts of children with different legal requirements.

- **Recommendation:** YOIs should only take children who are above the school leaving age of 16 at the end of the summer holidays. The educational provisions can then focus on providing education for children in line with those who are of school leaving age and supporting children transition to the community or adult secure estate.

With its small population of girls (3%), the secure estate by and large contains single-sex facilities designed to accommodate boys. The office's data set was not large enough to confidently reach conclusions about the characteristics and outcomes of girls in secure settings in this report. The office contributed to the independent review into the placement of girls in the youth secure estate[51] that has not yet been published at the time of this report.

- **Recommendation:** The Ministry of Justice (MoJ) should create a national plan for girls in secure settings that aligns with the government's national plan to reduce the number of women in prison and follows the outcome of the independent review into girls in custody.[52] This should include undertaking further research on the experiences and journeys of girls prior to secure settings.

4.3.3 Education in secure settings

Children were clear that they want an education that contains tangible qualifications and a curriculum that enables them to thrive, offering a clear pathway towards future employment so that they are equipped with the skills to build a stable and successful future.

- **Recommendation:** Vocational education pathways provided by secure settings must always include genuine opportunities for children to undertake traineeships and job trainings in the community through appropriate, risk-assessed temporary releases. Children must have the opportunity to complete all courses within a pathway to achieve a recognised qualification. Every pathway must have a direct link to how it will support their lives outside of a secure setting depending on their sentence length and how it meets regional employment and skill needs. An educational staff member role should be created that is focused on connecting local employers with children completing vocational pathways.

- **Recommendation:** A specialist secure setting education workforce programme should be developed. This programme should enable teaching qualifications to be offered as an incentive for people with experience in vocational industries to train to become teachers at their secure setting. The programme should also offer high-standard specialist training with a focus on teaching children with a disrupted education and complex needs. This should be part of the overarching joint children's workforce strategy that ensures that those working with children are caring, professional and equipped to do their jobs. This programme should be promoted to youth justice prison officers to encourage those who are qualified in vocational industries to participate.

- **Recommendation:** Education pathways must be tailored to the needs of each child and be assigned based on children's interests and skills. That might include restricting class sizes to a maximum of 3 children. Functional core skills should be integrated into vocational education pathways for children who have not obtained formal qualifications.

Despite the Youth Justice Board (YJB) Case Management Guidance stating that Release on Temporary Licence (ROTL) should be used wherever possible to bridge the gap between custody and community,[53] ROTL is uncommon for children in secure settings. Many children that the office spoke to did not access ROTL provisions and some children spoke about threats of ROTL being taken away by staff. Children have a right to an education and ROTL for the purposes of education should be a standard part of education provisions. It should not be used as a reward for good behaviour.

- **Recommendation:** Every child in a secure setting should be entitled to ROTL and assessed for safety through an individual risk assessment. If ROTL is deemed unsafe, then every effort should be made to mitigate identified risks, and a clear plan should be made collaboratively to outline actionable steps necessary to mitigate risks and to support the child safely participate in ROTL in the future. In some cases, ROTL may never be approved due to the risk of safety to the public and assessments must always be tailored to the needs, risks and circumstances of each child.

- ROTL should be integrated into a child's individualised Integrated Care Plan and made collaboratively. A meeting should be convened by the home YJS case manager and on-site Resettlement Practitioner or caseworker with all relevant stakeholders to identify, discuss and agree upon meaningful ROTL activities that support the child's identified goals for personal development, reparation, rehabilitation and effective resettlement. This meeting should incorporate the voice of the child, either by obtaining the child's views

prior to the meeting or inviting the child to attend all or part of the meeting. The relevant stakeholders can include, but is not limited to, Education, Health and other engagement staff at the secure setting; CuSP (Control and Supervision of Prisoners) officer, the child's Social Worker; last education, training or work placement; any other relevant education, training, work or community stakeholder; and the child's parent or legal guardian.

Some children spoke about the stress of a criminal trial and its impact on their education, yet procedures for minimising the disruption to education caused by trials was not included in any education policy the office received. There needs to be a greater focus on supporting children's progression, ensuring that their educational needs are met in a way that helps them learn, rather than just placing them in a classroom.

