

Managing Provider Performance

GLA AEB Grant-funded provision monitoring and intervention policy –
Colleges and Other Non-Independent Providers 2023-2024

Version 3

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What's New?

The following table represents the key changes from Version 3 published in July 2022 and the following changes will be valid from 1st August 2023.

Table of Changes

Section	Paragraph	Change
All	N/A	Removal of references to the AEB Procured programme
Future changes	6 - 7	Update to national policy changes that impact upon the GLA Managing Provider Performance Policy
Role of the GLA Provider Manager	13-15	Inclusion of guidelines for the role of Provider Managers and providers working together
Working with other agencies	8	Providers are expected to inform the GLA if the provider enters intervention measures with the Department for Education (DfE) Education Skills Funding Agency (ESFA) or a Mayoral Combined Authority (MCA)
Working with other agencies	8	Providers encouraged to share submitted and revised Accountability Statements with the GLA Provider Manager where these support discussion about local priorities.
Working with other agencies	13	Additional requirements relating to Ofsted inspections and role of Ofsted regarding subcontracted delivery
Working with other agencies	8	Inclusion of Mayor Combined Authorities (MCAs) as a partner and expectation for providers to inform the GLA if the provider enters intervention measures.
Monitoring delivery	16	Requirement for providers to supply their GLA Provider Managers with policy documents in line with their grant agreement
Monitoring Delivery		Clarifying the policies expected to be shared with the GLA and publicly displayed on the website
Matrix standard	17	Inclusion of the requirement to achieve the revised matrix Standard

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Subcontracting Arrangements	24	Changes to wording on alignment with GLA strategic aims
Subcontracting Arrangements	28	GLA approach to ESFA subcontracting standard for ESFA funded providers
Active Support	33	Extension of consultations to principal, local stakeholders and learners
Further Queries	N / A	Addition of contact details for further queries on the policy
Intervention and Active Support Table		Addition of criteria for returning to normal monitoring procedures (exiting intervention)

Summary

1. The purpose of this document is to set out the Greater London Authority (GLA) approach to monitoring provider performance for quality and financial stability. This document also sets out when the GLA will intervene when performance or financial resilience of a provider is below expected levels. This document supplements the information available in the AEB Grant Funding and Performance Management Rules. Providers should refer to the GLA AEB Grant Funding and Performance Management Rules, this document and their funding agreement.
2. This document will be periodically updated to ensure that policy aligns to the requirements of GLA performance and measurements, alongside national policy requirements. Any updates will be clearly marked in new versions.
3. This publication is primarily intended for providers in receipt of a Conditions of Funding (Grant) Agreement (the funding agreement) with the GLA. This includes:
 - General Further Education (FE) Colleges;
 - Local Authorities;
 - Institutes of Adult Learning;
 - Sixth Form Colleges; and
 - Universities and Higher Education Institutions
4. In addition, this document may also be of interest to:
 - Learners who wish to see how providers are monitored for performance;
 - Department for Education (DfE);
 - Education and Skills Funding Agency (ESFA);
 - Office for Standards in Education, Children's Services and Skills (Ofsted);
 - Further Education (FE) Commissioner;
 - Mayoral Combined Authorities (MCAs);
 - Office for Students; and
 - Other Education and Training Providers

5. If you are a learner who wishes to provide feedback on your education/training, please refer to the information available online at <https://www.london.gov.uk/programmes-strategies/jobs-and-skills/training-providers-teaching-skills/adult-education-budget> for information on how to share your views with the GLA.
6. For Independent Training Providers, please see the GLA Managing Provider Performance Policy for Independent Training Providers (ITPs).

Future Changes

7. The [Skills and Post 16 Education Act 2022](#) and the reforms set out in the [Skills for Jobs White Paper](#) have provided updated national arrangements for intervention and support in the skills sector. To ensure this guidance continues to support the delivery of the Mayor's Roadmap for Skills, we are committed to considering these changes when developing future approaches to managing provider performance to support a positive impact on outcomes for Londoners.
8. In November 2022, the Office of National Statistics (ONS) reclassified statutory FE providers into the central government sector with immediate effect. This has led to a requirement for colleges to comply with the principles and practice set out in the HM Treasury guidance document [Managing Public Money \(MPM\)](#).
9. Nationally, DfE will only consider intervention due to non-compliance with MPM where non-compliance is significant or recurring and have made active support available for colleges through tailored support. The DfE changes also include the DfE retaining the right to put colleges into Supervised College Status, including appointing a DfE observer to the governing body.
10. We will consider any additional DfE guidance regarding the impacts of ONS reclassification on colleges and will review this in future versions of this document as appropriate.
11. The GLA will continue to consider changes made by the DfE national intervention arrangements and consider these for inclusion in the GLA policy, where appropriate.

