

**Further Education Commissioner  
assessment summary**

**Hereward College**

**November 2016**

# Contents

Assessment	3
Background	3
Assessment Methodology	4
Safe Guarding and the Prevent Duty	4
The Role and Composition of the Board of Governors	6
The Senior Leadership Team	6
College Culture and Communications	7
Curriculum and the College Offer	8
Quality and Outcomes	8
Student Perceptions	9
The Financial Position	10
The Area Review Process	10
Recommendations	11

# Assessment

## Background

Hereward College of Further Education is a small further education college (GFE) located in Coventry in the West Midlands. The College has a specialist remit to offer provision for young people with high needs/disabilities but is not a specialist designated institution (SPI). At the time of the intervention assessment the College had 23 residential students and day provision for 255 students. A large proportion of the students are drawn from Coventry and Warwickshire.

Student numbers at Hereward College have remained relatively stable with 277 students in 2012/13, 262 in 2015/16 and an allocation of 267 in 2016/17. There has been a change in the mix of students, with increased numbers of students being recruited who have extremely challenging behaviour. Currently the College caters for a very diverse range of complex needs which presents challenges for the staff, managers and leadership.

The College makes provision for courses from pre-entry to level 3 and provides specialist facilities and support staff in order to cater for students with a wide spectrum of types and complexity of disability and additional needs. Training is also offered for 16 apprentices by Hereward Training which is based at the College.

There are five GFE colleges within a 15 mile radius of Hereward College: Coventry College (4m) and Henley College (7m) which intend to merge by August 2017, Warwickshire College (10m), North Warwickshire and Hinckley College (14m) and Solihull College (14m). All five colleges offer provision for students with high needs.

The most recent Ofsted inspection of Hereward College was in October 2016 and the grade for overall effectiveness was inadequate. The primary reason for the inadequate judgement was that the arrangements for safeguarding students were ineffective. At the previous inspection in January 2015 the College was judged to be 'Good'.

Following notification by the Skills Funding Agency that Hereward College had been graded as inadequate by Ofsted during the inspection held on 4th-7th October 2016, the Minister of State for Apprenticeships and Skills requested that the FE Commissioner assess the position of the College in line with the government's intervention policy set out in *Rigour and Responsiveness in Skills (2013)*. Because the inadequate judgement related to ineffective safeguarding arrangements, the Commissioner decided to undertake the intervention visit immediately, and prior to the publication of the Ofsted report.

The Care Quality Commission (CQC) also undertook an unannounced inspection of the residential provision at the College on 19 October 2016. CQC have not yet reached a judgement or grading because the inspection findings will be assessed by a senior manager before the grading is finalised. The SFA have, to date, received no formal feedback but understand that no immediate safeguarding dangers were identified of a

significant enough nature to warrant a serious intervention by CQC. A confirmed outcome judgement from the CQC inspection is expected by 25 November 2016.

The FE Commissioner's report is intended to advise the Minister and the Chief Executive of the funding agencies on;

- a. The capacity and capability of the College's leadership and governance to secure rapid and sustained quality improvements for learners within an acceptable timetable
- b. Any actions that should be taken to deliver sustained quality improvements within an agreed timetable (considering the range of interventions set out in *Rigour and Responsiveness in Skills*)
- c. How and when progress should be monitored and reviewed taking into account the Agency's regular monitoring arrangements

### **Assessment Methodology**

The FE Commissioner, supported by two FE Advisers, carried out an assessment during the period 2nd – 3rd November 2016. They received, in advance, briefing information provided by the Skills Funding Agency and the Education Funding Agency and reviewed a wide range of College documentation. They interviewed board members, college managers and staff, as well as representatives of the SFA, EFA, learners and the trade unions.

### **Safeguarding and the Prevent Duty**

Over the past three years there have been a number of reported, alleged incidences of serious safeguarding matters in the College's day and residential provision. Because of the level and number of incidences reported several commissioning and monitoring agencies and individuals expressed concern about the way in which the College was responding to investigations and the College's processes for reporting and managing safeguarding across both the day and residential provision. These concerns triggered the Ofsted inspection which took place in October 2016.

