



Education & Skills
Funding Agency

Education and Skills Funding Agency
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www.education.gov.uk/efa-enquiry-form

2 May 2018

Mr Mark Pendlington
Bawburgh Road
Easton
Norwich
Norfolk
NR9 5GA

Sent via email to: mark.pendlington@awg.com

Dear Mark

Minimum standards for 2016 to 2017 academic year – Notice to Improve

This letter and its schedule constitute a Notice to Improve (NTI). This is 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.

Together with this NTI, the college will receive a separate Notice to Improve (May 2018) in relation to the college's financial performance for 2016/17. This NTI for Minimum Standards and the Financial NTI are in addition to the pre-existing Notice of Concern for Quality (26 July 2017). The college has already been independently assessed by the FE Commissioner as a result of the NTI for quality, and the additional schedule with further recommendations was added in September 2017.

This Notice to Improve for failing to meet Minimum Standard in 2016/17 aligns with the Department's published policy, *Rigour and Responsiveness in Skills* (April 2013) placing the college in scope for referral once again to the FE Commissioner. However, as the FE Commissioner and his team are already aware of these issues and are working with the college in conjunction with the initial Notice of Concern of 2017, I will ask them to expand their existing remit to take into account these two latest notices rather than request another separate assessment.

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

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

Please 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 contractual obligations we require you to comply with. We will do this through the existing scheduled monthly meetings, 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

David Churchill (email: David.Churchill@education.gov.uk and telephone: 07979435184) and Annette Nott (email: Annette.Nott@education.gov.uk and telephone: 07900051964) will be your primary points 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



Karen Riley
Territorial Director
Intervention Midlands and East
Education and Skills Funding Agency

Copy to: Jane Townsend, Principal and CEO Easton and Otley College

Minimum standards for 2016 to 2017 year – declaration for Easton and Otley College

I confirm receipt of this letter and its associated schedule, and that I have read, understood and will comply with the additional contractual obligations contained within it.

Signed:

Name: **Mark Pendlington**

Position: **Chair of Corporation**

Date:



Schedule A

19+ Education and Training Minimum Standard for 2016 to 2017 – Notice to Improve

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: **49.2%**

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 with which you are required to comply.

Contract clauses

Contract	Clause
Financial Memorandum (Further Education Colleges) 2017 to 2018 Adult Education Budget, 16-18 Traineeships, and Apprenticeships Programmes - Contract Number – ESFA-10253	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.
Advanced Learner Loans Facility Conditions and Loans Bursary Fund Agreement 2017 to 2018 – Contract number – SFA-4603	9.1, 9.1.4, 9.2, 16.1, 16.3, 16.8, 16.9, 16.10, 16.11 and 16.12.

The following conditions of funding 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 of funding

Action	Evidence criteria	Timescale
<p>The ESFA requires you to suspend the recruitment of learners on the Learning aims listed in red text in Schedule B, with the exception of Access to HE; and Functional Skills and GCSE maths and English.</p> <p>The college is required to provide detailed assurance that the quality of delivery and assessment for these programmes is being fully addressed prior to the recruitment of learners for September 2018.</p> <p>Existing learners should be supported to complete successfully.</p>	<p>Written confirmation to be provided to the ESFA confirming recruitment has been suspended for the learning aims identified.</p> <p>Provision of a detailed Quality Improvement Plan (QIP) for the delivery of Access to HE; Functional Skills and GCSE maths and English. This QIP can be incorporated within the current College Recovery Strategy (CRS) provided that it is clearly identifiable as your response to this action point.</p> <p>Written assurance that existing learners are being supported to complete successfully.</p>	<p>Within 10 working days of this letter and schedule.</p>
<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. This improvement plan can be incorporated within the current CRS provided that it is clearly identifiable as your response to the Notice to Improve (NTI) for Minimum Standards.</p>	<p>Within 10 working days 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.</p> <p>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 withdraw from all 19+ Education and Training subcontracting arrangements that have reported provision below the ESFA minimum standard.</p> <p>The ESFA requires you to not enter into any new subcontracting arrangements until such time that you have demonstrated, to the ESFA's satisfaction, that the quality of sub-contracted provision has improved and you have improved the monitoring of delivery by sub-contractors.</p>	<p>Written confirmation, and copies of associated correspondence, confirming withdrawal from relevant subcontracting arrangements.</p> <p>Written acknowledgement of the requirement not to enter into new sub-contracting arrangements.</p> <p>The ESFA may consider lifting the requirement to not enter into any new subcontracting arrangements upon receipt of progress updates provided to be provided following R10 and R12 ILR returns 2017/18, or before R14 ILR return 2017/18.</p>	<p>Within 10 working days of this letter and schedule.</p>

