

Peter Latchford
Chair
The Education and Training Foundation
157-197 Buckingham Palace Road
London
SW1W 9SZ

29 June 2021

Subject: Leadership and Governance Programme Development Grant

Commercial Reference Number: con_8608

Dear Peter

On behalf of the Secretary of State for Education, I would like to offer the Education and Training Foundation a grant on the terms of the enclosed funding agreement. The Power under which the grant is to be paid is Section 100 (1) of the Apprenticeships, Skills, Children and Learning Act 2009 and Section 14 of the Education Act 2002 and will accordingly be paid only in respect of approved expenditure incurred by the Education and Training Foundation for the purpose of the funded activities.

The government vision for FE is of a world-beating technical education system. There are risks if the sector does not have the governance and leadership expertise to respond to new agenda and ensure that colleges thrive. A high-quality system is not sustainable without being underpinned by high-quality governance and leadership.

It is therefore in the government's interests to fund leadership and governance development of FE and 6th form college corporations, with a view to ensuring strongly-performing colleges and positive outcomes for students. As governors are volunteers, it is particularly important that they are supported to understand their responsibilities as charity trustees and to develop effective governance.

This is all the more important in the light of the Skills White Paper, which sets high expectations of governance in the context of a new approach to skills planning and delivery. There is a strong argument therefore in favour

of government supporting governors and executive leaders as they work to build financially-resilient institutions and to offer high-quality learning, shaped by local skills strategies. This Grant is made to support that ambition, the details of which are more fully described at Annex F attached.

This correspondence constitutes a Grant Offer Letter. This letter will form the basis of the Grant Agreement. The offer is subject to the provisions, limitations and conditions set out below and in the DfE general grant terms and conditions.

I am pleased to inform you that the Department is willing to offer your organisation funding of up to £3,812,562 for the period from 1 June 2021 to 31 March 2022.

This offer is subject to the terms and conditions set out below, and to the attached Department for Education general Grant Terms and Conditions¹. You should read all annexes and general T&Cs carefully before accepting the offer of funding. Failure to observe these terms and conditions may result in the funding being withdrawn.

Project specific conditions

The grant is awarded under the additional following general conditions specific for this project:

Subcontracting:

Notwithstanding the provisions of Clause 4.7 of the Department for Education general Grant Terms and Conditions You shall be entitled to sub-contract the Funded Activities subject to open and transparent procurement and agree to a copy of each contract awarded being shared with the Department within thirty (30) calendar days from contract signature date.

You shall ensure that terms are included in any sub-contract permitted under this Agreement require You to pay any undisputed sum due to the relevant Subcontractor within a specified period that does not exceed thirty (30) calendar days from the date You receive the Subcontractors invoice; and prohibit the Subcontractor from further sub-contracting any element of the Services provided to the Subcontractor without prior approval from the Department.

You warrant to the Department that each Sub-contractor has the

¹ <https://www.gov.uk/government/publications/grant-funding-agreement-terms-and-conditions>

competence, technical ability and sufficient financial standing to provide the Services which is being sub-contracted to it in the manner and to the standard required by this Agreement and any contract entered into pursuant to it is being engaged in accordance with terms and conditions which are consistent with Good Industry Practice has the legal capacity, power and authority to become a party to the Sub-Contract.

The Department may require You to terminate a sub-contract where it considers that the Subcontractor may prejudice the provision of the Agreement or may be acting contrary to the interests of the Department, the Subcontractor is unreliable and or has not provided reasonable Services to its other customers, and or the Subcontractor employs unfit persons, provided that such right shall not be exercised unreasonably, frivolously or vexatiously. You shall at all times remain responsible for all acts and omissions of Your Sub-contractors and the acts and omissions of those employed or engaged by the Sub-contractors as if they are Your own. An obligation on You to do, or refrain from doing, any act or thing shall include an obligation upon the Subcontractor to procure that the staff also do, or refrain from doing, such act or thing.

The sub-contracting by the Subcontractor of any of the Services shall not relieve You of any liability under this Agreement for any breach of the obligations arising under this Agreement.

Reporting

As per Annex J, The Education and Training Foundation will provide performance reporting against KPIs at monthly and quarterly performance review meetings in a format to be agreed.

Charging:

Notwithstanding the provisions of Clause 17.1, 17,2 and 20.19 of the Department for Education general Grant Terms and Conditions You shall be entitled to charge for some of the programmes fully-funded by the Department, so long as the programmes subject to charges and the charges themselves have been agreed in advance between the Department and You.

All income generated by You in delivery of the Grant shall be reinvested in the development of the programmes and objectives as described in this Agreement. The Department reserves the right to terminate this arrangement immediately by giving notice in writing to You.

Complying with new Government policies

The grant funding is provided on the strict understanding that none of this funding is to be used for advertising, marketing, communications and consultancy, or for any costs associated with the maintenance, technical development or updating of existing websites or for the development/creation of new websites. Approval to undertake such spend should be sought through the relevant DfE policy team.

In addition to providing a signed copy of this agreement, you are then requested to follow the instructions on Bank Account Details (Annex B) and provide your organisation's bank account details. This will allow us to set your organisation up on the Department's payment system to receive the grant. Payment claims can only be sent to the DfE once the Grant Agreement has been signed and any pre-disbursement conditions have been met. Payments will be disbursed into the bank account number provided through the DfE suppliers' bank details process provided by the Education and Training Foundation.

