



Education & Skills
Funding Agency

Education and Skills Funding Agency
Agora Building
Cumberland Place
Nottingham
NG1 6HU
www.gov.uk/esfa

Mr Nevil Croston
Chair of Governors
Vision West Nottinghamshire College
Derby Road
Mansfield
NG18 5BH

24 July 2018

Dear Nevil,

Financial Health Notice to Improve

Financial Memorandum for 2017-18

This letter and its schedules constitute a Notice to Improve (NTI) in line with clauses within the Financial Memorandum and Funding Agreement 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 Vision West Nottinghamshire College is required to comply with in order that ESFA can continue to fund. The conditions set out in the schedule(s) of this NTI are in addition to the conditions of funding set out in the Financial Memorandum and Funding Agreement.

I am issuing this NTI in line with the published policy because Vision West Nottinghamshire College has requested Exceptional Financial Support. The Department for Education policy on college financial intervention and exceptional financial support can be found at the following location:

<https://www.gov.uk/government/publications/further-education-colleges-financial-intervention-and-exceptional-support>

Schedule 1 attached sets out the action required under this NTI.

Referral to the FE Commissioner

This NTI aligns with the Department's published policy, *Rigour and Responsiveness in Skills* (April 2013). This NTI also brings Vision West Nottinghamshire College into scope for referral to the FE Commissioner for an independent assessment of the college's capability and capacity to make the required changes and improvements within a reasonable period of time. Once this assessment has been undertaken by the FE Commissioner, we reserve the right to vary the terms of the NTI to reflect any recommendations made as a result.

These recommendations would be included in an additional Schedule to this NTI. The FE Commissioner's office will contact you regarding the arrangements for the assessment.

Where a NTI has been issued, the ESFA may take it into account when determining any eligibility for growth funding and/or it may also affect your ability to be successful in tendering for other funds and other competitive tendering processes for new provision.

Monitoring

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

Compliance

If Vision West Nottinghamshire College does not comply with the additional conditions within the specified time period, ESFA will pursue one or more of a range of options outlined in, or incorporated into, the financial memorandum and funding agreement.

In all cases, the removal of the additional conditions will occur when Vision West Nottinghamshire 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

<https://www.gov.uk/government/organisations/educationand-skills-funding-agency/about/complaints-procedure#complain-about-the-esfas-service>.

Publication

From 1 August 2017, and in accordance with the funding agreement, ESFA will publish all NTIs on gov.uk.

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 Notice is being copied to Ofsted and the FE Commissioner.

Yours sincerely



Karen Riley
Territorial Director - Midlands and East,
FE Group

Copy to: Dame Asha Khemka DBE, Chief Executive / Principal
Jos Parsons, Ofsted, FE Commissioner's Office

Schedule: Inadequate Financial Health - Vision West Nottinghamshire College

This schedule sets out the additional conditions relating to the improvement of the overall services. It has been issued because Vision West Nottinghamshire College has requested Exceptional Financial Support.

Timescales

The additional obligations outlined within this schedule must be addressed swiftly. Once the FE Commissioner has completed his assessment, an additional schedule will be issued to confirm any further obligations that are required and to confirm all relevant timescales. 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

The colleges plan for recovery and its progress against it will be reviewed at case conference and monitoring meetings with the ESFA Intervention Team and the FE Commissioner (regularity to be confirmed by ESFA).

Further Obligations

1. The college must work with ESFA and the FE Commissioner and his advisers (names to be confirmed) to undertake an independent 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 before, during and post visit so that an accurate and comprehensive assessment can be made.
2. The college must provide the ESFA with a 2 year integrated financial forecast and share with the ESFA a weekly cash flow covering the same period by 17th August 2018.
3. The College Board, and in particular the Chair, will be expected to engage positively and responsively in the intervention process including attendance at regular case conferences to report on progress to financial recovery.
4. The college will be required to consult with the ESFA prior to any asset disposal or inter-company financial transfer.
5. The college will be expected to share with the ESFA, in a timely manner, accurate and up to date management accounts and any other relevant financial and cash flow information including a supplementary narrative covering planning assumptions.
6. The college must attend regular intervention progress meetings with ESFA. Attendees should include, as a minimum, the Principal, Director of Finance and Chair or Vice Chair. ESFA will arrange these meetings and your first point of contact is Asif Mohammed.

7. This Notice may be revised and updated subsequent to the date of issue to reflect progress and/or any change in circumstances, following the FE Commissioner's intervention and recommendations. This Notice may also be updated following the ESFA's assessment of the college's financial plan submitted in July 2018.
8. If, in ESFA's view, the college fails to take the necessary actions (in whole or part) within the timescales to be agreed, or if evidence of progress is not appropriate or not available, the ESFA will take further action.
9. The ESFA will determine when the college has made sufficient progress for the Notice to be lifted. For the purposes of a notice issued as a result of a request for EFSA, this will be at the point that the exceptional financial support is repaid. The notice will only be lifted if all other subsequent conditions are also met e.g. any notice for financial health based on financial plan assessment. The ESFA will confirm the lifting of the notice in writing.