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 not consider any requests to increase your allocation for provision that is under the Minimum Standard. This applies to your 19+ Education and Training Allocation (Adult Education Budget) and your Advanced Learner Loan facility / Bursary. This will be until such a time as we are satisfied that sufficient progress against the agreed improvement plan has been made, or the new QAR data confirms 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.

Schedule B

			2016/17		
			Provider Rate	Cohort	Cohort Below Minimum Standards Threshold
Access to HE	4000837	Access to Higher Education Diploma: Land-based Studies	0.0%	1	1
Basic Skills Maths and English	50093186	Functional Skills qualification in English	40.0%	5	5
	50093198	Functional Skills qualification in English	18.2%	11	11
	50098378	Functional Skills qualification in English at Entry 2	75.0%	4	0
	5009838X	Functional Skills qualification in English at Entry 3	50.0%	8	8
	50106375	Functional Skills qualification in Mathematics at Entry 1	11.8%	17	17
	50109868	Functional Skills qualification in Mathematics	23.1%	13	13
	5010987X	Functional Skills qualification in Mathematics	0.0%	1	1
	50113173	Functional Skills qualification in English at Entry 1	8.0%	25	25
	50118201	Functional Skills qualification in Mathematics at Entry 3	62.5%	8	8
	50118213	Functional Skills qualification in Mathematics at Entry 2	0.0%	10	10
	Certificate	5007698X	Certificate in Introductory Dog Grooming (QCF)	88.9%	9
50077405		Certificate for Dog Grooming Assistants (QCF)	88.6%	44	0
50082954		Certificate in the Principles of Garden Planning, Establishment and Maintenance (QCF)	55.6%	27	27
50101353		Certificate in Practical Animal Care Skills (QCF)	100.0%	1	0
50101705		Certificate in Practical Animal Care Skills (QCF)	100.0%	2	0
50102072		Certificate in Practical Horticulture (QCF)	83.9%	62	0
60002219		Certificate for Animal Nursing Assistants (QCF)	73.7%	19	19
60023995		Certificate in Employment, Teamwork and Community Skills	81.0%	21	0
60086300		Certificate in Building Crafts Occupations (Construction) (QCF)	100.0%	4	0
60173749		Certificate for Skills for Working in the Construction Industry (Entry 3) (QCF)	0.0%	5	5
Diploma	50063601	Diploma in Floristry (QCF)	90.0%	10	0
	5007801X	Extended Diploma in Public Services (QCF)	100.0%	2	0
	50082668	Extended Diploma in Horticulture (QCF)	75.0%	8	0
	50082802	Extended Diploma in Animal Management (QCF)	72.7%	11	0
	50083028	Extended Diploma in Countryside Management (QCF)	66.7%	3	3
	50083442	Extended Diploma in Fish Management (QCF)	66.7%	3	3
	5008351X	Subsidiary Diploma in Horticulture (QCF)	50.0%	6	6
	5008401X	Extended Diploma in Horticulture (QCF)	0.0%	1	1
	50085761	Diploma in Horticulture (QCF)	50.0%	2	2
	50087083	Extended Diploma in Horse Management (QCF)	75.0%	4	0
	50087186	Diploma in Forestry and Arboriculture (QCF)	66.7%	3	3
	50087204	Extended Diploma in Forestry and Arboriculture (QCF)	33.3%	3	3
	50094488	Extended Diploma in Forestry and Arboriculture (QCF)	50.0%	4	4
	50094518	Subsidiary Diploma in Forestry and Arboriculture (QCF)	96.0%	25	0
	5009547X	Diploma in Agriculture (QCF)	0.0%	1	1
	50098184	Diploma in Light Vehicle Maintenance and Repair Principles	100.0%	2	0
	50099309	Diploma in Countryside and Environment (QCF)	100.0%	1	0
	50099346	Diploma in Horticulture (QCF)	50.0%	2	2
	50103106	Subsidiary Diploma in Floristry (QCF)	83.3%	6	0
	50103465	Extended Diploma in Floristry (QCF)	50.0%	2	2
	60054979	Diploma in Plumbing Studies (QCF)	0.0%	1	1
	60054980	Diploma in Electrical Installations (Buildings and Structures)	100.0%	1	0
	60055005	Diploma in Plumbing Studies (QCF)	75.0%	8	0
	60086026	Diploma in Carpentry and Joinery (Construction) (QCF)	100.0%	1	0
	60086038	Diploma in Site Carpentry (Construction) (QCF)	83.3%	6	0
	6008604X	Diploma in Site Carpentry (Construction) (QCF)	0.0%	2	2
	60086051	Diploma in Bricklaying (Construction) (QCF)	100.0%	1	0
	60086075	Diploma in Bricklaying (Construction) (QCF)	66.7%	6	6
	60086129	Diploma in Plastering (Construction) (QCF)	66.7%	6	6
	60086166	Diploma in Bench Joinery (Construction) (QCF)	33.3%	3	3
	60097905	Diploma in Electrical Installation (QCF)	0.0%	1	1
	60104879	Diploma in Building Maintenance, Multi-Trade Repair and Refurbishment Operations (Construction) (QCF)	0.0%	1	1
	60137149	Diploma in Skills for Working Life (Entry 2) (QCF)	100.0%	9	0
	60138026	Diploma in Skills for Working Life (Entry 3) (QCF)	100.0%	10	0