Please note that any delays in returning the documents could result in a delay to the grant payment.

The Grant Manager for this Project is Steven Boon. We look forward to working with you to bring about the rapid signature of the Grant Agreement.

ACCEPTANCE OF OFFER

If you wish to accept this offer of a grant, please sign both copies of the enclosed grant funding agreement [Annex A] in the space provided and return one of them to Steven Boon **on or before Friday 2 July 2021**. Please retain the other copy for your records. You must accept this grant offer and the conditions made in it in writing no later than 10 days from the date of this letter.

If you cannot return the acceptance by the specified date, please contact me before that date to explain the reasons. Otherwise, we will assume that the offer has been refused, and it will be withdrawn without further correspondence.

Yours sincerely,

Jane Hubbuck
Deputy Director

This Grant Funding Agreement is made between:

(1) The Secretary of State for Education and

(2) Education and Training Foundation of 157-197 Buckingham Palace Road, London, SW1W 9SZ with Charity Commission registration number 1153859 and Companies House Registration number 08540597.

This Agreement comprises the Grant Offer Letter, project specific conditions, where relevant, any annexes to this letter and general Grant Terms and Conditions².

This letter must be read in conjunction with general conditions of grant and these relevant annexes:

Annex A - Acceptance of Grant Offer and effective date

Annex B - Bank account details

Annex C - Claiming Grant in Arrears

Annex D - ~~Claiming Grant in Advance~~ Does not apply

Annex E - Details of Grant Allocations

Annex F - List of Objectives for which the grant is being paid

Annex G (i) - Annual Certification of Expenditure (external auditor or accountant's report arrangements)

Annex G (ii) - ~~Statement of Grant Usage (Statement prepared by Local Authority)~~ Does not apply

Annex H - Grant Payment schedule

Annex I - Sample Exit Plan

Annex J - ~~Sample Progress Report Template~~ Does not apply

Annex K - Generic Standard GDPR Clauses:

- Schedule 1 - Processing, Personal Data and Data Subjects
- Schedule 2 - Schedule for Joint Controller Agreements

² <https://www.gov.uk/government/publications/grant-funding-agreement-terms-and-conditions>

Annex F – List of objectives for which the grant is being paid Commercial Reference Number: con_8608

The DfE Leadership and Governance 2021-22 business objectives are to strengthen executive leadership and governance by:

- setting higher expectations of governance, with a view to levelling up standards across the sector (Skills White Paper commitment) and to discharging the Secretary of State's statutory duty as Principal Regulator to promote compliance with charity law;
- reinforcing the vital role of the governance professional (clerk);
- developing strategic leadership capacity;
- improving and increasing the supply of new leaders/governors.

The ETF framework of learning and development is key to furthering these objectives. Building on existing provision, the strengthened framework for 2021-22 will:

- be aligned to Skills White Paper priorities;
- offer a more integrated model of leadership development;
- increase tailored support, such as mentoring and learning networks; and
- fill identified gaps, such as estates management.

The planned 2021-22 provision includes:

- continuation of flagship chair and principal/CEO strategic leadership programmes;
- new governor learning, e.g. estates management, Education of Sustainable Development (ESD) and succession planning;
- enhanced governance professional development, to reinforce the professional status of the role;
- curriculum and quality programme for senior leaders;
- diversity in leadership programmes, plus targeted interventions for underrepresented groups;
- development for middle managers and prospective senior leaders ;
- chief finance officer development; and
- targeted interventions, including the Inspiring Governance recruitment service, regional events and staff/student governor learning

White Paper priorities will be embedded in programmes, e.g. the curriculum

and quality programme will encompass strategic skills planning and delivery, while working with employers/stakeholders will be captured across several modules, including one on partnership working. There will also be an increased focus on diversity, to improve the number of people from under-represented groups in leadership and governance positions.

Objectives

Primary objective

To strengthen leadership and governance in FE and sixth-form college corporations in order to promote high-quality, resilient colleges and effective implementation of the White Paper.

Why the intervention is likely to meet the objective

It is reasonable to think that the intervention is likely to meet the objective because the learning framework:

- enhances the capacity of key players in leadership and governance roles, balancing institutional and individual development needs, and develops a pipeline of new leaders;
- targets learning at key areas of knowledge and behaviours, ensuring that known weaker areas of leadership/governance are addressed and enabling opportunities to share and learn from good practice; will be closely aligned to the White Paper, helping to deliver leaders and governors with strategic vision, and the strong education and business management skills needed to bring about change.

At a high level, the different programme strands to be delivered through the grant funding, to meet the policy objectives are:

Governance

- Chairs' Leadership Programme (including mentoring), Chairs' Development Network
- Governance Professionals' Development Programme (including mentoring)
- Governance Development Programme
- Regional Governance Programme
- Student Governor Induction

- Staff Governors' Conference
- Inspiring FE Governance
- Governance Competency Frameworks

Leadership

- Further Education Senior Leadership Programme (FESLP) for CEOs and Principals
- Preparing for CEO Programme
- Development Centre for FESLP and Prep for CEO Programme
- Senior Leader Support and Mentoring
- CFO Programme
- New to Leadership
- Curriculum and Quality Senior Leadership
- Senior Leaders and Governors Strategy Development
- Developing a Diverse Talent Pipeline: Senior Leaders
- Leading from the Middle