Approach to Performance Management

Role of the GLA Provider Manager

12. Each provider will have a named GLA Provider Manager who will work with a dedicated number of grant-funded providers and act as the first point of contact when managing the funding agreement between the GLA and the provider. The GLA Provider Manager will be responsible for monitoring providers throughout the life of the funding agreement, including when performance is below the level as set out in the funding agreement, and will meet the provider a minimum of once a term to discuss performance. Providers operating as part of a group will be subject to the same monitoring process and clauses within this policy.
13. Where a provider is also in receipt of other skills funding from the GLA such as Multiply, GLA delivery teams will share intelligence about provider performance, risk and any issues in order to support delivery. The GLA AEB Provider Manager will lead on areas relating to interventions and risks to delivery of provision where issues relate to both programmes.
14. The GLA respects the dignity of all employees and values the contribution they make. As such, we have a zero-tolerance approach to all forms of bullying, harassment, discrimination and victimisation, and we are committed to providing a working environment that is open, inclusive and in which everyone is treated with respect. As such, we expect organisations with which we hold a funding agreement to treat staff with respect at all times.
15. The GLA Provider Manager will conduct themselves at all times in line with the [GLA's Code of Ethics](#).
16. We expect staff to have a right to a working environment, which encourages harmonious, considerate and dignified working relationships. Staff should show respect at all times to other colleagues at all levels and should not disrupt their work in any way. Staff should apply the same high standards of conduct in dealings with their colleagues at all levels, as with the public.

Working with other agencies

17. The GLA's Skills and Employment Unit will work with partner agencies in line with the Memorandum of Understanding for the delegation of certain adult education functions to the Mayor of London to ensure that there is oversight of AEB programme and other skills programmes for London residents.
17. Most providers will receive funding from the GLA, DfE or ESFA in delivering their courses. The GLA may share data and intelligence which indicates

concerns over a provider's performance or financial resilience with the DfE/ESFA's territorial and case management team to ensure that any measures which are implemented to correct underperformance do not have unintended consequences for the DfE/ESFA and vice versa. The DfE/ESFA will also share this information with the FE Commissioner. Providers are expected to inform the GLA if they enter active support or intervention with the DfE/ESFA.

- 18 Providers in scope for DfE/ESFA and the FE Commissioner's Annual Strategic Conversations are encouraged to invite the GLA Provider Manager to attend the meeting where these discussions encompass adult education funded by the Mayor of London. Following the Annual Strategic Conversation, the GLA Provider Manager will discuss any actions related to adult skills provision delivered for London residents.
- 19 Where you are in scope to return an Accountability Statement to the DfE/EFSA, you are encouraged to share a copy of the statement with the GLA to inform discussion and support in respect of the Mayor's priorities. Additionally, you are invited to share any updates to the statement with the GLA when revised periodically.
- 20 Where the DfE/ESFA share intelligence in relation to provider performance and risk, where both bodies fund an organisation, this does not mean that the GLA will act to impose measures that correct underperformance against the DfE/ESFA funding agreement. GLA Provider Managers will only consider intervention measures when indicators evidence a risk to the viability of the GLA funding agreement or provision funded by the Mayor.
- 21 For providers with funding through the Multiply programme, which is funded by DfE, we expect providers to co-operate fully and in a timely manner with any information requests made by the GLA. This includes any data returns, financial submissions and evidence required for assurance of the programme.
- 22 Providers may also be in receipt of devolved funding from Mayoral Combined Authorities (MCAs). You will be asked to inform the GLA, where you enter intervention measures with any MCA.
- 23 AEB provision funded by the GLA is in scope for inspection by Ofsted. If you are subject to an Ofsted inspection you must make GLA colleagues aware of the inspection on receipt of the notice and invite the GLA provider manager to attend the feedback meeting.
 - 23.1 Following inspection, the GLA Provider Manager will review the outcomes of inspection and discuss any actions required to improve quality. You will be required to provide a copy of the 'Single Improvement Plan' in the event of an 'inadequate' Ofsted grade. This

