



CONSULTATION DOCUMENT

For a merger between Derby College
and South East Derbyshire College



Public Consultation

**Proposed Merger Between
Derby College and South
East Derbyshire College**

6th August 2009

This report contains 27 Pages

6th August 2009

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1 Introduction

This consultation document sets out the background and rationale for a proposal from South East Derbyshire College and Derby College that they should merge.

Under the current statutory framework the final decision on the proposal would be taken by the Minister of State for Further Education, Skills, Apprenticeships and Consumer Affairs to make orders establishing or dissolving further education corporations.

The two college Corporations will consider the results of this consultation, due diligence studies, and the full merger proposal (FMP). The LSC East Midlands Regional Council will also consider the FMP which will be judged against an established set of criteria. It will then decide whether to forward the merger proposal to the Minister of State for Further Education, Skills, Apprenticeships and Consumer Affairs for his determination. Alternatively, they could choose to seek a revised proposal, which may require further formal consultation, or choose not to support the proposed merger.

There is a statutory requirement that proposals are subject to a consultation period of at least one month. A list of organisations being consulted is shown in **Appendix A**, and the Statutory Draft Proposal and the Statutory Summary of the Draft Proposal are shown in **Appendix B**.

Your comments on the merger proposal and any information contained in this document are welcomed. It will be helpful if they are made on the pro forma attached at **Appendix C**. A draft timetable for subsequent stages of the merger process is enclosed in **Appendix D**.

Responses should be posted to:

Sammy Jones
Partnership Manager
Learning and Skills Council
1 Mallard Way
Pullman Business Park
Derby
DE24 8GX

Information is also available on the LSC website: <http://www.lsc.gov.uk>

Different formats of this document can be made available upon request

The final date for receipt of comments is **12 noon, Friday 2nd October 2009**

2 Executive Summary

2.1 Introduction

The LSC East Midlands Regional Council has agreed that the Initial Outline Proposal for the merger of South East Derbyshire College and Derby College should be subject to formal consultation. This will be a Model B merger which proposes the dissolution of South East Derbyshire College and the transfer of property, rights and liabilities to Derby College. The governance structure of the merged College will be highly representative of the area which it serves, and will include the appropriate range of skills within the governance model.

This document provides information about the two colleges and the merger proposal to inform the views of interested stakeholders, whose views are welcomed.

2.2 Merger Features and Benefits

The essential rationale for merger is the benefit to be derived for learners. The proposed merger will look to extend participation in learning and skills and promote equality of opportunity and enhance diversity. The South East Derbyshire College current provision has in recent years been affected by financial constraints. Curriculum provision offered has often not been primarily driven by the needs of current or future learners. The merged College will share good practice, make increasing use of modern technologies for demand locally and work in partnership with other local providers of learning.

The merged College will be a major player in the provision of further education in the East Midlands and in Derbyshire. It will be involved in further education provision for young (16-18) and adult (19+) learners that ranges from entry to employment and skills for life programmes through level 1 programmes in a range of subject areas to level 2 and 3, including the new Diplomas. It will prepare people for the employment opportunities expected to arise in the local area, the County, the City and the East Midlands area more generally.

A strong and vibrant further education provider locally will enable learners to exercise choice and access provision should they so wish, without having to travel out of the area. The current further education provision will retain its distinctiveness, but as part of the Derby College Group.

2.3 Vision

The vision for a merger of South East Derbyshire College into Derby College, is driven by Derby College's commitment to "The transformation of Further Education in Derby and Derbyshire". It will further the previous mission of South East Derbyshire College of achievement of 'tomorrow's vocational skills today' and develop this in line with Derby College's mission to raise participation, attainment and the skills levels of young people and adults.

In line with government priorities to increase employer engagement through increased participation in work based learning, Apprenticeships and Train to Gain, the merger will enable the development of further good practice both within South East Derbyshire College and in the Derby College Group. A combined, strengthened employer engagement team will facilitate a more comprehensive offer and will be more responsive to both regional and national priorities.

The commitment of Derby College to target those learners who are economically inactive and/or disaffected is consistent with the needs of the Amber Valley and Erewash region. In short it will further meet the needs and aspirations of its local and regional stakeholders, including employers, and establish a high quality local reputation for education and skills.