Offering flexibility in education to support children address trauma and wellbeing is crucial, particularly when they first enter a secure setting. Many children have missed significant periods of education before entering secure settings, and often there is a lot of work required to support them reintegrate back into education.

- **Recommendation:** Education timetables should have some flexibility to reflect children's health, mental wellbeing and ability to engage with education. Careful consideration should be given for court dates to enable children under stress from ongoing hearings receive appropriate support. Music, art, exercise and other creative outlets should also be used to support children's wellbeing to prevent children from withdrawing and self-isolating during this time.

The education policies across the secure settings varied significantly between each other and there was a lack of shared good practice among settings. Several settings told the office that they would like to connect with other settings to understand the education provisions at different settings and to share strategies and successful approaches to improving education.

- **Recommendation:** A quarterly meeting between the Heads of Department (including Education) of every secure setting should be established. This should be an opportunity for staff to discuss challenges, share good practice and identify opportunities to improve their care for children. There should also be opportunities to visit each other's settings to build relationships and to learn from one another's approaches to create more effective educational strategies and improve outcomes.

4.3.3 Education providers in the youth secure estate

The education of children in YOIs and STCs is contracted to external companies. Despite poor performance, as rated by Ofsted,[54] they continue to operate.

- **Recommendation:** The Ministry of Justice (Youth Custody Service) should review the education contracts of providers and initiate consequences to improve their education delivery. These improvements should be driven by outcome, not by processes such as the number of hours of education delivered. Providers must publish annual reports containing outcome measurements of children participating in their education provision.

It is also unclear to what extent the work done in secure settings exacerbates or mitigates educational outcomes, and settings do not have a strong evidence base on which to make decisions about their educational interventions.

- **Recommendation:** The Ministry of Justice should carry out or commission an impact evaluation on different educational interventions in secure setting. Education providers must build an evidence base for their interventions and the costs and benefits of their programmes of work.

Currently, governors do not have a say in the hiring of teachers and educational professionals. Instead, external providers are procured by the Ministry of Justice through tenders to deliver education at different YOI and STC settings.[55]

- **Recommendation:** The governors of secure settings should be included in the procurement and commissioning process of education providers by the Ministry of Justice. The contract should also be amended to enable secure settings to have greater flexibility and authority to coordinate the work of education professionals with residential care, health and psychology staff to ensure a holistic and individualised approach that supports the progress of every child.

  Recommendation: Secure settings should be able to draw upon the teaching expertise of local schools, academy trusts, colleges and alternative provisions to provide the best education for children. This might include enabling local teachers to teach at a secure setting or supporting children to continue with an educational course that they were engaging well in and that aligns with their interests. This will enable children to build upon their existing progress, maintain continuity in their learning and facilitate a

smoother transition back into the community. Secure settings should also be able to draw upon local enrichment activities to further support children participate in music, art, exercise, volunteering and other creative outlets.

4.3.4 Induction process

Information on a child's prior education history and relevant background including health, family and social relationships, is gathered by YJS workers and shared with the secure setting at induction. However, education staff the office interviewed said that if they needed further information, they would have to use their own networks and connections to chase down a child's prior education history including where they last attended education and noted that relationships with children's schools could often be a "hit or miss".

Additionally, children in secure settings are five times more likely to have an EHCP than pupils in state-funded education. Despite local authorities having statutory requirements to maintain existing ECHP for children who enter secure settings,[56] a number of education staff members believed that local authorities stopped their EHCP funding provisions when a child enters a secure setting and other settings described their difficulty in processing EHCPs.

- **Recommendation:** The government's new single unique identifier should be rolled out immediately to support secure settings understand the educational backgrounds of children in their care and be used to support the development and introduction of a single child plan. ECHP plans should also be standardised across local authorities.

4.3.5 Workforce training

Children in secure care often spend more time with youth justice prison officers than with their teachers, however, there is very little difference between the training provided to these officers and those working in the adult estate. The only distinction is within the CuSP (Control and Supervision of Prisoners) and Use of Force training. One youth justice prison officer told the office that many officers like himself applied specifically to be a youth justice prison officer to make a difference. However, they are not given specialist training focused on supporting children with complex needs.

