



Education & Skills
Funding Agency

Education and Skills Funding Agency
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Doug Nicholls
Chair
Ruskin College
Dunstan Road
Old Headington
Oxford
OX3 9BZ

Sent by email to: doug@gftu.org.uk

Dear Doug

Financial Health Notice to Improve

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 replaces the Financial Notice of Concern issued 24 November 2014 to reflect updated policies, processes and requirements placed on colleges in formal intervention and to confirm that the college has also been placed in Supervised College Status in accordance with FEC recommendations made as a result of their visit to the College 14-15 July 2020.

It sets out additional conditions of funding that Ruskin College is required to comply with in order that the 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.

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

Context

The College is currently the subject of an ongoing Independent Business Review; and has a further Stocktake by the Further Education Commissioner scheduled for October 2020.

Monitoring

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

Compliance

If Ruskin College 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 Ruskin College 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, the Office for Students and the FE Commissioner.

Yours sincerely



Paul Lucken
Deputy Director,
Territorial Team, South West and South
ESFA

Cc:

Paul Di Felice, Principal, Ruskin College
Jos Parsons, Ofsted
Office for Students
Richard Atkins, FE Commissioner
Andrew Tyley, Deputy FE Commissioner
Kevin Gordon, Director of Children's Services, Oxfordshire County Council -

Schedule: Inadequate – Financial Health Grade – Ruskin College

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 Ruskin College as having an *Inadequate* financial health grade.

Timescales

The additional conditions outlined within this schedule, including the submission of monthly management accounts and cash flow forecast must be addressed in a timely manner.

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 monitoring meetings with the ESFA Territorial Team and the FE Commissioner.

Specific conditions

1. Ruskin College must continue to work with the ESFA and the FE Commissioner and his 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 his 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 Ruskin College co-operates in full with this process.
3. Ruskin College 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 Ruskin'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 Garry Llewellyn, email Garry.llewellyn@education.gov.uk
4. Ruskin College should continue to undertake a regular review of potential cash flow requirements and is required to supply the ESFA with a weekly cashflow forecast, and a 12 month cashflow forecast in the required format as part of the monthly management accounts by the 20th of each month.
5. Ruskin College 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, Ruskin College 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. As the College has been placed in **Supervised College** status, ESFA will attend governing body meetings until it is satisfied that there is sufficient oversight and challenge of the recovery plan or until the college achieves an improved financial assessment. In addition, the college must supply in advance copies of agendas and relevant papers including minutes of previous board meetings.
9. The College must inform the ESFA on any items of expenditure that are valued at £20k or above and are outside of the College's current Financial Plan
10. The College must consult the FEC and ESFA on decisions that affect the long-term future of the college. These would include, although are not limited to:
 - The appointment of senior post holders
 - Significant financial commitments in excess of a specified threshold
 - Significant asset disposals and/or developments
 - Any plans for structural change
11. The ESFA will determine when Ruskin College has made sufficient progress for the NTI to be lifted. This will be when the financial health can evidence long-term sustainability and resilience.