- plan should be sent to the GLA Provider Manager. As appropriate, the GLA will work with the DfE, ESFA and FE Commissioner to reduce the risk to both public funds and learners within London being impacted by the grade.
- 23.2 FE Colleges, 6th Form Colleges and Institutes for Adult Learning (IALs) are additionally subject to Ofsted Enhanced Inspections. Providers are expected to invite the Provider Manager to attend a stakeholder interview under the enhanced inspection process.
- 23.3 Subcontractors which are providing GLA funded delivery on your behalf may be visited by Ofsted. The GLA may take action in relation to Ofsted inspections of subcontracted delivery, as outlined in the GLA grant agreement.
- 23.4 Multiply provision will not be subject to Ofsted inspection. However, Ofsted will conduct a thematic review of the quality of education in the Multiply Programme across England. Ofsted are selecting a small sample of Local Areas and some of their providers. Ofsted will then carry out a visit to each of these providers to review provision relating to four of the ten interventions offered by the overall programme.
- 23.5 We expect providers chosen as part of the thematic review to fully co-operate with the review process. These are not inspection visits and the subsequent report will not name any Local Areas or their providers. Additionally, there will be no inspection judgements about individual providers or Local Areas, and this will have no impact on either Local Area or provider Ofsted gradings.
- 24 The FE Commissioner may review provision funded by the GLA and make recommendations to improve the quality or financial resilience of a provider. The GLA may share information to assist the FE Commissioner and their team to complete any investigations, which will be coordinated by the DfE/ESFA. If a provider is visited by the FE Commissioner, the provider should notify the GLA Provider Manager and give the option for the GLA Provider Manager to attend key meetings.

Terminology

- 25 “Funding agreement” means the Conditions of Funding, the attached Appendices to the Conditions of Funding and any documents or parts thereof, policies or guidance specified in the Agreement and any variation to the Agreement accepted by the GLA in OPS (as the same may be amended,

added to, supplemented, substituted or varied in accordance with the terms of this Agreement).

- 26 “OPS” means the "GLA Open Project System", being the GLA’s on-line management information system (MIS), or any successor system and/or any other system which performs any of the same functions and which GLA notifies to the Body from time to time.
- 27 Where this document refers to “delivery year” this is taken to mean 1 August to 31 July in a calendar year.

Monitoring Delivery

- 28 GLA Provider Managers will seek to work collaboratively with providers to support them in delivering the provision set out in their funding agreement and delivery plans. Provider Managers will monitor performance to identify where providers are at risk of underperforming against their funding agreement, and support with implementing actions to improve performance and prevent poor performance.
- 29 Table 1 sets out the business cycle of information returned by providers and the envisaged timing of termly GLA Provider Manager visits, for Multiply and AEB programmes. Please note that Multiply operates on a financial year basis.

Table 1 – Monitoring Delivery Timetable		
Month	Business Cycle Activity	GLA Provider Manager Visits
August	Delivery for new academic year begins R12 ILR return (Previous academic year)	Q1 Multiply monitoring meetings begin
September	R01 ILR return R13 ILR return (Previous academic year) Multiply Funding Year Funding Claim	Q1 Multiply monitoring meetings conclude
October	R02 ILR return R14 ILR return (Final return from previous academic year) Q2 Multiply Funding Claim and Forecast	Term 1 AEB Onboarding or Monitoring Visits begin

November	R03 ILR return External Assurance on Subcontracting Controls – deadline for Providers to return certificates, reports and subcontracting checklists for the previous delivery year	Term 1 AEB Onboarding or Monitoring Visits conclude Q2 Multiply monitoring meetings begin
December	R04 ILR return Reconciliation statement for next academic year Indicative allocation letters for next academic year (multi-year grant providers will not be subject to this process)	Q2 Multiply monitoring meetings conclude
January	R05 ILR return Q3 Multiply Funding Claim and Forecast	
February	R06 ILR return Mid-year claim and mid-year forecast (multi-year grant providers will not be subject to this process)	Term 2 AEB Monitoring Visits begin Q3 Multiply monitoring meetings begin
March	R07 ILR return Allocation letters issued for next academic year	Term 2 AEB Monitoring Visits close Q3 Multiply monitoring meetings conclude
April	R08 ILR return Q4 Multiply Funding Claim and Forecast Multiply Financial Year Funding Claim	
May	R09 ILR return	Term 3 AEB Monitoring Visits begin