Ofsted judged that: ***The arrangements for safeguarding are ineffective; governors, leaders and managers have not ensured that the College meets its responsibilities in relation to 'Working together to safeguard children' and 'Keeping children safe in education'; and also that Governors, leaders and managers have failed to comply with the 'Prevent' duty.***

Because of the nature of the Ofsted concerns which led to these inadequate judgements, an initial visit from a member of the FE Commissioner's team took place on the 12<sup>th</sup> October. In addition, due to the concerns surrounding the Ofsted judgement the College has confirmed in writing to the SFA its willingness to take forward four urgent actions, namely:

- to secure an interim Principal with appropriate High Needs Students expertise as soon as possible and preferably by Monday 24th October;

**Status at time of intervention visit:** Interviews scheduled for the 5<sup>th</sup> November 2016 and if a suitable candidate is identified a recommendation for appointment will be taken to the Board meeting on 10<sup>th</sup> November 2016

- to secure a trained and experienced safeguarding lead as soon as possible and preferably by next Monday 24<sup>th</sup> October;  
**Status at time of intervention visit:** The vice Principal: Student Independence and Development has been identified as the Safeguarding lead for the College and has completed two days of formal training
- to increase the capability of the existing Governing Body as soon as possible through the addition of someone with a Level 7 safeguarding qualification;  
**Status at time of intervention visit:** The process to identify a specialist advisor to the Board for Safeguarding was in progress.
- that the College should write to the parents/carers of the children and students at the college informing them of the situation by the half term week.  
**Status at time of intervention visit:** Action completed

In addition to the actions detailed above the College has:

- Revised its Safeguarding Policies and created new separate policies to cover
  - i. Safeguarding and Child Protection.
  - ii. Safeguarding and Adult Protection.
- Updated policies approved by the Board 08/12/16
- Created a new role of Safeguarding manager which has been externally advertised (31/10/16)
- Met with Coventry Local Authority to determine a new risk-based admissions process which will require the full passing on of relevant information by the commissioning authority to the College, thereby ensuring that the college is fully aware, in advance of entry, of the risks and specialist requirements presented by individual students
- Ensured that all Governors have completed the on-line Prevent training (completed on the 24/10/16)
- Arranged for the West Midlands FE Prevent lead to attend the College to address the awareness training of students (scheduled for 25/11/16)
- Delivered a whole staff training and awareness day on safeguarding and the Prevent duty which was held on 21/10/16
- Commissioned an external consultant to review policies and increase the visibility and awareness of safeguarding across the College.
- Commissioned Grapevine to deliver training on safe relationships and sexuality which was delivered on 25/10/16

## **The Role and Composition of the Board of Governors**

The Board consists of 15 members: 10 independent members plus the Principal, 2 staff members and 2 student members. At the time of the intervention visit there were 4 vacancies. The Board operates the “Carver type” model of governance with nine meetings scheduled for the year. A Quality and Standards Committee was reintroduced in October 2012 to give governors a more detailed focus on quality performance. There are further formal committees for Remuneration, Audit and Search and Governance

The current Chair of the Corporation is Vice Principal, Resources at a large FE College out of area. He has been involved with Hereward College since 1992 and has been Chair since 2013. He lives and works a long distance from the College and has decided that given the commitment that will be required from the Board for the College to move forward he will stand down from his position as Chair at the Board meeting scheduled for the 10<sup>th</sup> November. At the time of the intervention visit a suitable replacement had not been identified.

The Chair considers that the Board will benefit from a change of leadership to drive the required improvements. The Vice Chair and other independent members are aware of the changes that need to be made and will provide a solid core for the required, strengthened Board membership. They recognise the need to challenge the senior leadership to move at a pace that will affect swift improvements.

The Clerk to the Board has been employed by the College in excess of 10 years and works full time, term time only. As a senior post holder, she is well qualified for the role and has a legal background. The College must understand that the role of the Clerk is essential to the proper operation of the Board. Moving forward the new chair needs to acknowledge the Clerk’s independence from the general management of the College. The Clerk must also ensure that the Board is moving at an appropriate pace to implement the changes required and is fully compliant with all its statutory requirements and responsibilities.

The Board needs to fill its current vacancies as soon as possible and recruit new members with experience of safeguarding requirements, the specialist SEN curriculum and quality improvements.

The draft Ofsted report recognises that the Board are committed to providing high standards of care, support and education. The Board needs to be more effective in supporting and leading the College to move forward in relation to safeguarding, ongoing quality improvements and responding pro-actively to the recommendations of the Coventry and Warwickshire Area Review.

## **The Senior Leadership Team**

The Senior Leadership team is made up of the Principal and three Vice Principals: Finance; Quality and Curriculum; and Student Independence and Progression. The Vice Principal Student Independence and Progression has Safeguarding and residential provision within his brief but did not hold the designated senior post-holder responsibility for safeguarding (DSO). This responsibility was attached to a junior member of staff. The

VP Student Independence and Progression has now assumed this responsibility and is undertaking the DSO training required.

The Principal was not present during the intervention visit. She was signed off sick on the second day of the Ofsted inspection and her return date to the College is not known. At the time of the intervention visit the VP Finance and Resources had assumed the role of Interim Accounting Officer. No interim Principal had been identified by the Board from within the senior leadership.

