

**Further Education Commissioner
assessment summary**

**Essex County Council – Adult and
Community Learning**

February 2017

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Assessment

Background

Essex County Council commissions Adult and Community Learning Essex ('ACL Essex') to provide learning across the whole county. The provider has 13 centres across the county and delivers learning in around 170 venues in smaller communities. The Council provides accredited and non-accredited adult learning in 13 subject sector areas and Apprenticeships in three. The current provision covers four main areas of activity. These are English and maths, Employment led provision, Community Learning and Social Inclusion.

Following the Skill's Funding Agency's notification that Essex County Council Adult and Community Learning Service had been graded as inadequate by Ofsted at its most recent inspection in December 2016, the Minister for Apprenticeships and Skills decided that the FE Commissioner should assess the position of the college in line with the Government's intervention policy set out in '*Rigour and Responsiveness in Skills*'.

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 Essex County Council's Leadership and Governance to deliver quality improvement within an agreed timeframe;
- b) any further action that should be taken by the Minister and/or the Chief Executive of the funding agencies to ensure the delivery of quality improvement (considering the suite of interventions set out in '*Rigour and Responsiveness in Skills*'); and
- c) how progress should be monitored and reviewed, taking into account the Agency's regular monitoring arrangements and Ofsted's monitoring visits.

Assessment Methodology

A Deputy FE Commissioner and an FE Adviser visited the Council for two days on February 21st and 22nd 2017. They received briefing information in advance from the Skills Funding Agency and met with the Lead County Councillor who now chairs the newly developed ACL Forum responsible for overseeing the Governance of the Service. They had meetings with the Council's Chief Executive and the Executive Director who is the Senior Council Officer accountable for the delivery of the service. In addition, they met with Senior Adult Education managers, Programme managers and Subject managers and Tutors. They also went to one of the main Adult Education centres in Colchester and visited a number of classes and had discussions with teaching staff and learners.

Governance

Public accountability through elected representatives has been weak in the past, and Leaders and county councillors do not monitor and rigorously challenge the progress that all groups of learners and apprentices make. Also, they do not challenge leaders effectively because leaders fail to provide county councillors with clearly presented management reports, which focus on the achievement and progress of learners' performance. It appears that there has been a very strong focus on financial performance and only a limited focus on learner performance.

Governance and public accountability of ACL within the Council is through the ACL Forum. There is now increasing evidence in the minutes of ACL Forum meetings that elected members are engaged in more effective monitoring, and there are clear lines of action being taken to develop a more focused overall strategy. The Membership of the ACL Forum now includes, the Cabinet member with ACL portfolio responsibility, cross party Councillors, the Head and Deputy Head of Service, a Local Employer, an ACL Learner (who happens to be a retired VP in an FE College) and an ACL Tutor. The ACL Forum now meets four times during the academic year with additional activity as defined by the group Chair and has set out key themes for the meetings.

There are now clear terms of reference for the Forum, which should further improve the role of the councillors and the Forum to enable them to more effectively monitor and challenge the management of ACL. There is a key focus on Quality improvement, providing challenge and support to help the ACL service achieve its ambitions and ensure that ACL Essex fulfils requirements relating to diversity and equality, disability, safeguarding, Prevent and health and safety. It is important now that there is continuity in this approach, and the Council should be encouraged to seek to maintain the current balance of elected representatives' membership and expertise when Council committees and Forums come up for renewal in the summer. Building up the expertise and knowledge of the members is crucial in ensuring that the main problems in the service are dealt with urgently and appropriate.

Data and Intelligence

Management reports to Councillors in the past have tended to focus almost exclusively on funding, finance and business related issues. In discussion, the ACL leadership showed awareness of this failing and are making changes to ensure that Quality KPI's and assessments are more prominent in future reports. There appears to be little or no linkage between these KPIs and those used by the senior leadership team to monitor performance. There should be an effective trail of KPI's reported up to Councillors and Senior Management addressing the quality of the service.

The leadership team need to review learner performance data and intelligence, and the way learner outcomes are presented to the Quality Improvement Group, the ACL Forum and Senior Management including comparisons against national benchmarks. As is standard practice in many FE Colleges, ACL managers are providing details of learner outcomes and comparisons with national benchmarks, but this data needs to be presented in more intelligible formats such as Dashboards accompanied by RAG ratings in reporting to the ACL Forum and Council Senior management.

Leadership and Management

The Chief Executive of the Council, is in the process of restructuring the Council's Leadership and management. He showed real interest and concern about the inadequate Ofsted rating of the ACL service, and wants to be involved in the monitoring and review process. He is making further management changes to ensure that there is a focus on Employability and Skills, and that ACL plans are closely linked to the council's wider strategy for community education and jobs.

The Head of Service was brought into manage ACL last June in order to improve the focus on financial management, and develop new aspects of the business to provide

more focus on community education and its links to employability and skills training. Whilst financial management of the service is clearly very important there needs to be a clearer link of non-financial targets between the Head of Service and the senior leadership team of the Council.

There is now a clear line of accountability through a new meeting structure, which includes the ACL forum, the Senior Management team, a new Curriculum and Quality Improvement Forum, and a new Safeguarding Focus Group. Further Leadership changes are now in train, and it is recommended that the new Executive Director should join the ACL Forum in order to create a more effective link and overview with the Council's senior team. It should be noted that despite the inadequate grade, in terms of overall Leadership, Ofsted found a number of strengths.

Self Assessment

The Council had self assessed themselves as a grade 2 prior to OFSTED and had commissioned the services of an external consultant to review the SAR, which resulted in him validating the SAR. The Council requires a much more rigorous and honest appraisal of its performance, than has previously been the case.