- **Recommendation:** New training must be developed for youth justice prison officer workforce for YOIs and STCs focused specifically on working with children with highly complex needs and supporting children's education. This must move towards accreditation where all staff members who interact with children in need of secure care, including youth justice prison officers, must have achieved high-quality specialist accreditation that equips them with the right skills to support children with highly complex needs. The workforce must be supported to share a professional identity that aligns with being a child specialist rather than working in a custodial setting.

4.4 Child-centred diversion and prevention

Many children expressed a strong desire for meaningful youth provisions that receive long-term funding as activities they enjoyed participating in as a child stopped abruptly due to lack of funding. To support the work that schools do and should be doing to help prevent children from becoming involved in crime, there should be wider changes to how young people are supported.

- **Recommendation:** A long-term youth provision strategy with a national formula for funding should be developed. This should ensure that every local authority has secure revenue to provide a sufficient baseline of youth provision.

- **Recommendation**: Children's voices should be incorporated into planning the government's new network of Young Futures Hubs and Young Futures Prevention Partnerships.

- **Recommendation:** The Ministry of Justice, Home Office and Department for Education must create a clear plan for addressing racial disproportionality in the youth justice system, with attention placed on its connection to the education system.

Annex A – Key terms

This report refers to several key terms and acronyms, which are defined below. Where possible, the definitions reflect government guidance which is cited in the references.

Absences:

- **Rarely absent:** a pupil is rarely absent if they are present for more than 90% of possible sessions at school. A session is a morning or afternoon at school.
- **Persistently absent:** a school pupil is persistently absent if they are absent for 10% or more, but less than 50%, of possible sessions in school. A persistently absent full-time pupil would be absent for at least one day per fortnight on average.
- **Severely absent:** a pupil is severely absent if they are absent for 50% or more of possible sessions in school.[57]

Income Deprivation Affecting Children Index (IDACI): IDACI measures the proportion of all children aged 0 to 15 living in income deprived families. It is a measure of the proportion of the population in an area experiencing deprivation relating to low income. The definition of low income used includes both those people who are out-of-work, and those who are in work but who have low earnings.[58]

Safeguarding: All organisations whose work impacts on children have a responsibility to ensure that the actions they undertake protect the safety and welfare and promote the well-being of those children, the staff who work with them and members of the public.[59]

Under statutory guidance,[60] safeguarding is defined as:

- providing help and support to meet the needs of children as soon as problems emerge
- protecting children from maltreatment, whether that is within or outside the home, including online
- preventing impairment of children's mental and physical health or development
- ensuring that children grow up in circumstances consistent with the provision of safe and effective care

- promoting the upbringing of children with their birth parents, or otherwise their family network through a kinship care arrangement, whenever possible and where this is in the best interests of the children
- taking action to enable all children to have the best outcomes in line with the outcomes set out in the Children's Social Care National Framework[61].

Special educational needs (SEN): a child or young person has SEN if they have a learning difficulty or disability which calls for special educational provision to be made for him or her. A child of compulsory school age or a young person has a learning difficulty or disability if he or she:

- has a significantly greater difficulty in learning than the majority of others of the same age, or
- has a disability which prevents or hinders him or her from making use of facilities of a kind generally provided for others of the same age in mainstream schools or mainstream post-16 institutions.[62]

SEN Support: SEN Support means support that is additional to, or different from, the support generally made for other children of the same age in a school. It is provided for pupils who are identified as having a learning difficulty or a disability that requires extra or different help to that normally provided as part of the school's usual curriculum offer. A pupil on SEN Support will not have an Education, Health and Care Plan.[63]

Special educational needs and disability (SEND): Many children who have SEN may have a disability under the Equality Act 2010 – that is 'a physical or mental impairment which has a long-term and substantial adverse effect on their ability to carry out normal day-to-day activities'. Children and young people with such conditions do not necessarily have SEN, but there is a substantial overlap between disabled children and young people and those with SEN. Where a disabled child or young person requires special educational provision, they will also be covered by the SEN definition.[64]

Education, Health and Care Plan (EHCP): a local authority may issue an EHCP for a pupil who needs more support than is available through their school's SEN Support. This will follow a statutory assessment process in which the local authority considers the child's SEN and any relevant health and social care needs; sets out long term outcomes; and specifies provision which should deliver additional support to meet those needs.[65]

Alternative Provision (AP): education arranged by local authorities for pupils who, because of exclusion, illness or other reasons, would not otherwise receive suitable education; education arranged by schools for pupils on a suspension; and pupils being directed by schools to off-site provision to improve their behaviour.[66]