The vision sees:

- The merger of South East Derbyshire College with Derby College by type B merger
- Immediate usage of Derby College's existing expertise in the South East Derbyshire area to assure performance improvements as soon as possible
- Improved partnership working with other local providers to ensure greater coherence in the range of offer and improved pathways between learner levels to encourage improved retention
- A commitment to raise all aspects of the quality of provision at SEDC with a major emphasis on improvements in teaching and learning
- Specific targeting of categories of learners currently under represented and to ensure that there is greater coherence of offer. It will target in particular the continuing engagement of 16 year olds, consistent with the Government's policy of engagement for all learners to the age of 17 years by 2013 and 18 by 2015
- Applying the expertise of Derby College to improve employer engagement and drive forward the Leitch agenda
- Raising the profile of provision in the Erewash and Amber Valley areas by improved marketing, and by the retention of specifically local sub-brands, the newly merged College will show greater

critical mass, increased viability and improved accessibility for learners

- Improvements in estates in the short term; in the medium term the aim will be to provide new sites within South East Derbyshire which will complement the existing provision and improve learning outcomes
- An improved range of curriculum offer that is greater than that currently offered
- Through a range of improvement initiatives, the essence of which has been outlined above, Derby College believes that it has the capacity, expertise and enthusiasm to ensure that aspirations of learners will rise locally and sub regionally.

2.4 **We Welcome Your Views**

This document is intended to inform and invite the views of interested parties. Formal consultation on the merger proposed between South East Derbyshire College and Derby College runs for a period of 57 days, with a closing date for comments on **Friday 2nd October 2009 at 12 noon**. All responses will be acknowledged by the Learning and Skills Council Derbyshire and the two colleges.

3 **Background**

For the last four financial years, including 2008-09, South East Derbyshire College has experienced challenges in achieving financial stability and is currently facing considerable financial difficulties.

In addition, there has been growing competition in the 14-19 market place for learners within the South East Derbyshire College area. Whilst there is a reasonably flat demographic, there are increased numbers of competitor institutions – including both school sixth forms and other further education provision in Derby, Nottingham and elsewhere.

In February 2007, a strategic options review recommended that the College be given an opportunity to draw up a recovery plan. This was subsequently submitted, but was rejected by Derbyshire LSC because it was based upon forecasts which were unrealistic, over-challenging and not a true reflection of the demographic and market conditions in the area served by the College. The South East Derbyshire College Corporation then engaged consultants to review a full range of strategic options. The consultants report concluded that merger was the only viable option and reported this back to the Corporation.

In June, following a competitive process, the University of Derby was initially selected as the preferred merger partner for the college. South East Derbyshire College would have become part of the Further Education provision of the University – following on from High Peak College, a Further Education college which it had merged with in 1998.

Subsequently, due to a number of circumstances, including changes in the availability of funding to support additional investment in the development of Further Education provision in Ilkeston, the University of Derby withdrew its offer to merge with South East Derbyshire College.

In April 2009, Governors at South East Derbyshire College further considered bids from interested parties and determined to pursue a merger with Derby College.

4 Rationale for Re-organisation

There is an interdependency between the communities of South East Derbyshire and Derby City, geo-politically, socially and economically. It therefore makes sense to integrate the development and delivery of the Further Education provision for these communities, through the merger of the two colleges. The merged College will provide access points across South East Derbyshire and Derby that will allow learners to progress to higher level qualifications. The catchment of the merged institution reflects existing patterns of travel to learn and travel to work. The merged institution will be a more stable institution than South East Derbyshire College on its own, better able to cope with changes in Government priorities and learner demand.

Derby College already has relevant expertise in bringing together different further education colleges as it was created through the merger of Broomfield College, Derby Wilmorton College, and Mackworth College in 2002. There is clear evidence of added value for learners emerging from that merger.

Whilst the needs for performance improvement at South East Derbyshire College may be seen to be greater, the experience of the previous merger suggests that performance improvement in South East Derbyshire could be even more rapid.

There is urgent need for immediate improvement to the breadth, quality and stability of further education in South East Derbyshire. Derby College is already providing initial support to South East Derbyshire College, including:

- Expertise in estates management
- Specific curriculum quality improvement expertise
- College marketing and publicity systems as well utilising its very broad contacts network.
- Management information systems, in particular student data returns to the Learning and Skills Council and its successors.

Derby College and South East Derbyshire College jointly developed an initial outline proposal for the merger which identifies the following key elements to their rationale:

- **Improved partnership working with other local providers to ensure greater coherence of the range of offer and improved pathways between learner levels to encourage improved retention**
There is a clear need to ensure greater coherence in the range of provision available within South East Derbyshire and to improve opportunities for progression. Derby College has the critical mass to

act as a focal point to enhance partnerships as the South East Derbyshire sub region currently has a range of providers who could work better in partnership together. Derby College already has good links with other local providers through its 14–19 leadership in some Diploma developments. It can apply that good practice to South East Derbyshire as well. In doing so it will be building on a series of bilateral contacts it has there with some existing providers as well as making a major contribution to helping to create much needed 14–19 coherence in the Erewash and Amber Valley areas.