The Board of Governors are in the process of recruiting an appropriately experienced interim Principal and it is expected that at the Board meeting scheduled for the 10<sup>th</sup> November they will confirm an appointment to start immediately. Interviews are scheduled for the 5<sup>th</sup> November 2016. The Board have stated that should the Principal return soon they are likely to maintain the services of the interim Principal until they are satisfied that all the issues raised during the Ofsted inspection are addressed.

The Vice Principals have developed a good Post Inspection Action Plan which has been reviewed by an experienced former Principal and HMI and consequently has been further improved. They have been pro-active in responding to the recommendations made by Ofsted; to the CQC intervention; to requests made by the SFA; and to the FE Commissioner Intervention process.

All members of the Senior Leadership Team are senior post holders with the exception of the VP Curriculum and Quality who is on a fixed term contract. She formerly held a position as a Governor of the College when she was employed by a neighbouring West Midlands FE college and was invited to take up the post of VP when the former post holder resigned.

### **College Culture and Communications**

Throughout the College there appears to be a good understanding of practical safeguarding practice. All staff has received some training and they were surprised at the outcome of the Ofsted inspection because they were generally unaware of the scale of the serious incidences that had been reported over the past three years. Not all staff have received training on the new procedures that have recently been introduced across the College and some are unaware of the processes for safeguarding against peer-on-peer abuse.

Generally, the staff can demonstrate a strong culture of caring for and supporting their students, both in practice and regarding ensuring that the students' experience is of value and progressive. However, there appears to be a lax approach to recording progress and the administration of the student experience, which is supported by the views of the students.

Staff feel that they are well supported by management and that the College cares about them. However, some staff felt that there could be more transparency and openness about the issues that have been facing the College recently. They stated that they wanted to be pro-active in 'putting things right' but had to fully understand 'what was wrong' in order to do this.

The publication of the Ofsted report and a full cross-college sharing of the Post Inspection Action Plan (PIAP) will be an opportunity for college managers to work closely with staff and to target and report on improvements.

### **Curriculum and the College Offer**

The make-up and size of the student cohort is changing and this requires an ongoing review of the curriculum offer. The trend is for fewer residential and more day students. An increasing proportion of day students have challenging needs and complex autism. In addition, students with PMLD are increasing year on year. Senior leaders need to plan for these changes and ensure that the curriculum offer, staff skills and specialist facilities available at the College match the learning capacity and requirements of the changing student cohort.

The College has recognised that the curriculum requirements are changing and has restructured its curriculum offer into three distinct pathways: Foundation Pathway (Pre-Entry, Entry levels 1&2); Explorer Pathway (Entry level 3 and level1); and Discovery Pathway (Levels 2 and 3).

Currently, across the three pathways, academic and vocational programmes and the transition to independence curriculum make up the college offer and the students individual learning programme. Choices offered on campus are Sports, Performing Arts, Media, Art & Design, Business Management, Retail, ICT, English, Maths and Skills for Working Life. A range of independence activities, opportunities for work experience and enterprise activities, and support to develop personal and social skills prepare students for life after college, including employment, higher education and independent living.

The College needs to be mindful of the impact on the operation and organisation of the institution whilst accommodating such a wide range of students with varying abilities and specialist needs.

### **Quality and Outcomes**

Ofsted judged that the 'quality of teaching, learning and assessment' and 'Outcomes' requires improvement. In particular, they identified that:

- Teachers had insufficiently high expectations for their students and teaching needed to be more challenging
  - Target setting needed to be more rigorous and focused on individual student goals and abilities
  - There needs to be greater communication between teachers and learning support staff in order that students can make maximum progress
  - Too few students achieve their target goals at the end of their college experience
- Outcomes on apprenticeship programmes are poor



Ofsted also recognised that the College is making good progress in:

- Embedding English, maths and functional skills into the curriculum
- Relating classes to practice in the workplace
- The use of ILT to stimulate and broaden learning
- Enabling students to develop good levels of English skills
- Improving the standard of vocational work to a high standard

Prior to the Ofsted inspection the College had judged itself to be good in all categories other than Outcomes where it self-assessed as requires improvement. The College's self-assessment took insufficient account of safeguarding and the failure to implement the 'Prevent' duty.

Since the inspection the College's Self-Assessment Report has been revised to take account of the Ofsted judgements and a PIAP has been prepared and reviewed by an external specialist consultant after which further adjustments have been made.

The PIAP is now robust and sets out a clear set of actions, which if implemented in a timely manner, should enable the College to quickly address the issues raised in the Ofsted report in relation to safeguarding and the Prevent duty.

### **Student Perceptions**

During the intervention visit, the Commissioner's team met with a cross section of students from across the College; four day students and two residential students. They were all aware of the Ofsted judgment, and all said they were shocked and surprised. Two of the students stated that they had previously been educated in mainstream settings, and both said that they now feel the safest they have ever felt in the education system.

The residential students, both of whom were individuals with severe physical disabilities, spoke favourably of the 24 hour care they receive, and how they can call on that care at any time during the day or night, which makes them feel safe.