Pupil Referral Unit (PRU): Local authorities are responsible for arranging suitable full-time education for permanently excluded pupils, and for other pupils who – because of illness or other reasons – would not receive suitable education without such provision. Any school that is established and maintained by a local authority to enable it to discharge this duty is known as a pupil referral unit.[67]

Unregistered Alternative Provision (Unregistered AP): a setting providing education for children of compulsory school age (5 to 16) which is not registered and does not meet the definition of a school by providing full-time education to fewer than 5 children of compulsory school age without an EHCP or who are not looked after, or part-time education for one or more children including those with an ECHP or who are looked after.

Local authorities and schools can arrange alternative provision and special educational provision in settings which are not schools or colleges. These types of provision are not subject to a national registration scheme or inspection framework.[68]

Methodology

This report is based on analysis of published and unpublished administrative data held by the Department for Education; interviews with children and staff at 6 secure settings across England conducted between June and July 2024; analysis of responses to *The Big Ambition* survey from children in secure settings; and a review of education policies sent to the Children's Commissioner's office by young offender institutions.

Quantitative research

Data source for children in the secure estate

The Children's Commissioner's office used the National Client Caseload Information System (NCCIS) to identify the sample of children in scope for quantitative analysis.

The NCCIS is an administrative dataset, completed by local authorities and returned to the Department for Education (DfE). The NCCIS is designed to monitor the extent to which children are meeting their legal duty to participate in education or training up until the end of the academic year in which they turn 18. As such, the coverage of the NCCIS is all children in England aged 16 to 17 at the start of the academic year, and young adults with an Education, Health and Care Plan (EHCP) aged 18 to 24 at the start of the academic year.[xiii] Local authorities submit data for all children in their area within this coverage to DfE once per month every year.

To identify which children in the NCCIS had spent any amount of time in the secure estate, the following two data fields were used:

- In the 'current activity' field, children had to have been recorded as either 'in full-time education in a custodial institution as a juvenile offender' or 'in custody as a young adult offender'.[xiv]

[xiii] A child's age at the start of the academic year is the child's age as at midnight of 31 August.

[xiv] In the NCCIS data, these are represented by codes 290 and 710, respectively.

- In the 'current establishment' name field (the name of the establishment attended by the child that month), either the name or description of a secure setting was given[xv]; or, if no name was given, then the child had a later record in the NCCIS where the name or description of a secure setting was given. Children with a current establishment name which was explicitly not a secure setting were out-of-scope, regardless of the contents of the current activity field; as were children for whom no current establishment name was ever given.

The current establishment name field is a free text field written by local authorities for each child. As a result, this field is not consistently completed by local authorities, and had to be cleaned by the Children's Commissioner's office so that, for example, both 'Werrington YOI' and 'HM YOI Warrington' were treated as the same establishment in the analysis.

The Children's Commissioner's office looked at records from five academic years, 2017/18 to 2021/22. For each child, their earliest record which met the requirements above was used – as the focus of the research was on each child's educational history, later records were not necessary. The analysis did not look further back than 2017/18 because placement information was not available in the AP Census from earlier years (see 'education placement history' below). The coverage goes up to 2021/22 because this was the most recent year of data available in DfE's National Pupil Database at the time of the analysis.

The office's final sample of in-scope children was children aged 16 to 17 at the start of the academic year (and young adults with an EHCP) for whom the office was certain that they had spent any amount of time in the secure estate between 2017/18 and 2021/22 (minus children with no data on their educational histories – see 'education placement history' below).

Education placement history

Three data sources were used to find information on the education history of each child:

[xv] A valid description would be, using an example from the NCCIS data, 'HM YOI Unknown'.

- The School Census, which covers children in state-funded schools (including state-funded alternative provision), state-funded nurseries and non-maintained special schools.[xvi]
- The Alternative Provision Census (AP Census), which covers children in placements commissioned and wholly funded by a local authority, excluding placements already in scope of the School Census. This includes, for example, children with EHCPs placed by their local authority in independent special schools; and children placed by their local authority in unregistered alternative provision.
- The Individualised Learner Record (ILR), which covers children and adults in further education colleges, and children and adults whose establishment receives funding for them from the Education and Skills Funding Agency for further or adult education (for example, funding for: 16-19 education; adult skills; and community learning).