- **A commitment to raise all aspects of the quality of provision with a major emphasis on improvements in teaching and learning.** South East Derbyshire College was graded overall inadequate at its OfSTED inspection in 2008. The college has since been reinspected and demonstrated improvement in a number of key areas resulting in a Satisfactory grading, with acknowledgement that there was still more work to be done. Derby College, at its last inspection, was graded outstanding or good in all areas. It has clearly demonstrated its ability to bring together FE providers and will apply this expertise to deliver improvements across the provision currently offered by South East Derbyshire College. The merged College will aspire to bring the quality of provision currently delivered by South East Derbyshire College up to the same level as that within Derby College within two years of the merger. The quality of provision will be measurable through success rates and through inspection by OfSTED.
- **Specific targeting of categories of learners currently under represented and to ensure that there is greater coherence of offer.** The proposed merger will focus, in particular, on the continuing engagement of 16 year olds, consistent with the Government's policy of increasing the engagement of young people aged 16-18 by 2015. South East Derbyshire College has identified that more work needs to be undertaken at age 16 in support of young people who have the potential to be NEET (not in employment, education or training). Derby College has the resources, experience and track record elsewhere to lead in this area.

South East Derbyshire College has already revised its programme offer to ensure local needs are more effectively met. It has stopped delivering A levels as there is over supply locally. Post-merger, greater emphasis will be placed on identified areas of under provision. The expertise, leadership, and support of Derby College are needed to make this effective.

- **To apply the expertise of the Derby College to improve employer engagement and drive forward the Leitch agenda.** Derby College is well established, well known and recognised as a provider of high quality employer engagement. South East Derbyshire College's strength is in 19+ provision, but on a smaller scale across a

narrower curriculum range. Economically the majority of employers in South East Derbyshire are small/medium scale enterprises and micro-firms. There is a need for sophisticated wider scale links with and provision between the two merging institutions due to their relative strengths in this area. This might be through development of a common approach to engaging with employers, pooling information and building on existing contacts to become more efficient and effective.

- **By raising the profile of provision in the Erewash and Amber Valley areas by improved marketing, and by the retention of specifically local sub-brands, the merged College will therefore demonstrate greater critical mass, increased viability and improved accessibility for learners.**

There is growing competition for learners in SE Derbyshire at a time of no demographic growth. There are local schools with newly established sixth forms, one of which has a strengthening vocational offer. Castle College, Bilborough College (a sixth form college), Chesterfield College and New College Nottingham all recruit learners of all ages from the South East Derbyshire area. Currently the two colleges struggle to deliver to viable class sizes in some subject areas at some levels (e.g. Motor Vehicle level 3). The merged college could bring learners together to make more viable provision, benefiting from economies of scale.

- **Partnership initially and then merger with Derby College will enable South East Derbyshire College to project a more confident and improving image to local learners and employers.**

Early tangible improvements, suitably marketed, will provide reinforcement and reassurance to local learners and thereby increase choice, access and opportunity to these communities. There is potential for considerable savings in marketing costs once it is possible to produce a combined prospectus covering provision across the merged College.

- **Improvements in estates in the short term; in the medium term there will be a new 21st century learning facilities in the area which will provide improved facilities for learners.**

South East Derbyshire College is currently revising its estates strategy and is mindful of the poor condition of its sites and their very low occupancy levels. The Cavendish Road site in Ilkeston has already been closed, and Art and Design learners have been transferred to the Mundy Street site in Heanor. Immediate investment in the remaining South East Derbyshire College sites will be required. In the longer term, the merged college will seek to be a key component in the economic regeneration programme in the Amber Valley.

Through a range of improvement initiatives, the essence of which has been outlined above, Derby College believes that it has the **capacity**, expertise and enthusiasm to ensure that aspirations, engagement,

participation and success rates of learners will rise locally and sub regionally.

The interim Principal and management team at South East Derbyshire College are taking major steps to address the current issues, and have already remedied most of the unsatisfactory aspects of quality (see OfSTED Inspection April 2009). The proposed merger with Derby College will provide the expertise and support needed to deliver the remaining performance improvements and will add greater coherence and leadership to the whole learning environment in South East Derbyshire.

5 Derbyshire: demographics and demand for skills

The total population within Derbyshire is 754,100 and within Derby is 236,300. In comparison with the rest of England, Derby has a higher proportion of its population aged 20 to 29 years old. Within Derbyshire, the proportion of the population is relatively low for those aged below 29 years old.

Population projections reveal that within Derbyshire and Derby the population is projected to increase. It is important to note however that the population has an 'ageing profile' with a projected decline of 10% in the 15-19 year old population. This trend is similar to that of England and has implications for the future number of 16-18 year olds that access further education in future years.

Within Amber Valley and Erewash the issue is more pronounced with the number of 15-19 year olds projected to fall from 14,500 to 12,700 – a fall of 1,800 young people (a 12% reduction).