GCSE Maths and English	50079165	GCSE in Mathematics A	100.0%	6	0			
	60142923	GCSE (9-1) in English Language	64.7%	34	34			
	60147003	GCSE (9-1) in Mathematics	52.4%	42	42			
Other Non-Regulated	Z0000304	Non regulated SFA formula funded provision, Level 1, Horticulture and Forestry, 101 to 196 hrs, PW E	100.0%	1	0			
	Z0001505	Non regulated SFA formula funded provision, Entry Level, Foundations for Learning and Life, 389 to 580 hrs, PW A	100.0%	2	0			
	Z0001772	Non regulated provision, Entry Level, Foundations for Learning and Life	100.0%	17	0			
	Z0001773	Non regulated provision, Entry Level, Preparation for Work	88.9%	9	0			
	Z0002134	Non regulated provision, Entry Level, English	100.0%	4	0			
	Z0002138	Non regulated provision, Entry Level, Maths	100.0%	4	0			
Other Regulated	60102329	BTEC First Diploma in Sport	50.0%	2	2			
	60145250	(Technical) Certificate In Animal Care (VRQ)	66.7%	9	9			
	60171856	Advanced Technical Diploma in Equine Management (540)	0.0%	1	1			
	60175205	Advanced Technical Diploma in Animal Management (540)	50.0%	2	2			
	60185612	BTEC Introductory Certificate in Land-based Studies	50.0%	2	2			
	60185624	BTEC Introductory Diploma in Land-based Studies	80.0%	5	0			
	60185703	BTEC Introductory Diploma in Sport	100.0%	1	0			
	60187566	Diploma in Transport Maintenance	100.0%	1	0			
Grand Total			{}	66.2%	{}	594	{}	292

Collection: Qualification Achievement Rates

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Minimum Standards Aims by Qualification Type

QAR Age Band: AgeBand ET = 19+

QAR Provider: UKPRN = 10037344