



Education & Skills
Funding Agency

Education and Skills Funding Agency
20 Great Smith Street
London
SW1P 3BT
www.gov.uk/esfa

12 March 2019

Jon Allen
Clerk to Board of Governors
West Kent and Ashford College
Brook Street
Tonbridge
Kent
TN9 2PW

Ja7122@hadlowgroup.ac.uk

Dear Jon

Financial Health Notice to Improve – West Kent and Ashford College

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 West Kent and Ashford 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 Funding Agreements.

I am issuing this NTI because West Kent and Ashford College has been assessed by the ESFA as having inadequate financial health in 2017/18 based on the three year Financial Plan submitted in January 2019 and in 2018/19 due to the requirement for Exceptional Financial Support.

This Notice replaces and supersedes the previous Notice (issued to South and West Kent College, trading as K College) in 2012.

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 continues to put West Kent and Ashford College into scope for continued intervention by the FE Commissioner Team, working alongside ESFA colleagues as appropriate. As a result of any of these assessments, we reserve the right to vary the terms of the NTI to reflect any recommendations made. These recommendations

would be included in an additional Schedule to this NTI. The FE Commissioner Operations Team will contact you regarding the arrangements for any FE Commissioner Team assessment.

Where an NTI has been issued, 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 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 West Kent and Ashford 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 funding agreements.

In all cases, the removal of the additional conditions will occur when West Kent and Ashford 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

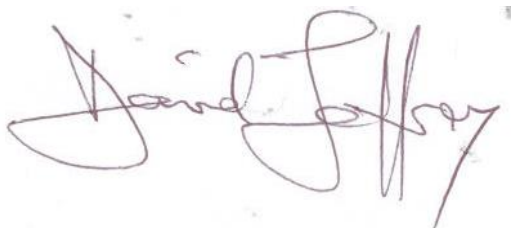
From 1 August 2017, and in accordance with the funding agreement, ESFA will be publishing all NTIs on Gov.uk

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 NTI is being copied to Ofsted and the FE Commissioner Operations Team.

Yours sincerely

A handwritten signature in red ink, appearing to read 'David Jeffrey', is written over a faint, light-colored rectangular stamp or watermark.

David Jeffrey

Deputy Director, Further Education Directorate, London and South East, ESFA

Cc:

Graham Morley interim Principal, West Kent and Ashford College

Jos Parsons, Ofsted

Matt Dunkley, Director of Education, Kent County Council

Schedule 1: Inadequate Financial Health West Kent and Ashford College

This schedule sets out the additional conditions relating to the improvement of the overall services. It has been issued because the college has been assessed by the ESFA as having inadequate financial health in 2017/18 based on the three year Financial Plan submitted in January 2019 and in 2018/19 due to the requirement for Exceptional Financial Support.

Timescales

The additional conditions outlined within this schedule must be addressed swiftly. Additional schedules will be issued to confirm any further conditions that are required as work progresses.

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

Monitoring and Progress

Progress will be reviewed at case conference and monitoring meetings with the ESFA Intervention Team and the FE Commissioner Team (regularity to be confirmed by ESFA).

Further conditions

1. The college must continue to work with ESFA and the FE Commissioner and his advisers (names to be confirmed) to undertake any assessment of the college. This will include supplying all necessary information to the FE Commissioner or his Advisers so the assessment can be made.
2. The college must work with the FE Commissioner and his advisers to carry out an assessment of options to protect learners and identify a structural solution
3. The college must agree and comply with all ESFA conditions attached to the release of any exceptional/emergency financial support provided.
4. The college must comply with all ESFA requests for access to college information in accordance with the terms and conditions of the funding agreement.
5. The college must submit monthly ILR returns for all funding streams for the remainder of the 2018/19 academic year.
6. The college must attend regular meetings with ESFA. Attendees should include, as a minimum, the Principal, Director of Finance and Chair or other appropriate Governor to represent your Corporation. The meetings will focus on the college being able to demonstrate proper oversight and providing updates on the progression of a structural solution. ESFA will arrange these meetings and your first point of contact is Hannah Caldwell.
7. The college should continue to undertake a regular review of potential cash flow requirements and submit to the ESFA PMO team, as required by ESFA. The college is required to supply ESFA with monthly management accounts for review by 25th of each month which include a twelve month rolling cash flow along with narrative update reports.
8. ESFA should be invited to attend, and provided with agenda and papers, for all governing body meetings and potentially committees in an observer status until further notice.
9. 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.
10. If, in ESFA's view, the college fails to take the necessary actions (in whole or part) within the timescales set out, or if evidence of progress is not appropriate or not available, the EFA will take further action.
11. ESFA will determine when the college has made sufficient progress for the NTI to be lifted and confirm this in writing.