5.1 Learning Participation

Whilst the 15-19 year old cohort may be reducing in size the trend for young people staying on in full time education continues to rise in both Derbyshire and Derby. The 2007 Year 11 Progression Report revealed that participation in learning increased from 87% in 2006 to 89% in 2007 for both Derbyshire and Derby.

There was variation within Derbyshire in terms of year 11 leavers' participation in learning ranging from 89% in Amber Valley to 91% in High Peak and 93% in Erewash.

5.2 Employment

Within Derby, the number in employment has increased by 4,000 since 1998 to 119,000 in 2006. Over the same period the number in employment within Derbyshire fell by approximately 2,000.

Derby and Derbyshire have a relatively high proportion of employment within the Manufacturing sector.

The sectors projected to show the greatest demand for employees in Derbyshire and Derby are Health & Social Work, Retail & Distribution, Business Services and Education.

5.3 The Social Context

The areas of Derbyshire and Derby are both areas of significant social contrast. Levels of deprivation (as measured by the Index of Multiple Deprivation) vary significantly. Many of the immediate areas served by the Derby College and South East Derbyshire College fall within the 20% most deprived areas of England including areas of Derby, Heanor and Ilkeston. Other areas within the defined area including the outskirts of Derby, parts

of Erewash, High Peak and Amber Valley fall within the 20% least deprived areas in England¹.

In Derbyshire the economic activity rate² is relatively high at 81% in 2007 compared with 79% for England. Economic activity is lower in Derby at 77%. In Amber Valley economic activity is relatively low at 78% but higher in Erewash at 85%. The percentage of employment within Managerial and Professional occupations is relatively low in Derbyshire (38%) and Derby (37%) compared with England (43%) reflecting the dominance of sectors such as Manufacturing within the local economy.³ This is also the case in Amber Valley and Erewash where the percentage employed within Managerial and Professional occupations is 40% and 36% respectively.

¹ Source: Index of Multiple Deprivation

² Definition: Percentage of working age adults either in employment or seeking employment.

³ Source: NOMIS

6 College Contexts

6.1 South East Derbyshire College

South East Derbyshire College is a medium-sized further education college situated between Derby and Nottingham. It has a main campus in Ilkeston on Field Road and another site in Heanor (See location map in Section 6.9). The College's mission is to 'deliver high quality education and training to inspire achievement of skills for tomorrow, today'.

South East Derbyshire College is the largest provider of education and training to young people, adults and businesses in Amber Valley and Erewash. The proximity of the College to both the Nottinghamshire border and Derby makes it convenient as a provider to a much wider community, and approximately 25% of its learners are drawn from neighbouring Derby and Nottinghamshire districts.

6.2 Provision

The College's provision includes full time, part time and flexible study options. South East Derbyshire College had 3,413 FE funded learners, 1,115 learners aged 16-18 and 2,298 learners aged 19+. In addition, the college had an average 80 Apprenticeships in learning across Level 2 and Level 3 programmes, 171 young people starting Entry to Employment programmes and 989 adult enrolments on Train to Gain programmes. The College provides courses in a majority of sector subject areas and offers programmes from pre-entry level through to level 4. After a period of falling enrolments, the core numbers enrolling at the college have stabilised, except in curriculum areas affected by economic factors (e.g. Construction skills).

The College's Field Road site includes a dedicated Business Unit, Employer Direct, which specialises in delivering a wide range of training provision for employers. Provision includes: NVQ's (including the level 2 entitlement), distance learning provision, short courses, apprenticeships and bespoke training courses. The College also has a Train to Gain contract, providing courses primarily in Health, Social Care and Child care, and in construction.

6.3 Quality

The College was inspected in April 2008 and whilst the quality of provision was satisfactory overall, other aspects of the college (including the leadership and management, and the effectiveness of the provision) were found to be inadequate. The college was reinspected in June 2009 and the Inspectors' report confirmed that improvements had been made and graded provision as satisfactory across most sector subject areas, with the exception of Engineering and Manufacturing Technologies (which was judged to be inadequate) and Health, Public Services and Care (which was judged to be good). Train to Gain provision was rated as good.

Leadership and Management and capacity to improve was also graded satisfactory.

6.4 Financial

The College has faced an increasingly precarious financial position for a number of years. The college has generated operating deficits, which have been exacerbated by under-performance in terms of learner recruitment. The college, in its current form, is not considered to be financially viable in the future.

6.5 Derby College

Derby College is a large general further education college with five sites located in and around Derby: Broomfield Hall; Joseph Wright Centre; Masons Place; Norman House; and Prince Charles Avenue and the Roundhouse which will be open to learners from September 2009. In addition, the College offers provision at community venues and employers' premises (See location map in Section 6. 9).