		Q4 Multiply monitoring meetings begin
June	R10 ILR return End of year claim Subcontracting plan approvals for next academic year via OPS	Term 3 AEB Monitoring Visits close Q4 Multiply monitoring meetings conclude
July	R11 AEB ILR return End of academic year AEB delivery AEB Financial planning information return Q4 Multiply Funding Claim and Forecast	

- 30 During the above business cycle, providers will be made aware of opportunities to bid for additional funding, if available.
- 31 The GLA AEB Provider Manager will take the opportunity at the termly meetings to discuss performance based on the information provided by each provider and the monitoring information in Table 2.

Table 2 – Monitoring Information	
Information	Monitoring discussion in respect of AEB
Individualised Learner Record (ILR) data returns	The timeliness and accuracy of ILR data related to London residents studying AEB. We send communication to providers in-year to ensure data errors are corrected before the R14 ILR Final data return. This return is a ‘hard close’, after which ILR data cannot be changed.
Funding claims	Performance against funding agreements for skills delivery. as shown in funding claim returns, and whether the total funding value should be adjusted to better reflect the level of performance.
Ofsted inspections	The outcome of any recent Ofsted inspection or monitoring visit and the quality improvement actions which the provider is implementing to secure better provision.

Delivery Plans	The response to London priorities including the Local Skills Improvement Plan, London priorities and any recent Annual Strategic Conversations and any follow-up actions which may be taken as a result.
FE Commissioner assessments	The findings or report of any FE Commissioner investigation or diagnostic assessment, and the action plan developed by the provider as a result of assessment.
Initiative and other skills funding	The progress with the delivery of any initiative or growth funding allocated in addition to the grant funding allocation and other funding streams such as Free Courses for Jobs or Multiply.
Financial health assessments	The outcome of any review of the financial performance information where there are risks to the delivery of AEB and improvement action is required.
Audit and fraud investigations	The report of audit processes, in particular where findings are qualified or require management action. Upheld investigations related to college financial management and governance and/or funding audits and/or significant fraud or fraud practice
Subcontracting plan	Progress with the delivery of the AEB subcontracting plan and any issues with performance.
Participant feedback and complaints	Information applicable to investigate a complaint raised by a learner.
London Learner Survey	Baseline survey completion rates and actions taken by the provider to increase completion rates among funded learners.
National Achievement Rates Tables (NARTS)	Achievement rates data on adult (19+) further education (FE) and skills in England, produced at provider level with summary statistics
Other	Any other information applicable to determine the level of risk associated with delivering the contract.

- 32 The GLA Provider Manager will lead on the interventions process and monitoring performance according to the monitoring information in the table above.
- 33 Each provider is expected to have the following policies accessibly in place to support programme delivery and safeguard provision for adult learners. The availability of these policies should be confirmed with the GLA Provider Manager, as follows:
- 33.1 Equality & Diversity Policy
 - 33.2 Sustainability Policy
 - 33.3 Health & Safety Policy
 - 33.4 Safeguarding Policy
 - 33.5 Data Protection Policy
 - 33.6 Learner Complaints & Whistleblowing Policy
 - 33.7 Internal Grievance & Disciplinary Policy
 - 33.8 Modern Slavery Policy
 - 33.9 Centre Approval status
 - 33.10 Delivery Subcontracting Funding Retention and Charges Policy (as appropriate).

Matrix Standard

- 34 We expect all providers to be assessed against the revised matrix Standard and for providers who currently hold the matrix Standard to transition to the revised standard according to timelines and guidance published on the [matrix Standard website](#). The status of matrix accreditation should be confirmed with the GLA Provider Manager.

Subcontracting Arrangements

- 35 Providers are responsible for all the actions of their delivery subcontractors connected to, or arising out of, the delivery of the services which they subcontract. Providers must manage and monitor all delivery subcontractors to ensure that high-quality delivery is taking place that meets the GLA's AEB Funding Rules. This includes the GLA reserving the right to take action in relation to Ofsted inspections of subcontracted delivery or undeclared subcontracting, as outlined in your GLA grant agreement.