For each child, their most recent record in any education was found, as was their most recent record in registered education. Their most recent record in registered education may be the same record as their most recent record in any education.

For the purposes of this report, registered education is education at any establishment registered with the Department for Education, minus establishments described as 'other' in DfE's Get Information About Schools (GIAS) database (e.g. Welsh establishments, higher education institutes, and service children's education overseas).[xvii] Therefore, of the types of establishment listed above as within the coverage of the School Census,

[xvi] The School Census is collected three times per year, once in each of the Autumn, Spring and Summer terms. The AP Census is collected only once per year, on the same day as the Spring School Census. To align these data sources, only data from the Spring School Census was used.

[xvii] Establishment information was only gathered in the AP Census from 2017/18 onwards. Therefore, for prior years, it is impossible to tell whether the placement was at a registered or unregistered establishment. Only a very small number of children's most recent education record was in the AP Census pre-2017/18, and so they have been excluded from analysis of unregistered education.

AP Census or ILR, those which are not registered are: unregistered alternative provision; and providers of further or adult education which are not sixth forms or further education colleges.

Only records before or during the academic year when the child first entered the secure estate were included. Where there were 'ties' for a child's most recent record – for example, if they were dual registered at two different establishments – deduplication was achieved via the following rules:

- If the duplicates occurred across different censuses, then the child's record in the School Census was preferred. If there was no record in the School Census, then the child's record in the ILR was preferred.[xviii]
- If the duplicates occurred within the School Census, then DfE's own derived definition of 'main record' was used.
- If the duplicates occurred within the ILR, then records which were funded by DfE were preferred.
- If the duplicates occurred within the AP Census, then records which were on-roll on the census date were preferred.

Information about each child's characteristics – their gender, ethnicity and SEN provision – were taken from their most recent record in any education. Additionally, since the NCCIS does not record a child's age, their age in this most recent record was also used to calculate their age at the start of the academic year in which they first entered the secure estate.

Information about the Ofsted rating of the establishment children attended during their most recent record in registered education was taken from DfE's GIAS database and joined on by the establishment's URN. This was the most recent Ofsted rating as of the date the data was downloaded on 31/10/2023.

[xviii] The School Census was preferred over the ILR as the latter is primarily conducted for funding purposes, which is not the focus of this research, while the School Census is designed for broader use. The AP Census is least preferred due to concerns regarding the quality of its data.

Fewer than ten children who did not have any records in any of the School Census, AP Census or ILR were excluded from the sample and were not included in any analyses. Although the office cannot say why these children do not have information about their educational histories available, it may be because they were in a type of establishment outside the coverage of the School Census, AP Census or ILR, for example an independent school not paid for by their local authority; or because they lived abroad and moved to England.

Attendance

Attendance data is only gathered in the School Census. Therefore, attendance data was taken from each child's most recent placement in one of the types of establishment covered by the School Census, most typically a state-funded school.

This introduces a fourth point in time used in this report's analysis of children in the secure estate, alongside: their first time in the secure estate; their most recent placement in any education; and their most recent placement in registered education.

Exclusions

Similar to the attendance data, exclusions data is only gathered in the School Census. Exclusions analysis is performed on all permanent exclusions a child received between 2012/13 and 2021/22, while at an establishment within the coverage of the School Census.

Deprivation

Deprivation is measured by the Income Deprivation Affecting Children Index (IDACI), which was last calculated in 2019 by the then Ministry of Housing, Communities and Local Government (MHCLG). IDACI was calculated for each lower-layer super output area (referred to as 'neighbourhood' in this report) in England. Neighbourhoods were ranked by IDACI, with the least deprived neighbourhood given a rank of 1, and the most deprived a rank of 32,844.[69] These ranks were used to define the deciles used in this report.