Around 75% of the College's learners are from Derby and Derbyshire. Most of the remainder are from neighbouring local authorities in the East and West Midlands. In 2007-08 Derby College had 24,696 learners, 78% were adults and the gender breakdown for both age groups is the same i.e. 52% male and 48% female. 21% of 16-18 and 18% of adults were from minority ethnic groups. 318 learners were 14 -16 and there were 671 Apprentices. The College delivered 5,500 NVQs in the workplace in 2007-08 which were later classified as Train to Gain in 2008-09.

6.6 Provision

The College offers courses in all sector subject areas (SSAs). The highest number of learners are in preparation for life and work; health, public services and social care; engineering and manufacturing technologies; retail and commercial enterprises; information communication technology (ICT); and business, administration and law. The College provides education and training for apprentices, advanced apprentices and Train to Gain learners. The College have a Centre of Vocational Excellence (CoVE) in information technology (IT) and are involved with partners in CoVEs for Lean engineering, manufacturing, construction and retail.

6.7 Quality

The College has had two successful OfSTED inspections. The last inspection undertaken in November 2007, OfSTED graded Capacity to Improve, Education & Social Inclusion, Meeting the Needs and Interests of Learners, Employers & Community and Preparation for Life and Work all 'Outstanding'. All other aspects were awarded grade 2, 'Good'. This success demonstrates that Derby College is capable of bringing together three diverse organisations and cultures and transforming them into one of the most successful Further Education colleges in the country, with a

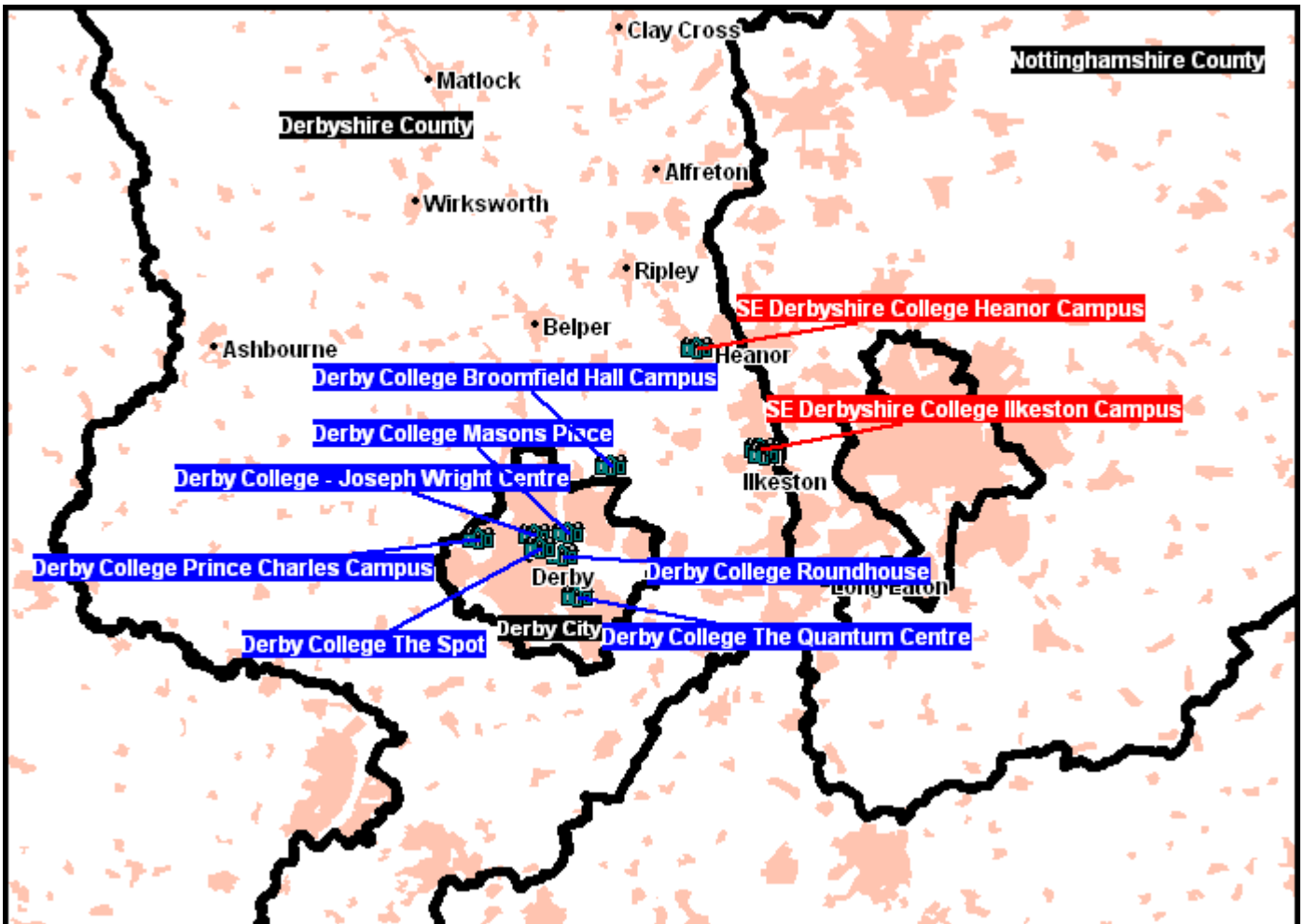
reputation for success in all 15 areas of learning and its capacity to exceed all LSC priorities and targets.

