

**FURTHER EDUCATION
COMMISSIONER ASSESSMENT
SUMMARY**

K College

DECEMBER 2013

Assessment

Background

1. South and West Kent College (trading as K College) was formed from the merger of South Kent College and West Kent College in April 2010, following a long period of management and financial issues at South Kent College. It operates from five main sites in Tonbridge, Tunbridge Wells, Ashford, Folkestone and Dover, and has a turnover of c£32m.
2. K College delivers a wide range of provision across all sector subject areas, including full time FE programmes and Apprenticeships. Sixty-five per cent of the College's public funding is provided by the Education Funding Agency, with the remainder from the Skills Funding Agency. There is a small amount of direct funding from the Higher Education Funding Council for England (HEFCE). The College faces competition from local schools, and also from Canterbury College. This has contributed to a decline in 16-19 learner numbers over a number of years, particularly in Ashford and Folkestone.
3. In 2012 K College conducted a Structure and Prospects Appraisal to determine a way forward for the College and its learners. The Appraisal concluded that the College was not sustainable in the long term, and alternative provision should be put in place for learners. An open and competitive process, running from May 2013 to December 2013 has not secured appropriate alternative providers.
4. K College was inspected by Ofsted in November 2013 and graded as inadequate. In light of this the Minister for Skills and Enterprise decided that the FE Commissioner should assess the position of the college in line with the government's intervention policy set out in *Rigour and Responsiveness in Skills* (April 2013).
5. Two FE Advisers, on behalf of the FE Commissioner, conducted an assessment of the College between 5 December and 12 December. They assessed the capacity and capability of the leadership and governance to deliver the transitional arrangements to the new provision within the agreed timetable, to ensure that the assets and liabilities are dealt with as part of the transition arrangements, and to improve the quality of provision for learners whilst the transition is ongoing. The FE Advisers also assessed how the management of the transition arrangements alongside quality improvement should be monitored, reviewed and evaluated, and the appropriate next steps for securing provision that meets the needs of learners and employers.

The Role, Composition and Activities of the Board

6. The governing body remains committed to seeing the transition through to a successful conclusion. There are a number of governors with the skills and expertise to take forward the transition arrangements in a positive and decisive manner.
7. However, the governing body has focused on finance, governor liability issues, and issues of 'compliance' at the expense of a focus on the student experience and scrutiny of outcomes.
8. The Board needs additional skills and expertise to support management of any transition process to new providers, as well as the skills and expertise to deliver and maintain quality provision.

The executive

9. Following a management reorganisation in Summer 2013, the Executive team now consists of the Interim Principal (appointed January 2013), one Vice Principal and a Director of Funding and Finance. The Vice Principal has responsibility for external relations and corporate services, together with quality and student services.
10. The Executive team are well regarded by local stakeholders. The team commands the respect of governors, and staff work quickly and responsively under their direction. The Executive team places importance on internal communication which has helped staff cope with anxieties and insecurities during what is now an extensive period of uncertainty.
11. However, the Executive team needs additional capacity to lead the day-to-day operational management of the College, so that the Interim Principal can focus on the transition arrangements, and to deliver improvements to teaching and learning and the overall student experience.

Quality of provision

12. The College is below target on both 16-18 and 19+ student recruitment and on Apprenticeships. Higher education recruitment in 2013 has been poor. Latest data shows that student attendance for 2013/14 has fallen below the College's modest target of 86%, which indicates concerns about student retention over the full year.
13. Ofsted inspected the College in November 2013 and graded it as inadequate. This confirmed the judgements made in the College's Self-Assessment Report 2012/13. Overall, data from the College indicate very slight improvements in success rates for 2012/13 over levels achieved in previous years.

Finances

14. The College has a weak financial position. The College was in significant deficit by the end of the 12/13 academic year, and College is forecasting a similar deficit for 13/14. The College does not have any cash reserves, and is in receipt of advances of funds from the Skills Funding Agency.

