



Department  
for Education

Department for Education  
2 Rivergate  
Temple Quay  
Bristol,  
BS1 6EH

17 May 2024

Tim Jackson  
Interim Chair of the Corporation  
Weston College  
Knightstone Campus  
Knightstone Road  
Weston Super Mare  
BS23 2AL

**Email to: [Tim.Jackson@education.gov.uk](mailto:Tim.Jackson@education.gov.uk)**

Dear Tim

### **Financial Notice to Improve**

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 acting through the Department for Education (DfE) on behalf of the Crown.

It sets out the additional conditions of funding that Weston College of Further and Higher Education is required to comply with in order that the department can continue to fund. The conditions set out in the schedule of this NTI are in addition to the conditions of funding set out in the Accountability/Funding Agreements.

This NTI is being issued following the ESFA's investigation into funding irregularities at Weston College of Further and Higher Education. That investigation was carried out on behalf of the Counter Fraud and Investigation Team within the ESFA by BDO. The investigation has found failures of management and controls, including high remuneration packages to the retired ex-principal, and failure to disclose such details of senior pay as required through the ESFA's College Accounts direction (specifically Annex D: specific accounting and disclosure matters'). Compliance with the college accounts direction is a funding agreement condition.

In addition, there was a failure to declare an in scope payment to the retired ex-principal on an MPM return in April 2023.

As a result, Weston College of Further and Higher Education is now in intervention and schedule 1 sets out the additional conditions of funding and actions required under this NTI.

## **Referral to the FE Commissioner**

This NTI aligns with DfE's published policy, [College Oversight: Support and Intervention](#). It also brings Weston College of Further and Higher Education 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 the FE Commissioner have undertaken this assessment, we reserve the right to vary the terms of the NTI to reflect any recommendations made by her. These recommendations would be included in an additional Schedule to, or reissue of, this NTI. The FE Commissioner's office will contact you regarding the arrangements for the assessment.

DfE may consider this NTI when determining any eligibility for growth funding and/or it may also affect your ability to be successful in tendering for other funds, the relicensing of the Institute of Technology, and other competitive tendering processes for new provision.

## **Monitoring**

DfE 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, and the local community.

## **Compliance**

If Weston College of Further and Higher Education does not comply with the additional conditions within the specified time period, DfE will pursue one or more of a range of options outlined in, or incorporated into, the funding agreements. This may include the use of further education statutory intervention powers as set out in section 56A of the Further and Higher Education Act 1992.

In all cases, the removal of the additional conditions will occur when Weston College of Further and Higher Education receives a letter from DfE indicating that the additional conditions have been met.

## **Complaints**

If you consider that DfE 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 DfE](#).

## **Publication**

This NTI will be published on gov.uk.

## **Reviews**

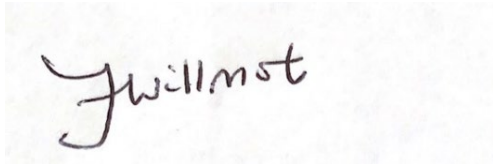
DfE will regularly review this NTI with you. It is likely that the NTI will be re-issued, at least annually to ensure the terms and conditions remain relevant. DfE reserves the right to reissue at any point should circumstances significantly change.

## **Action required**

Please acknowledge receipt of this letter and the schedule below by writing to me, Fiona Willmot ([Fiona.Willmot@education.gov.uk](mailto:Fiona.Willmot@education.gov.uk)) within five working days of the date of this letter.

This NTI is being copied to Ofsted, your local authority, West of England Combined Authority, Office for students (OfS) and the FE Commissioner.

Yours sincerely

A handwritten signature in black ink that reads "Fwillmot". The signature is written in a cursive style with a large initial 'F'.

Fiona Willmot  
Deputy Director, Central and Southwest Place Based Team, Department for  
Education

Cc:

Jacqui Ford, Interim Principal and Chief Executive Officer

Jos Parsons, Principal Officer Further Education and  
Skills Inspection Policy, Ofsted

Claire Shiels, Director of Children's Services, North Somerset Council

Stephen Bashford, Strategic Director of Economy and Skills, West of England  
Combined Authority.

Office for Students

FE Commissioner

## **Schedule 1: Inadequate financial management and control, Weston College of Further and Higher Education.**

This schedule sets out the additional conditions relating to the improvement of the overall services. It has been issued following an investigation into funding irregularities at Weston College of Further and Higher Education. The investigation found failures of financial management and controls, including:

- high remuneration packages to the retired ex-principal, and failure to disclose details of senior pay as required through the ESFA's College Accounts direction (specifically Annex D: specific accounting and disclosure matters'). Compliance with the college accounts direction is a funding agreement condition.
- a failure to declare an in scope payment to the retired ex-principal on an MPM return in April 2023.

### **Timescales**

The additional conditions outlined within this schedule must be addressed swiftly. Once the FE Commissioner has completed her assessment, amendments may be issued to confirm any additional conditions that are required.

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

### **Monitoring and Progress**

All conditions will be reviewed at case conference and monitoring meetings with the DfE Place Based Team (PBT) and the FE Commissioner (regularity to be confirmed by DfE).

### **Specific conditions**

1. The college must work with DfE, ESFA and the FE Commissioner and her advisers 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 her advisers so the assessment can be made on the failing to manage and report accurately on payments made to the retired ex-principal and, what, how or when improvements can be implemented to avoid further failings in financial management and controls.
2. The college must prepare and share with DfE a draft single improvement plan when requested, within the stated time period.
3. The college must attend regular meetings with DfE. Attendees should include, as a minimum, the Accounting Officer (Principal and Chief Executive), Chief Finance Officer/Finance Director, Chair, and/or other appropriate governors to represent your corporation.

The Department will arrange these meetings and your first point of contact is Jen Cross ([Jen.Cross@education.gov.uk](mailto:Jen.Cross@education.gov.uk)).

4. Option for sustainability concerns: The DfE reserves the right to procure a third party firm to undertake an Independent Business Review and that the college co-operates in full with this process.
5. 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, and/or the findings of the on-going investigations. It will be formally reviewed with you, at least annually, to ensure it remains appropriate and current.
6. If in DfE'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 DfE will take further action.
7. DfE and the FEC will determine when the college has made sufficient progress for the NTI to be lifted. This will be when DfE is assured that strong financial management and control is in place. DfE will confirm that the NTI is lifted in writing.