6.8 Financial

The college has strong financial performance. Recently the College had undertaken significant capital investment and is forecasting to continue as a strong financial performer in the future.

As part of the last OFSTED Inspection the LSC's the PFA auditors undertook a full review of the College's "Soundness, operation and effectiveness of the Financial Management and Governance Frameworks". Both the soundness and effectiveness of the frameworks were graded as 2 – Full Assurance identifying many key strengths.

6.9 Map of the Derby College and South East Derbyshire College Sites



7 Benefits of the Merger

7.1 Curriculum benefits of the merged College

The provision offered by the merged College will ensure that it covers the necessary areas for effective further education provision in the Amber Valley and Erewash localities. This includes (but is not limited to) health and social care, hospitality, motor vehicle engineering, hair and beauty, arts and media programmes, construction and business studies. Such provision will include the offer of full level 2, and level 3 including the new Diploma qualifications where South East Derbyshire College is leading in its geographical area. Some of the areas will include level 1 provision. In each of these cases there is existing provision on to which learners may progress.

The merged College will also look to introduce new, niche areas that meet particular requirements. These are anticipated to be introduced in or before 2011 and will, as at present considered, include logistics, engineering and new areas of work linked with the creative industries. Others to be investigated will include activities associated with Composites and low carbon technology. The College will work through the local 14-19 Partnerships to ensure that new provision complements existing provision and that there are progression routes for local learners.

Each of the niche areas of activity has local employment links, evidence of demand not properly met and progression opportunities. In addition, the provision of entry to employment (E2E) programmes will be developed and appropriate skills for life provision will continue. There will be an increase in the engagement of employers with Train to Gain and apprenticeships programmes. The merged College will be in a good position to design and deliver apprenticeship programmes in a range of areas, including customer service, business administration, health and social care, motor vehicle, construction, hospitality, IT, hairdressing and beauty therapy. The merged College will also offer related Higher Education provision, of a flexible, employer-based nature, that will offer improved progression routes for learners.

7.2 Financial benefits of the merged college

Bringing the two colleges together should create a stronger single institution that will be able to support a broader range of cost-effective courses, generating a more stable and robust flow of income, thereby securing both increased income and savings in expenditure. It will benefit from increased economies of scale.

South East Derbyshire College has experienced difficulties in maintaining financial stability given uncertainties about the levels of Government

funding. Competition with schools, colleges and private training providers have reduced its market share. The merged College would be a more stable institution, better able to cope with changes in Government policy on funding post-16 education and training and changing needs of learners and employers .

7.3 **Quality benefits of the merged College**

The recent OfSTED report (June 2009), judged the capacity to improve of South East Derbyshire College as satisfactory, compared to its finding of inadequate in April 2008. There have been significant changes in the organisation in order to deliver improvement and raise learner achievement. However, more still needs to be done. The merged College will have an improved capacity and capability to take this forward. Based upon the current quality model at Derby College, there will be a strategic approach for improving success rates for all ages and at all levels, with specific targets agreed with the LSC with year on year improvements in its success rates as part of its strategic objectives.

7.4 **Estates benefits of the merged College**

The proximity of the two colleges means that there are significant opportunities to ensure that learners benefit from more appropriate accommodation, with curriculum driven by local needs. Investment will be required in the Amber Valley and Erewash area to ensure learners have access to quality learning facilities within the locality, but this will not need to duplicate estate already available in Derby.

7.5 **The merged College name**

In bringing forward the merger proposal the Corporations of both colleges have agreed to consult on a change of name for the merged College. The proposed name for the merged College will reflect the locality and characteristics of the area that both colleges currently serve. The proposed name for the merged College is **Derbyshire College**. The colleges and LSC welcome your views on the possible name of the merged College (please see section 5 of the response pro-forma at Appendix C).

This overall name will work alongside local branding as a confirmation of current practice. The Joseph Wright Centre, Broomfield and the Roundhouse will continue to be branded as such, although it is an integral part of the merged College.

