



Education & Skills  
Funding Agency

Education and Skills Funding Agency  
2 Rivergate  
Temple Quay  
Bristol, BS1 6EH  
[www.gov.uk/esfa](http://www.gov.uk/esfa)

Mr Patrick Newberry  
Chair of Governors  
The Cornwall College Group (TCCG)  
John Keay House  
Tregonissey Road  
St Austell  
PL25 4DJ

17 January 2022

Sent via email to: [patricknewberry3@gmail.com](mailto:patricknewberry3@gmail.com)

Dear Patrick

### **Financial Health Notice to Improve**

Further to the letter dated 7 January 2020, from Paul Lucken to John Evans, of which the previous Chair of Governors was sent a copy, this letter and its schedules constitute a Notice to Improve (NTI) in line with clauses within the Funding Agreements between the Secretary of State for Education (DfE) acting through the Education and Skills Funding Agency (ESFA) on behalf of the Crown.

It sets out additional conditions of funding that TCCG is required to comply with in order that ESFA can continue to fund. The conditions set out in the schedule of this NTI are in addition to the conditions of funding set out in the Funding Agreements. I am re-issuing this NTI, which was first issued in April 2016, following a review to reflect updated policies and new processes and requirements for the submission and timing of financial data that are now in place.

The schedule below sets out the action required under this NTI.

### **Monitoring**

The ESFA will continue to closely monitor progress made towards meeting these conditions through the scheduled case conferences (Fresh Start meetings) and will work with you and wider agencies to secure the best outcome for learners, employers, the local community.

### **Compliance**

If TCCG does not comply with the additional conditions within the specified time period, the ESFA will pursue one or more of a range of options outlined in, or incorporated into, the funding agreements.

In all cases, the removal of the additional conditions will occur when TCCG receives a letter from ESFA indicating that the additional conditions have been met.

### **Complaints**

If you consider that ESFA has acted unreasonably or not followed a proper procedure in issuing the additional conditions, you can make a complaint under the procedure for [dealing with complaints about the ESFA](#).

### **Publication**

The ESFA publishes all NTIs on gov.uk

### **Reviews**

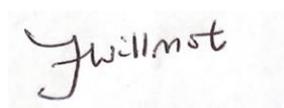
The ESFA will regularly review this NTI with you. It is likely that the NTI will be re-issued, at least annually to ensure the terms and conditions remain relevant. The ESFA reserves the right to reissue at any point should circumstances significantly change.

### **Action required**

Please acknowledge receipt of this letter and the schedule below by writing to me within 5 working days of the date of this letter.

This NTI is being copied to Ofsted, your local authority, Office for Students and the FE Commissioner.

Yours sincerely



Fiona Wilmott

Deputy Director, Territorial Team, South West and South ESFA

Cc: John Evans, Chief Executive Officer/Principal. Email:

[john.evans@cornwall.ac.uk](mailto:john.evans@cornwall.ac.uk)

Jos Parsons, Ofsted – [jos.parsons@ofsted.gov.uk](mailto:jos.parsons@ofsted.gov.uk)

Meredith Teasdale, Strategic Director for Children, Schools and Families. Email:

[Meredith.Teasdale@cornwall.gov.uk](mailto:Meredith.Teasdale@cornwall.gov.uk)

Office for Students. Email [regulation@officeforstudents.org.uk](mailto:regulation@officeforstudents.org.uk)

Shelagh Legrave, FE Commissioner, [FEC.OPERATIONS@education.gov.uk](mailto:FEC.OPERATIONS@education.gov.uk)

**Schedule: The Cornwall College Group (TCCG)**

This schedule sets out the additional conditions relating to the improvement of the overall services. It has been re-issued because the ESFA continues to assess The Cornwall College Group as having weak financial health.

The NTI will remain in place until the college can demonstrate through the assessment of their finance record long-term sustainability and resilience.

### **Timescales**

The additional conditions outlined within this schedule, including the need to comply with the Restructuring Facility Agreement, and the submission of monthly management accounts and cash flow forecast must be addressed timely.

In addition, where it is evident that sufficient improvement is not or cannot be achieved within the timescales specified, the ESFA reserves the right to take further action open to it at any point.

### **Monitoring and Progress**

All conditions will be reviewed at the Fresh Start meetings and other monitoring meetings with the ESFA Territorial Team and the FE Commissioner.

### **Specific conditions –**

1. TCCG must continue to work with the ESFA and the FE Commissioner and her advisers to undertake an on-going assessment of the college's capability and capacity to make the required changes and improvements. This will include supplying all necessary information to the FE Commissioner or her Advisers so the assessment can be made. The ESFA and the FE Commissioner will continue to monitor progress against your restructuring, curriculum and estates plans to ensure that sufficient progress is being made and agreed milestones are being reached.
2. The ESFA reserves the right to procure a third party firm to undertake an Independent Business Review and that TCCG co-operates in full with this process.
3. TCCG must attend regular meetings with the ESFA. Attendees should include, as a minimum; the Principal, Director of Finance and Chair, or other appropriate Governors to represent your Corporation. The meetings will focus on TCCG's progression against the milestones in the plans, where the college will be expected to provide information to demonstrate proper oversight and timely implementation. The ESFA will arrange these meetings and your first point of contact is Rachel Whiting [rachel.whiting@education.gov.uk](mailto:rachel.whiting@education.gov.uk)
4. TCCG should continue to undertake a regular review of potential cash flow requirements and is required to supply the ESFA with a cashflow forecast as part of the monthly management accounts by the 20th of each month.
5. TCCG must comply with the ESFA funding agreement and funding regulations, putting in place controls, measures and checks that ensure the effective performance of college provision, programmes and sub-contracted provision.

6. This NTI may be revised and updated subsequent to the date of issue to reflect progress and/or any change in circumstances including, following the FE Commissioner's intervention and recommendations. It will be formally reviewed with you, at least annually, to ensure it remains appropriate and current.
7. If, in the ESFA's view, TCCG fails to take the necessary actions (in whole or part) within agreed timescales, or if evidence of progress is not appropriate or not available, the ESFA will take further action.
8. The ESFA will determine when TCCG has made sufficient progress for the NTI to be lifted. This will be when the financial health can evidence long-term sustainability and resilience.