Transition to new providers

15. The process to secure alternative provision has taken almost a year. During this period College enrolments have declined, the reputation of the College externally has suffered, and cost-cutting has affected the practical ability of the College to continue to operate on a day-to-day basis across its multiple sites and financial losses have continued.
16. There is an urgent need to resolve the present situation and move forward with firm, innovative plans, and an injection of strong, permanent leadership and management. The College should now work closely with the Skills Funding Agency on a managed solution to find high-quality providers with an appropriate track record in providing general further education provision.
17. The roles and responsibilities of the College and the Skills Funding Agency in relation to negotiating future delivery arrangements should be clearly set out, and the responsibilities of the existing Corporation in relation to its assets and liabilities should be recognised.

18. Once potential providers have been identified, the College should establish a project team, working with incoming providers, to deliver transition. The team should include the Interim Principal and the Vice Principal.
19. Progress towards transition will be monitored rigorously by the FE Commissioner on a monthly basis.

Recommendations from Further Education Commissioner

- 1. There is an urgent need to secure alternative providers through a managed solution.** A lack of clarity over how and when alternative providers will be secured, the College's Ofsted inspection result from December 2013 and declining learner numbers is having a negative impact on the staff and learners at the College. Clarity on how and when the managed solution will be implemented, and a firm and decision transition plan – alongside additional resources in the Executive team – are urgently needed.
- 2. The current Executive team needs strengthening if it is to deliver the outcomes of the Structure and Prospects Appraisal.** The current Executive team has the capability to deliver; the FE Advisers noted in particular that the Interim Principal and the Vice Principal who is working with the Agency on the procurement process have a strong skills set and work well together. Additional resources, and some changes, at Executive team level are needed to lead the day-to-day operational management of the College and to support the Agency on the managed solution.
- 3. The current governing body needs refreshing, with additional skills and expertise brought in to support the delivery of the outcomes of the Structure and Prospects Appraisal.** Some of the existing governing body have the skills and expertise necessary to provide the necessary strategic direction and oversight of the College, but there is a need for a refresh of the governing body. There is an urgent need for the governing body to appoint new members with skills and experience in financial recovery and quality improvement. This new governing body should actively support the Executive team to work with the Agency on the managed solution, deal with the assets and liabilities of the Corporation and to ensure the Corporation is dissolved.
- 4. The College and the Skills Funding Agency should work together to implement the managed solution to secure alternative providers, and deal with the assets and liabilities of the Corporation.** The College should work alongside the Skills Funding Agency in discussions and negotiations with alternative providers, and respective roles and responsibilities in relation to dealing with assets and liabilities should be clarified.
- 5. The College should develop a comprehensive transition plan.** The plans should include dependencies and costs and be integrated with the planning developed by any alternative providers. A project team should be set up to deliver the transition and progress with delivering the outcomes of the Structure and Prospects Appraisal should be monitored rigorously by the FE Commissioner and his team of FE Advisers.

Supplementary Note

1. Following the end of Procurement process, which failed to result in a solution, the decision to move forward on a managed basis was taken. The nine organisations who were involved in the final stages of the procurement process were approached. Three expressed a continued interest in taking over the provision of K College. These were Mid Kent College, East Kent College, and Hadlow College. Following a round of further assessment, involving the Corporation of K College, and staff from SFA and EFA, it was decided to hold detailed discussions with East Kent College for Folkestone and Dover, and Hadlow College for Tonbridge / Tunbridge Wells and Ashford.
2. In addition, it was agreed, that in order to maximise the effectiveness of the handover to these colleges, the Advances of Funds that had been forwarded to K College, would not be required to be repaid by those looking to take over the provision.
3. At the time of writing (May 2014), the anticipated transfer of provision, as outlined above is on schedule. Progress towards transition is monitored rigorously by the FE Commissioner on a monthly basis, in collaboration with colleagues from the SFA and EFA.

You may re-use this information (not including logos) free of charge in any format or medium, under the terms of the Open Government Licence. Visit www.nationalarchives.gov.uk/doc/open-government-licence, write to the Information Policy Team, The National Archives, Kew, London TW9 4DU, or email psi@nationalarchives.gsi.gov.uk.

This publication is available from www.gov.uk/bis

If you require this publication in an alternative format, email enquiries@bis.gsi.gov.uk, or call 020 7215 5000.

BIS/14/xxx