8 Consultation and the Merger Process

The Learning and Skills Council Derbyshire are now formally consulting on the merger proposed between South East Derbyshire College and Derby College. Consultation is for a period of 57 days with a closing date for comments on **Friday 2nd October 2009 by 12 noon**. All responses will be acknowledged by Learning and Skills Council Derbyshire and copied to the two colleges.

The two college corporations will consider the results of the consultation alongside the outcomes of the due diligence reports and the Full Merger Proposal.

The Full Merger Proposal will also be considered by the LSC East Midlands Regional Council and measured against nationally determined criteria. At that stage it may be decided to support the merger and forward a proposal to the Minister of State for Further Education, Skills, Apprenticeships and Consumer Affairs. Alternatively they could choose to seek a revised proposal, which may require further formal consultation, or choose not to support the proposed merger.

On receipt the Minister of State for Further Education, Skills, Apprenticeships and Consumer Affairs may approve the formal submission, or reject the proposal. If accepted, the necessary Order will be made with a view to the dissolution of South East Derbyshire College taking place on **31st January 2010**.

All consultation responses will be included in the White File sent with the proposal to the Minister of State for Further Education, Skills, Apprenticeships and Consumer Affairs.

Appendix A

CIRCULATION LIST

The following is an indicative (but not exhaustive) list of organisations that will be included in the consultation process:

Members of Parliament and MEPs
Emergency Services
Local Authorities
Schools with Post-16 provision
11-16 Schools
Other Colleges
OfSTED
Education Business Partnership
University Partners
Connexions
Jobcentre Plus
Adult Learning Service
HEFCE
SEEDA
Association of Colleges
National Union of Students
Trade Unions
Work Based Training Providers
Employers
Adult Education Service
Voluntary Organisations
Exam Boards
Learning and Skills Council
Department of Business, Innovation and Skills
ALP
Learner Groups
Sector Skills Councils
SFCF

Appendix B (i) Statutory Summary of the Draft Proposal

Further and Higher Education Act 1992 The Learning and Skills Council

South East Derbyshire College, Field Road, Ilkeston, Derbyshire DE7 5RS

The Learning and Skills Council (the Council) hereby gives notice in accordance with the provisions of section 51 of the *Further and Higher Education Act 1992* (the Act) of the draft proposal that the Secretary of State under section 27 of that Act should by order provide for the dissolution of the further education corporation of **South East Derbyshire College** and the transfer of the property, rights and liabilities of that corporation.

Dissolution of the corporation is proposed, at the request of the corporation of **South East Derbyshire College**, in order that the college may merge with **Derby College**. It is proposed that the property, rights and liabilities of the corporation be transferred to the corporation of **Derby College**.

The date proposed for the dissolution is **31 January 2010**.

The governing body of **Derby College** is separately proposing to the Secretary of State that the name of the college be changed to Derbyshire College to reflect the changed nature of the institution.

Provision will be made for all students at **South East Derbyshire College** who have not completed their courses of study by the date of the proposed dissolution to complete their studies within the merged college campuses in Ilkeston and Heanor.

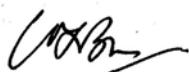
A copy of the draft proposal is available free of charge from the Council and will be sent to any person who requests it.

In accordance with the provisions of section 51 of the Act, representations may be made to the Council by **12 noon 2nd October 2009**. Representations should be made in writing to:

Sammy Jones, Partnership Manager, Learning and Skills Council Derbyshire Area Office, 1 Mallard Way, Pullman Business Park, Derby [DE24 8GX](mailto:sammy.jones@lsc.gov.uk) or by email to: sammy.jones@lsc.gov.uk.

Date of publication: 6 August 2009

Signed by:



Leading learning and skills

Mick Brown
Area Director: Derbyshire Learning and Skills Council

Appendix B (ii) Statutory Proposal

Statutory Draft Proposal - Model B – Dissolution

DRAFT PROPOSAL UNDER SECTION 51 (1) (C) OF THE FURTHER AND HIGHER EDUCATION ACT 1992 (THE ACT) FOR THE DISSOLUTION OF THE FURTHER EDUCATION CORPORATION OF SOUTH EAST DERBYSHIRE COLLEGE UNDER SECTION 27 OF THE ACT

NAME OF THE FURTHER EDUCATION CORPORATION:

South East Derbyshire College

ADDRESS:

Field Road, Ilkeston, Derbyshire, DE7 5RS

GENERAL DESCRIPTION OF THE EDUCATION PROVIDED AT THE INSTITUTION:

South East Derbyshire College is the largest provider of education and training to young people, adults and employers in the Amber Valley and Erewash local authority areas. Its main campus is located at Field Road, Ilkeston, Derbyshire, DE7 5RS with a satellite campus at Mundy Road, Heanor, Derbyshire, DE75 7DZ.