Interventions Process

Active Support

- 36 We expect to actively and continuously support providers under the arrangements for provider management in this document. This approach will complement the support from the FE Commissioner and DfE/ESFA and replaces the former early intervention arrangements.
- 37 GLA provider managers will work with you to ensure that provision aligns with the Mayor of London priorities, responds to the needs of learners, is of a high quality and that providers maintain financial stability in order to ensure the continuity of provision for Londoners. You may enter active support when they meet the active support and intervention criteria outlined in Table 3.
- 38 Where one or more criterion apply related to provision funded by the Mayor of London, you will be expected to provide an improvement action plan which must be submitted to the GLA for approval. The action plan must include a series of actions to remedy, or mitigate further consequences, of the trigger being breached. Each action must be:
- **Specific** – how the action will realise a clear improvement in the financial resilience or quality of the provider;
 - **Measurable** – a measurable value or indicator which will be realised as a result of the action;
 - **Attributable** – a named officer or officers will have responsibility for achieving the action;
 - **Realistic** – how the action will gain the desired improvement within the available resources; and
 - **Timebound** – achievable within a realistic timeframe.
- 39 If you are also subject to intervention by the DfE/ESFA through the national oversight arrangements, the GLA will work with the DfE/ESFA to ensure that action to improve performance is complementary in line with the Single Improvement Plan arrangements. The GLA Provider Manager will maintain dialogue with you and assist in supporting you as appropriate to address the areas requiring support and improvement. The GLA Provider Manager will review the information provided and discuss actions directly with the provider, providing supplementary actions if necessary.
- 40 We reserve the right to discuss concerns regarding your performance or financial stability with partner agencies, such as the DfE, ESFA and Ofsted, in accordance with the provider's Conditions of Funding (Grant) Agreement and

Memorandum of Understanding. Where the GLA has been notified that the DfE/ESFA has made its own assessment of financial health, which has triggered active support or Intervention, the GLA will work with the provider and the DfE/ESFA to ensure that any improvement actions related to provision funded by the Mayor of London are complementary to deliver rapid improvement.

Escalation

- 41 If you fail to agree an improvement action plan, or do not implement the improvement action plan as agreed, or do not meet the agreed milestones, the GLA may, at its discretion, implement further measures of intervention as described in the grant agreement. This may include, but is not limited to, reducing the allocation value or suspending payments. Under these circumstances, the provider will enter intervention measures.

Intervention measures to rectify performance

- 42 In the circumstances that intervention measures are required, the GLA will work with you to explore a range of actions for addressing the areas for improvement. You must complete a SMART improvement action plan which must be submitted to the GLA Provider Manager. The improvement action plan must include a range of activities to remedy, or mitigate further consequences of the intervention criterion being breached to secure rapid improvement.
- 43 The GLA will assess the proposed action plan and seek further actions to bring performance in line with expected levels where needed. In addition to the actions available in the active support mitigation process, the GLA may implement further measures of intervention, including:
- 43.1 Suspension of payments against grant value;
 - 43.2 A reduction in the grant value
 - 43.3 Referral to partner agencies such as the DfE/ESFA and FE Commissioner.
- 44 The GLA may at its absolute discretion terminate the funding agreement where the provider is unable address the area of concern in line with agreed actions.

Exiting Intervention

- 45 You will remain in Intervention until the underperformance trigger has been rectified. When a provider exits Intervention, the GLA reserves the right to implement additional measures to the usual monitoring process or require the provider to enter early intervention, so that the risk of future declines in performance is monitored and quickly mitigated. This will enable the GLA Provider Manager to support the provider to ensure that the provider is supported to stabilise.

Intervention Process

- 46 Appendix 1 summarises the GLA intervention process, the triggers or criteria for each stage of the process, additional actions the GLA reserve the right to take and the thresholds the GLA may apply in order for providers to exit intervention processes.

