



Education & Skills Funding Agency

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

25 May 2018

Judith Abbott
Chief Executive Officer
Prospects College of Advanced Technology
Crompton Close
Basildon
Essex SS14 3AY

Sent via email: judith.abbott@procat.ac.uk

Dear Judith

Minimum standards for 2016 to 2017 academic year – Notice to Improve and additional conditions of funding

This letter and its schedule constitute a Notice to improve and additional conditions of funding in relation to your organisation's performance in respect of 19+ education and training provision which has fallen below the minimum standard required for the 2016 to 2017 year.

If you are already under a Notice to Improve this letter and additional obligations are in addition to them.

We have provided further detail in the attached schedule in relation to:

- your performance against the applicable minimum standard,
- your current conditions of funding, and
- details of additional conditions of funding we require you to comply with.

Note that the Department for Education (DfE) considers its policy and approach to Minimum Standards of performance on an annual basis, and that the minimum acceptable level of performance may be raised and the actions we take in respect of underperformance may change.

Intervention policy and formal intervention

Our approach to intervention is published on [the ESFA post-16 intervention and accountability page on GOV.UK](#). From here you can also access the DfE's

intervention policies '[Rigour and Responsiveness in Skills](#)' (April 2013) and '[Intervention policy in colleges and the expansion of the Further Education Commissioner role](#)' (November 2017)' which sets out our approach to publishing [Notices to Improve on GOV.UK](#).

Monitoring

We will closely monitor your progress in implementing the additional conditions of funding we require you to comply with. We will do this through regular meetings that we will arrange, and will work with you and wider agencies to secure the best outcome for learners, employers, and the local community.

Complaints

If you consider that ESFA has acted unreasonably, or not followed a proper procedure, you can make a complaint under [the procedure for dealing with complaints about the ESFA](#).

Publication

From 1 August 2017, the ESFA has published all [Notices to Improve on GOV.UK](#).

If a specific request for information relating to minimum standards is received under [the Freedom of Information Act 2000](#) the ESFA may be required under the provisions of the Act to disclose details of your organisation's underperformance and the action we have taken (including any additional conditions of funding applied).

Action required

Lyselle Kendall (email: Lyselle.kendall@education.gov.uk and telephone: **07917 246028**) will be your primary point of contact for any questions or concerns.

Please acknowledge receipt of this letter, and the attached schedule, with them directly by signing and returning the declaration in the attached copy of this letter within 5 working days of the date of this letter.

Yours sincerely



David Jeffrey

Territorial Director, Intervention Team, London and South East

Cc: **David Sherlock**, PROCAT Chair of Corporation

Rieks Drijver, Senior HMI Further Education and Skills – London Regional Lead

Minimum standards for 2016 to 2017 year - declaration

I confirm receipt of this letter and its associated schedules, and that I have read, understood and will comply with the additional conditions of funding contained within them.

Signed:

Position:

Date:



Schedule 1: PROCAT

19+ education and training minimum standard for 2016 to 2017 – Notice to Improve and conditions of funding

The 2016 to 2017 Qualification Achievement Rate (QAR) published through [the Statistical First Release of 22 March 2018](#) confirms that:

- For 19+ education and training, the proportion of leavers below the Minimum Standard threshold for your organisation is: **83.6%**

We have carefully considered the evidence and mitigating action you have provided in relation to your organisation's performance, and have taken this into consideration when calculating the provision of leavers below the Minimum Standard Threshold provided above. However, your organisation's 19+ education and training provision is nevertheless below the minimum quality standard set by the Education and Skills Funding Agency (ESFA).

Accordingly, pursuant to the contract clauses set out in the table below, this schedule provides additional conditions of funding that you are required to comply with.

Contract clauses

Contract	Clause
Financial Memorandum (Further Education Colleges) 2017 to 2018 Adult Education Budget, 16-18 Traineeships, and Apprenticeships Programmes - Contract Number – ESFA – 10255	10.1, 10.1.1, 10.1.2, 10.1.3, 10.1.4, 10.1.5, 10.1.6, 10.1.7, 10.1.8,, 10.3, 10.5, 10.9, 10.9.1, 10.9.2, 10.9.3, 10.9.4, 10.9.5, 10.9.5.1, 10.9.5.2, 10.9.5.3, 10.10, and 26.2.

The following conditions are in addition to those provided in your Financial Memorandum with the ESFA. You must take the actions provided in the table below. If you fail to take action within the timescales provided, or there is insufficient evidence of progress, we may determine in our absolute discretion to take further intervention action including contract termination.

Note that the Department for Education (DfE) considers its policy and approach to Minimum Standards of performance on an annual basis, and that the minimum acceptable level of performance may be raised and the actions we take in respect of underperformance may change.

Additional conditions

Action	Evidence criteria	Timescale
<p>Produce an improvement plan that demonstrates immediate action will be taken to bring about significant and sustained improvement to the 19+ Education and Training provision that failed Minimum Standards (MS).</p> <p>The plan must clearly identify the issues that have contributed to the failure in MS, and contain measureable milestones for action and improvement indicators including the use of Funding Monitoring Reports (FMR) to identify risks / issues likely to affect 2017/18 QAR.</p> <p>The actions in the plan should be sufficient to improve provision to meet Minimum Standards in 19+ education and training provision that failed in 2016/2017 when the QAR data for 2017/2018 is published.</p>	<p>An improvement plan to be provided to the ESFA that addresses the actions required.</p>	<p>Within 6 weeks of the date of this letter and schedule.</p>
<p>Provide ESFA with progress updates on the implementation of the improvement plan at meetings set by ESFA.</p> <p>ESFA will specify the required staff that should attend.</p> <p>In addition, and as a minimum, you should supply a written update following the R10 and R12 ILR returns 2017/18. You should also provide a written update before R14 ILR return.</p>	<p>Written progress updates on the implementation of the improvement plan. These will be supplied to the ESFA, as a minimum, following the R10 and R12 ILR returns 2017/18. You should also provide a written update before R14 ILR return 2017/18. Attendance of specified staff at meetings to discuss progress set by ESFA.</p>	<p>Within 5 working days of R10 and R12 ILR returns 2017/18. 5 days before R14 ILR return 2017/18.</p>
<p>The ESFA requires you to suspend/withdraw from all 19+ Education and Training sub-contracting arrangements that have</p>	<p>Written confirmation, and copies of associated correspondence, confirming withdrawal from relevant sub-</p>	<p>Within five working days of this letter and schedule.</p>

reported provision below the ESFA minimum standard.	contracting arrangements.	
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As set out in the [2017/18 Adult Education Budget Funding and Performance Management rules \(V3\)](#) and [the Advanced learner loans funding and performance management rules \(V2\)](#), the ESFA will only consider any requests to increase your AEB allocation and / or Advanced Learner Loan Facility and Bursary, in Learning Aims that were above the MS Threshold, until such time as we are satisfied that sufficient progress against the agreed improvement plan has been made, or the new QAR data confirms that your 19+ E&T provision is no longer under the Minimum Standards.

Learners on your AEB run-down extension contract are subject to the maximum amount of AEB funding available to you under the run-down extension maximum contract value. You will not be able to request growth on this contract. You can use this funding for new starts and carry-in, but you must only recruit learners that can complete their programmes by 31 July 2018 subject to any conditions set out in this schedule.

Your allocation will be reviewed to ensure it is in-line with the published guidance in the [2017/18 Adult Education Budget Funding and Performance Management rules \(V3\)](#).

We also recommend that you inform learners funded through advanced learner loans and bursary that you have failed the ESFA's minimum standard for 19+ education and training.