A detailed Post-Inspection Action Plan has been prepared to address the issues raised by Ofsted and there is a desire amongst staff interviewed to take steps to work hard to make the improvements needed. It includes time-lined actions for managers, appointments of new posts to strengthen the leadership and management, improvements to the observation of teaching and learning and performance management, and a review of management information. It would now be useful if the ACL Forum and senior officers could prioritise and cost key actions so that these foundations for speedy improvement can be set in place urgently. In the current desire for improvement there is a danger of trying to introduce too many new initiatives and refining and focussing the plan on immediate needs will support a more strategic, top down view to be taken of investment priorities.

Teaching and Learning Observations

The Post Inspection Action Plan appears to address the weaknesses identified in the Ofsted report and aims to review and improve current practice, under each of the key Ofsted headings.

A new approach to T&L Observations and performance management of staff has been introduced and staff have attended workshops explaining the new approach. Observations will now be more objective and completed by managers and specialist mentors outside of the curriculum teams, who will be trained to develop the skills to identify, challenge and address weak teaching, learning and assessment. All tutors will be observed during the 2016/17 academic year with a priority focus on those risk rated, and will receive targeted support on areas of improvement from an increased number of tutor mentors. SMT will monitor the moderation of observations more closely to get a more accurate regular reflection of teaching practice.

Safeguarding

One of the main reasons for grading the overall provision as Inadequate was the arrangement around safeguarding and DBS checks on staff. The SFA wrote to the council immediately following the Ofsted Inspection expressing concern regarding

safeguarding arrangements and requiring the Council to take swift action. The Council took the view that although there is still a lack of clarity regarding DBS checks regarding ACL provision (and are in discussion with the DBS service regarding the detail) the Leadership and Management are wholly committed to ensuring that the most comprehensive safeguarding checks and processes should be put in place. They have acted swiftly to ensure that all staff currently working with 16-18 year-olds and vulnerable adults have now been DBS checked, and received appropriate training in the short time since Ofsted's visit in December. They have also put in place more effective processes for monitoring the implementation of safeguarding policy, issues and concerns.

The membership and role of the ACL Safeguarding Group has been reviewed and now has a clear focus on "working within the overarching Safeguarding strategy for ECC and the Service (linked to NIACE good practice guidelines and Ofsted and legislative requirements), to ensure a whole organisation approach to safeguarding incorporating ECC Safeguarding procedures." The Safeguarding Group is accountable to the ACL Senior Management Team.

Funding and Finance

The Council produces a comprehensive monthly reporting pack that covers a range of financial funding performance reports along with some KPIs on curriculum performance. However, the report is very detailed and contains pages of tables with lots of numbers and no commentary or RAG rating. Due to the sheer volume of data presented it was very difficult to identify where key issues might arise, and therefore which points senior managers and ACL Forum members should question and/or challenge.

Although overall income for the current financial year is lower than budget, the forecast surplus is projected to be slightly higher than budget. This is because costs have been tightly controlled, with detailed curriculum planning and strict allocation of teaching hours based on actual enrolments, and thus costs are kept very much in line with the income generated.

The draft three-year business plan for ACL was shared with the advisers during their visit. Whilst it is recognised that it is still draft awaiting final confirmation of funding, the balance of content between finance and funding against quality improvement was very noticeable. This perhaps reflects the need to provide a greater focus to non-financial issues as referred to earlier in this report.

Conclusions

The Council have taken immediate action to deal with the issues identified in the Ofsted report and have a clear detailed Post-Inspection Action Plan to further improve their safeguarding practices and improve the quality of the service offered. There is considerable evidence of intent on the part of the Chief Executive and Senior council team to develop more effective monitoring and strategic leadership, but as of yet this is untested and it is evident that elected members and senior officers have not had sufficient oversight of the key non-financial performance indicators of the service.

The Council clearly values the impact the Adult Community Learning Service has on individuals and disadvantaged communities and there is much support for that activity. The ACL Forum Group can play a key role in determining where the Adult Education service fits into the Council's overall strategy and focus the council's resources on the core provision that will enable the service to give best value to local communities.

Recommendations

- **The ACL Forum could further challenge and support the team if the membership is further extended to include other educational professionals and review the balance of elected representatives and co-opted members with specialist expertise.**
- **There is now a clear line of accountability through a new meeting structure. Further Leadership changes are now in train, and it is recommended that the new Executive Director with overall responsibility for ACL should join the ACL Forum.**
- **The Chief Executive or the Executive Director responsible for ACL in the new leadership structure should attend the SFA case conference meetings.**
- **There has been a strong focus on ACL funding and financial improvement in recent times and there is clear evidence of strong financial management of the service. However, this management focus has led to a lack of attention on the operational quality of the ACL service. It is recommended that high-level KPI's should form a more significant part of Management Reports.**
- **The Leadership team need to review learner performance data and intelligence, and the way learner outcomes are presented to the ACL Forum and Council Executive Directors including comparisons against national benchmarks using a data Dashboard and RAG reports supported by a commentary. This will enable the Council's Senior Team to more effectively monitor the Post Inspection Action plan and progress against agreed KPI's.**
- **The ACL Leadership team needs to review and develop new and more accurate SARs and continue to develop the new Observation processes with a focus on improving learner outcomes. It is advised that they adopt a more rigorous process of SAR validation using external peer review.**
- **Urgent improvements have been made in ensuring effective safeguarding arrangements in line with Ofsted and SFA recommendations. It is recommended that the ACL Forum Chair and Lead member should become a member of the ACL Safeguarding Forum.**
- **The Council should review within its overall budget planning whether it could re-invest some of the financial surpluses that are now being generated in ensuring that staff receive appropriate further training and professional development. This would further enhance the important work of ACL, and raise aspirations to meet the employability and skills objectives of the Council.**

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