All the students interviewed positively described the 'Learner Leadership' within the College, which includes the Student Union, Course Representatives, Student Ambassadors and Peer Supporters. Peer Supporters are assigned to new students when they arrive at the college, and are expected to continue to support those students. Student Union members and Peer Supporters receive safeguarding training, which gives them the skills to recognise a safeguarding issue, and the details of which staff members to refer the issue to.

When directly asked about the Ofsted judgment that the College's safeguarding processes and procedures were ineffective, some of the students said they thought that the College 'might not be very good at writing things down' and that 'filing is haphazard'. However, they were all aware that records of incidents would be on their student file on Databridge (the college's electronic MIS system).

## **The Financial Position**

The College receives funding from both the EFA and the SFA, but unlike most GFE colleges, relies fundamentally upon Local Authorities for High Needs funding which amounts to around 49% of its income, due to the profile of the student body.

Confirmation of much of this funding is received after the deadline for the Financial Plan to be submitted to the SFA, and therefore the College prepares its Financial Plan on a very prudent basis, and then revises the plan once recruitment numbers are known in October each year.

The College's current Financial Health rating, based on its draft 2015/16 financial statements is 'Good'. The latest Financial Plan, completed in October 2016, shows a movement to 'Outstanding' in 2016/17 and 2017/18. This assessment differs from the Financial Plan submitted to the SFA in July 2016, which stated that 2016/17 would be 'Good' and 2017/18 would be 'Satisfactory', because of the late funding decisions by sponsoring Local Authorities.

The College had cash reserves of £3.427m at 31 July 2016 and loans of £2.4m. It also has one acre of unutilised land.

The financial outlook for the College is positive if trends from 2014/15 and 2015/16 continue. However, the College is aware that the latest Ofsted judgment may negatively impact on recruitment numbers in 2017/18, and will therefore model the effect of various levels of reduced recruitment on its future financial health.

## **The Area Review Process**

One of the recommendations arising from the local area review was that Hereward College would consider a 'Coventry city solution' together with Henley College and the City College Coventry. However, the Board at Hereward College withdrew from these discussions as they were concerned that they may lose their specialist mission and identity as a specialist provider if they were to be subsumed into a large general further education college.

In the past the College had commissioned a Business Review and Development report from JH Consulting and an interim draft was presented to the Board of Governors in the autumn of 2015 which concluded that there was 'no compelling case for Hereward to consider new structural arrangements'.

However, the further implementation of the SEND reforms has resulted in more of the local GFE colleges producing ambitious plans for the development of their high needs provision which, if successful, could have a significant impact on recruitment at Hereward in the future. The requirement for residential provision has diminished considerably over recent years with the implementation of the SEND reforms by local authorities.

The College is continuing to review options for collaboration to deliver long term financial sustainability but needs to move at a faster pace.

## Recommendations

- a. Governors and senior leaders need to implement, as a matter of urgency, *and by January 2017 at the latest*, systems and processes to ensure that the college is meeting its legal and statutory requirements with regard to safeguarding. In addition, Governors and senior leaders need to demonstrate that they are leading and embedding across the college an improved and proactive culture with regard to safeguarding practice.
- b. Governors and senior leaders should ensure that, as a matter of urgency, *and by January 2017 at the latest* the 'Prevent' duty requirements as stated in section 26 of the Counter-Terrorism and Security Act 2015 are complied with fully. They should ensure that all staff and students are fully aware of the FE sector specific guidance regarding risk assessments, action planning, staff training, welfare and pastoral care and IT policies.
- c. The Governing Body needs to strengthen its membership to ensure that it has the knowledge, appropriate skills and capacity to lead the required improvements in safeguarding including ensuring that the senior leadership is taking swift action to bring about change, and are held to account and challenged with regard to the pace of change across the college.
- d. The Board of Governors should urgently address the capacity of the senior leadership, to ensure that the range of significant serious issues outlined in the recent Ofsted report, are dealt with effectively. They should appoint an appropriately experienced Interim Principal as soon as possible. The recognised good progress that is being made by the Board, the senior leadership and the College with regard to the quality of the learner experience should not as a consequence, be impeded.
- e. Staff at the college, are keen to be pro-active in taking the college forward. Their contribution to finding solutions needs to be harnessed by the Governing Body and the senior leadership through ensuring that there is open and transparent communication regarding the current position of the college and strategies for the future.
- f. The financial management of the College is currently good with a stable financial base. However, management should revise its financial forecast for 2017/18 to 2019/20 to model various levels of reduced recruitment that may occur as a consequence of the Ofsted report.
- g. The College should commission a structure and prospects appraisal as soon as possible, so that it meets its commitments outlined in the Coventry and Warwickshire Area Review to identify strategic options for decision by February 2017.

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