Structural changes: Independent Business Reviews (IBRs) and Structure and Prospect Appraisals (SPAs)

- 47 As a provider, if you are seeking structural changes as an institution or group must inform their GLA Provider Manager at the earliest opportunity. The GLA Provider Manager, supported by colleagues with financial and legal expertise, must be invited to participate in any IBRs or SPAs, regardless of whether the IBR or SPA has been commissioned by the provider, the FE Commissioner or a third party, such as a creditor.
- 48 The GLA will not provide financial assistance for IBRs.
- 49 Providers should ensure that the GLA Provider Manager is informed of the IBR and/or SPA. The GLA may, at its discretion, implement further measures of intervention including, but not limited to, reducing the allocation value or suspending payments in the event that the provider fails to notify the GLA where IBR or SPA is instigated.

Insolvency and the Technical and Further Education Act 2017

- 50 The [Technical and Further Education Act 2017](#) introduced the insolvency regime applicable to FE Colleges, sixth form colleges, Institutes for Adult Learning and specialist designated institutions. If a provider enters the FE insolvency regime, they must alert their GLA Provider Manager and enable them to participate in the process, including any IBR as set out above.

- 51 In accordance with the Memorandum of Understanding, the GLA will alert partner agencies, including the DfE and ESFA, in any cases where the GLA Provider Manager believes that a provider is at risk of insolvency. This may be before formal notification of the insolvency regime from the provider, when the provider's financial health indicators evidence that the provider is at risk of insolvency.
- 52 Further information on the FE Insolvency Regime is available in the [Technical and Further Education Act 2017](#) and the Department for Education's [College Oversight: Support and Intervention](#) policy document. DfE has also published guidance outlining [college requirements regarding asset disposals](#).

Further Queries

If you require any further guidance on the policy, please contact your Provider Manager or direct your query to aeb@london.gov.uk.

Appendix

Appendix 1 – Interventions and Active Support Table

Interventions and Active Support			
Intervention criteria/ trigger	Intervention level	Additional actions we may take	Threshold to exit intervention
Quality of provision			
<p>An 'Insufficient progress' rating for overall effectiveness in an Ofsted monitoring report. Only colleges undertaking a merger are eligible for Ofsted monitoring visits under this policy.</p> <p>Two consecutive 'Requires Improvement' ratings for overall effectiveness by Ofsted.</p> <p>Poor and/or a measurable decline in performance management data (as outlined in the "Quality Assurance and Raising Standards" section of the providers funding agreement).</p> <p>Escalation by the GLA Provider Manager due to local intelligence, such as complaints or poor-quality data returns.</p>	Active Support	<p>The GLA reserve the right to implement one or more of the following actions:</p> <ul style="list-style-type: none"> • Consultations with the Body's governors, principal, and, where required, local stakeholders and learners • Require from the provider the Self-Assessment Reports, Single Improvement Plan (Quality Improvement Action Plans) and implementation updates • Request additional data on a regular basis, such as ILR data returns, monthly management accounts and financial information, reports submitted to the provider's senior management team • Impose additional performance monitoring points and meetings with the GLA Provider Manager • Request the provider's risk plan • Request information on planned strategic developments, including but not limited to federation or merger arrangements 	<p>A 'Sufficient progress' rating for overall effectiveness in the subsequent Ofsted monitoring report</p> <p>Ofsted reinspection has determined that the overall effectiveness of the provider is rated 'Good' or above</p> <p>The provider's educational performance data evidences improvement agreed within the provider's action plan</p> <p>Any actions required by the GLA have been addressed within specified timescales.</p>
<p>An Ofsted inspection determining that the overall effectiveness of a provider is inadequate.</p> <p>FE Commissioner diagnostic assessment determines that a provider requires urgent escalation to formal intervention.</p> <p>A decline in the provider's educational performance data or low achievement rates</p>	Intervention	<p>The GLA reserve the right to implement one or more of the following actions:</p> <ul style="list-style-type: none"> • Consultations with the Body's governors, principal, and, where required, local stakeholders and learners • Require from the provider the Self-Assessment Reports, Single Improvement Plan (Quality Improvement Action Plans) and implementation updates • Request additional data on a regular basis, such as ILR data returns, monthly management accounts and financial information, reports submitted to the provider's senior management team • Impose additional performance monitoring points and meetings with the GLA Provider Manager • Request the provider's risk plan • Request information on planned strategic developments, including but not limited to federation or merger arrangements 	<p>Ofsted reinspection has determined that the overall effectiveness of provider is 'Good' or above</p> <p>The FE Commissioner is satisfied that the provision is of good quality; and/or</p> <p>The provider's educational performance data evidences improvement agreed within the provider's action plan</p> <p>Any other requirements being satisfactorily addressed</p>
Financial health and stability of the provider			
GLA or ESFA Financial Health assessment determines that the provider's financial health	Active Support	The GLA reserve the right to implement one or more of the following actions:	The GLA or ESFA Financial Health Assessment indicates that