The college provides education and training for both full and part-time learners. In 2007/08, South East Derbyshire College had 3,413 FE funded learners, 1,115 learners aged 16-18 and 2,298 learners aged 19+. In addition, the college had an average 80 Apprenticeships in learning across Level 2 and Level 3 programmes, 171 young people starting Entry to Employment programmes and 989 adult enrolments on Train to Gain programmes.

The college provides for vocational and academic programmes across the majority of sector subject areas from pre-entry to Level 4. Provision is particularly focussed in health, public services and care; construction; arts and media; preparation for life and work; business administration and law and engineering and manufacturing technologies.

REASONS FOR PROPOSING DISSOLUTION OF THE CORPORATION:

The governing body of South East Derbyshire College is proposing to merge with Derby College. This would be achieved by the dissolution of the further education corporation of South East Derbyshire College and the transfer of its property, rights and liabilities to the further education corporation of Derby College. The governing body of Derby College is separately proposing to the Secretary of State that the name of the college be changed to Derbyshire College to reflect the changed nature of the college.

The principal reason advanced by the governors of the colleges in support of the proposal is to create a cost effective high quality general further education college which builds on the strengths of the two colleges. The merged college will also meet the changing needs of learners and support the developing local infrastructure and the regional economy. The merged college will aim to increase learner participation and success rates within the area – particularly where there is significant under representation amongst identifiable groups of potential learners.

DATE PROPOSED FOR THE DISSOLUTION OF THE CORPORATION:

31 January 2010

EDUCATION PROVISION TO BE MADE FOR THOSE LEARNERS WHO HAVE NOT COMPLETED THEIR PROGRAMMES ON THAT DATE:

Provision will be made for all students at South East Derbyshire College who have not completed their courses of study by the date of the dissolution to complete their studies within the merged college campuses in Ilkeston and Heanor.

Appendix C

CONSULTATION RESPONSE PROFORMA

Responses are invited by **12 noon, Friday 2nd October 2009** to the following attached documents:

- a. Consultation document on the proposed merger of **South East Derbyshire College** and **Derby College**
- b. Statutory Draft Proposal for the reorganisation of **South East Derbyshire College**

Please provide your comments in the appropriate space below and append additional sheets as necessary. **Please indicate whether your comments are directed to the colleges involved, to the Learning and Skills Council Derbyshire or to all parties in order that the appropriate party may respond where necessary.** Please note, all responses will be considered both by the colleges and by the Learning and Skills Council Derbyshire.

1. Comments on the objectives of the merger proposal

2. Comments on any potential impact on learners arising from the merger proposal

3. Comments on any curriculum issues arising from the merger proposal

4. Comments on any governance, management or resourcing issues arising from the merger proposal

5. Proposed name change for the merged College is **Derbyshire College**
Please indicate your support for the proposed name or suggest another:

Other suggestions _____

6. Any other relevant comments

The above comments are directed to **(please tick one box only)**:

- The colleges
- Learning and Skills Council Derbyshire
- The colleges and the Learning and Skills Council Derbyshire

Name

Organisation (if applicable)

Address

.....

Signed Date

Please return this pro-forma to:

**Sammy Jones
Partnership Manager
Learning and Skills Council
Learning Directorate
1 Mallard Way
Pullman Business Park
Derby
DE24 8GX**

By 12 noon on Friday 2nd October 2009

Appendix D: Provisional Timetable for the merger of South East Derbyshire College and Derby College

| Date | Action |
|---|---|
| Early July 2009 | Corporation meetings to finalise and sign off Initial Outline Proposal |
| 15 July 2009 | Initial Outline Proposal considered by LSC Regional Board |
| 6 August 2009 | Consultation starts: Agreed document disseminated to a wide range of stakeholders |
| 2 October 2009 | Consultation ends |
| Early August to October 2nd | Due diligence process |
| October 2009 | Report on consultation process. (Official preparation of the Full Merger Proposal document cannot begin until all parties are satisfied with the outcomes of the Public Consultation process and with the Due Diligence reports). |
| October 2009 | Project Steering Group finalises Full Merger Proposal |
| October 2009 | Both Corporations approve Full Merger Proposal document |
| Late October 2009 | Full Merger Proposal sent to LSC for Regional Board Meeting Preparation |
| 14 November 2009 | LSC Regional Board consideration of Full Merger Proposal |
| 15 November – End November | Finalising White File and preparing all documents for submission to Minister of State for Further Education, Skills, Apprenticeships and Consumer Affairs |
| 1 December 2009 | Minister of State for Further Education, Skills, Apprenticeships and Consumer Affairs begins to consider the determination of the proposal |
| 1 February 2010 (Provisional as Minister of State will only have received 8 weeks notice and could require a further 4 weeks) | Dissolution of South East Derbyshire College Corporation - Transfer of assets and liabilities to Derby College |