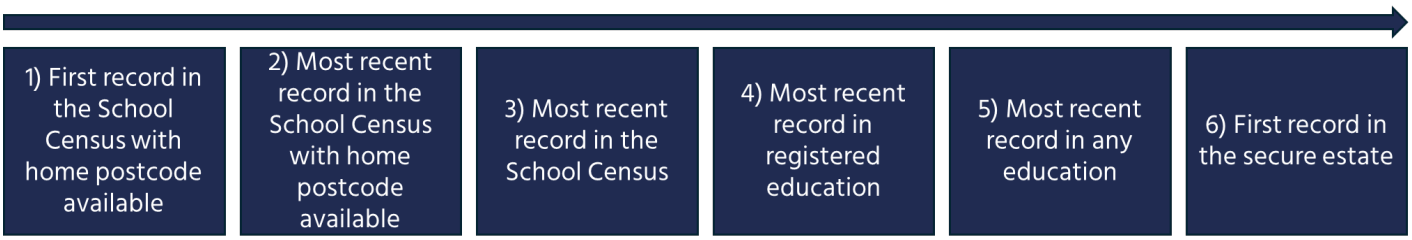
DfE joins IDACI onto the School Census using the child's home postcode. For each child in this analysis, IDACI was taken from their first and last record in the School Census with IDACI information available. Ideally, the last record with IDACI information available should be their most recent record in the School Census, the same as the attendance data. However, for the children in-scope of this research, their most recent record in the School

Census is commonly missing their home postcode, even though this is a mandatory item. Why this is the case is not understood, but it does suggest a level of disruption common to many of the children in this analysis in the lead-up to them entering the secure estate.

This introduces the fifth and sixth points in time used for the analysis in this report:

- each child's first record in the School Census with home postcode – and therefore IDACI – available, and
- each child's most recent record in the School Census with home postcode – and therefore IDACI – available.

Figure M1: The points in time used for this analysis. Some of these points in time may be identical – for example, if a child's most recent record education was registered education, then the 4th and 5th points in time would be the same – however, these points will have occurred in the temporal sequence shown.



GCSEs

GCSEs results were taken from the data submitted to DfE by all exam bodies. This means that all establishments where GCSEs were sat are within the coverage of this data. Unfortunately, the data does not keep track of different establishments not registered with DfE within a local authority – instead, a single identifier is used for all unregistered establishments within a local authority. This makes it impossible to tell which, if any, GCSEs were sat within the secure estate.

Analysis was performed on each child's most recent GCSE results in the academic year before or during the academic year when they first entered the secure estate. GCSEs results in earlier years (e.g. each child's second-most recent GCSE results) were not included in the analysis.

This introduces a seventh point in time used in this report's analysis: the most recent year in which each child had sat at least one GCSE exam. This might have occurred earlier or later than any or all of the other six points in time shown in Figure M1.

All GCSE subjects available in the data the office had access to were included in this analysis:

Arabic	Art and design	Bengali	Biblical Hebrew
Biology	Business studies	Chemistry	Chinese
Drama	English language	English literature	Food technology
French	Geography	German	Gujarati
History	Italian	Japanese	Latin
Maths	Media, film and television studies	Modern Greek	Modern Hebrew
Music	Punjabi	Persian	Physical education
Physics	Polish	Portuguese	Religious studies
Russian	Spanish	Statistics	Turkish
Urdu			

Comparisons to all pupils

Characteristics of the sample of children analysed in this research are occasionally compared against the population of all pupils in state-funded schools. Data for all pupils in state-funded schools was downloaded through DfE's Explore Education Statistics, a publicly available online service, with the exception of the IDACI comparison, which was calculated by the office using the National Pupil Database.

To make comparisons with the overall population, the office used data from 2021/22. This year was chosen as it was the latest that children in the sample could have been in state-funded education.

Qualitative research

The Children's Commissioner's office (CCo), under Section 2E of the Children's Act 2004, visited 6 secure settings in England to conduct interviews with children and observe standards of care and education in June and July 2024. These were announced visits and settings were asked to connect the office with the children in their care who would be interested in being interviewed. Only children who gave informed consent were interviewed. Due to the recruitment method, it is likely there was a bias in the office's sample towards those with better than average engagement with education, higher attainment, or better experiences with education.

Overall, interviews with 13 children and young people aged 16 to 18 were carried out across all 4 YOIs, 1 STC and 1 SCH. 12 boys and one girl was interviewed. Each interview lasted approximately an hour following the same topic guide. Two members of staff from CCo were present during each interview. In two of the interviews, a member of staff from the setting was present in the room as well which was consented by the child. One interview was with a non-verbal child who responded to verbal questions by writing on a whiteboard, the responses were then noted down by the interviewer. All other interviews were either voice recorded and later transcribed or were documented by a note-taker from CCo in the room during the interview. This depended on the institution's policies regarding voice recording equipment.