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<p>'Requires Improvement', or risks declining to 'Requires Improvement' or 'Inadequate' in future and/or the provider's financial information shows that the provider may not be able to continue to operate in the future.</p>		<ul style="list-style-type: none"> • Consultations with the Body's governors, principal, and, where required, local stakeholders and learners • Require information which demonstrates how the provider is planning to tackle financial health decline. This may include undertaking a cost scrutiny exercise to identify how to reduce costs and/or bring them within sector standards and/or an assessment of the impact of any funding claw back or reduction on planned income 	<p>the provider's financial health is rated as 'Good' or above</p> <p>Any actions required by the GLA have been addressed within specified timescales</p>
<p>The GLA or ESFA Financial health assessment is 'Inadequate'.</p> <p>The provider is considering structural change, including via an Independent Business Review (IBR), or Structure and Prospects Appraisal (SPA).</p> <p>If a provider enters the FE insolvency regime, as defined by the Technical and Further Education Act 2017¹.</p>	<p>Intervention</p>	<ul style="list-style-type: none"> • Request the provider's risk plan • Request information on planned strategic developments, including but not limited to federation or merger arrangements • Reports from provider's internal auditors on the management of the provider, including financial compliance and health. 	<p>The GLA or ESFA Financial Health Assessment indicates that the provider's financial health is rated as 'Good' or above</p> <p>The FE Commissioner is satisfied that the provider has adequate financial stability; and/or</p> <p>The provider is no longer at risk of insolvency, as confirmed by the appointed education administrator</p> <p>Any other requirements being satisfactorily addressed</p>
<p>Audit, assurance, fraud and investigations</p>			
<p>The GLA or the Mayor's Office of Policing and Crime (MOPAC), acting on behalf of the GLA, determine there is enough information to investigate an allegation of fraud or financial irregularity, including:</p> <ul style="list-style-type: none"> •A funded provider has claimed funding from the GLA through deception; •A funded provider has broken the funding rules; •A funded provider has not delivered education/ training funded by GLA; •Corruption (the offering, promising, giving, requesting, receiving, or agreeing to accept an inducement or reward, which may influence a person to act 	<p>Active Support (whilst investigation is ongoing)</p>	<p>The ESFA and other funding agencies will be informed of allegations that affect their funding streams.</p> <p>The GLA reserve the right to implement one or more of the following actions:</p> <ul style="list-style-type: none"> • Consultations with the Body's governors, principal, and, where required, local stakeholders and learners • Additional meetings with the GLA Provider Manager and MOPAC Auditor • A review and/or retention of learner files • Contact with learners and/or subcontractors to verify information contained in learner files 	<p>When financial irregularity or fraud investigation is resolved satisfactorily.</p>

¹ Technical and Further Education Act 2017 (TEFA 2017) available at <http://www.legislation.gov.uk/ukpga/2017/19/contents>

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<p>against the interests of the GLA) and bribery – for example, in relation to sub-contracting.</p> <p>This section of the table also relates to subcontractors to GLA grant agreements or contracts</p>		<ul style="list-style-type: none"> • Reports from provider’s internal auditors on the management of the provider, including financial compliance and health 	
<p>A qualified opinion resulting from a funding audit;</p> <p>A fraud or financial irregularity investigation produces evidence to support suspicion or allegations; and/or</p> <p>A provider fails to provide audit and assurance documents required by the GLA (to be set out in an audit code of practice)</p>	<p>Intervention</p>		<p>A satisfactory follow-up audit following receipt of a qualified opinion;</p> <p>MOPAC Recommendations are satisfactorily implemented and any clawback decisions are complied with</p> <p>The provider complies with the GLA’s audit and assurance requirements.</p> <p>Any other requirements being satisfactorily addressed</p>
<p>Other</p>			
<p>Failure to comply with active support measures.</p> <p>Serious breach of the GLA grant agreement.</p>	<p>Intervention</p>		<p>GLA requirements being satisfactorily addressed</p>

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