The office also interviewed 10 members of staff during the visits.

Analysis of *The Big Ambition* data

All children in England aged 6 to 18-year-olds were invited to take part in *The Big Ambition* survey between September 2023 and January 2024. Of the 253,000 responses received, we heard from 390 children who were in secure settings, such as Young Offender Institutions (YOIs) or Secure Children's Homes. Responses came directly from children, or from adults reporting on their behalf.

All respondents were presented with a series of Likert scale statements, to which they were invited to agree or disagree. The findings in this report compare the responses of the 390 children who were living in secure settings, to that of all respondents aged 12 to 18 (130,000 children).

Respondents were also invited to provide a written answer to: "What do you think the Government should do to make children's lives better?". All open-text responses from children who were living in secure settings were reviewed and thematically analysed. These findings, including direct quotes, are also included in the report.

Review of education policies from secure settings in England

In August to September 2024, the Children's Commissioner's office requested and received education policies (sometimes described as an offering or prospectus) from 7 out of the 14 secure settings that accommodate children on remand or sentenced in England and Wales. Of these, 3 came from YOIs and 4 from SCHs. The documents were reviewed and analysed to describe the educational regime in place in the settings.

References

[1] Children's Commissioner, *Family contact in youth custody*, 2023. Link.

[2] Children's Commissioner, *The Big Ask*, 2021. Link.

[3] Children's Commissioner, *The Big Ambition*, 2024. Link.

[4] Children's Commissioner, *Attendance is everyone's business*, 2023. Link.

[5] Children's Commissioner, *Business Plan 2024-25*, 2024. Link.

[6] Department for Education, *Suspensions and permanent exclusions in England*, 2023. Link.

[7] Children's Commissioner, *The Big Ambition Research,* 2024. Link.

[8] Youth Justice Board, *Guide to youth justice statistics,* accessed on 12/09/2024. Link.

[9] House of Commons Library, *Youth Custody Research Briefing,* 2022. Link.

[10] Youth Justice Board, *Guide to youth justice statistics,* accessed on 12/09/2024. Link.

[11] House of Commons Library, *Youth Custody Research Briefing,* 2022. Link.

[12] National Audit Office, *Children in custody: secure training centres and secure schools*, 2022. Link.

[13] House of Commons Library, *Youth Custody Research Briefing,* 2022. Link.

[14] Youth Justice Board, *Guide to youth justice statistics,* accessed on 12/09/2024. Link.

[15] House of Commons Library, *Youth Custody Research Briefing,* 2022. Link.

[16] Youth Justice Board, *Guide to youth justice statistics,* accessed on 12/09/2024. Link.

[17] HM Government, *Secure Schools: How to Apply Guide October 2018.* Link.

[18] Ministry of Justice, *Review of the Youth Justice System in England and Wales By Charlie Taylor*, 2016. Link.

[19] Home Office, *Policy paper Secure schools: Police, Crime, Sentencing and Courts Act 2022 factsheet*, accessed on 12/09/2024. Link.

[20] Children and Young People Now, *UK's first secure school opens after years of debate and delay*, accessed on 12/09/2024. Link.

[21] House of Commons Library, *Youth Custody Research Briefing,* 2022. Link.

[22] HM Inspectorate of Prisons, *Children in custody 2023-24*, 2024. Link.

[23] HM Inspectorate of Prisons, *Children in custody 2023-24*, 2024. Link.

[24] Department for Education, *Suspensions and permanent exclusions in England*, 2023. Link.

[25] Children's Commissioner, *Voices of England's Missing Children*, 2022. Link.

[26] Department for Education, *Schools, pupils and their characteristics*, 2023. Link.

[27] Department for Education, *Schools, pupils and their characteristics*, 2023. Link.

[28] Children's Commissioner, *Children Missing Education: The Unrolled Story*, 2024. Link.

[29] OCR, *Grade scales*, accessed on 12/09/2024. Link.

[30] Department for Education, *Key stage 4 performance*, 2024. Link.

[31] Department for Education, *Key stage 4 performance*, 2024. Link.

[32] Youth Justice Board, *Guide to youth justice statistics,* accessed on 12/09/2024. Link.

[33] Ministry of Justice, *Safety in the Children and Young People Secure Estate: Update to March 2024*, 2024. Link.

[34] Ministry of Justice, HM Prison & Probation Service and Youth Custody Service, *Guide to Safety in the Children and Young People Secure Estate*, 2024. Link.

[35] Department for Education, *Special educational needs and disability code of practice: 0 to 25 years*, 2015. Link

[36] Youth Justice Board, *Youth Justice Statistics: 2023 to 2024*, 2025. Link.

[37] Youth Justice Board, *Youth Justice Statistics: 2023 to 2024*, 2025. Link.

[38] Children's Commissioner, *Family in youth custody*, 2023. Link.

[39] Crest Advisory, *Examining the youth justice system: What drove the falls in first time entrants and custody, and what should we do as a result?* 2019. Link.

[40] Department for Education, *Improving the curriculum and assessment system*, accessed 25/09/2024. Link.

[41] Children's Commissioner, *Lost in Transition? The destinations of children who leave the state education system*, 2024. Link.

[42] Children's Commissioner, *Beyond the Labels: A SEND system which works for every child, every time*, 2022. Link.

[43] Early help indications as listed in: HM Government, *Working Together to Safeguard Children 2023*, 2023. Link.

[44] HM Government, *SEND Review: Right support, right place, right time*, 2022. Link.

[45] HM Inspectorate of Prisons, *Children's custody: a decade of missed opportunities and decline*, accessed 07/10/2024. Link.

[46] Children's Rights Alliance for England in partnership with Unicef UK and the Equality and Human Rights Commission, *Briefing 3: The Concluding Observations of the UN Committee on the Rights of the Child 2023: Key issues raised*, accessed 07/10/2024. Link.

[47] Youth Justice Board, *Youth Justice Statistics: 2023 to 2024*, 2025. Link.

[48] Youth Custody Service, *Youth custody data*, accessed 16/02/2024. Link.

[49] Youth Justice Board, *Youth Justice Statistics: 2023 to 2024*, 2025. Link.

[50] Youth Justice Board, *Youth Justice Statistics: 2023 to 2024*, 2025. Link.

[51] Youth Custody Service, *News story: Susannah Hancock to review girls' placements in youth custody*, accessed on 07/02/2024. Link.

[52] The Guardian, *Prison isn't working for women, Labour says, as it unveils plans for alternatives*, accessed 07/10/2024. Link.

[53] Youth Justice Board, *Case Management Guidance*, accessed on 21/02/2025. Link.

[54] Ofsted and His Majesty's Inspectorate of Prisons, *A decade of declining quality of education in young offender institutions: the systemic shortcomings that fail children,* 2024. Link.

[55] Ministry of Justice, *Young Offenders' Institute Education Services (YES) Retender Project – Full Business Case*, 2022. Link.

[56] Department for Education, *Special educational needs and disability code of practice: 0 to 25 years*, 2015. Link

[57] Department for Education, *Pupil absence statistics: methodology*, 2024. Link.

[58] Ministry of Housing, Communities & Local Government, *The English Indices of Deprivation 2019 Technical report*, 2019. Link.

[59] Youth Justice Board, *Guide to youth justice statistics,* accessed on 12/09/2024. Link.

[60] HM Government, *Working Together to Safeguard Children 2023*, 2023. Link.

[61] Department for Education, *Children's social care: national framework*, 2023. Link.

[62] Department for Education, *Special educational needs and disability code of practice: 0 to 25 years*, 2015. Link.

[63] Department for Education, *Special educational needs and disability code of practice: 0 to 25 years*, 2015. Link.

[64] Department for Education, *Special educational needs and disability code of practice: 0 to 25 years*, 2015. Link.

[65] Department for Education, *Special educational needs and disability code of practice: 0 to 25 years*, 2015. Link.

[66] Department for Education, *Alternative Provision Statutory guidance for local authorities*, 2013. Link.

[67] Department for Education, *Alternative Provision Statutory guidance for local authorities*, 2013. Link.

[68] Department for Education, *Strengthening protections in unregistered alternative provision Government consultation*, 2024. Link.

[69] Ministry of Housing, Communities & Local Government, *The English Indices of Deprivation 2019 Technical report*, 2019. Link.

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