

Friday 3rd April 2009

Dear Colleague

Proposed Merger of Braintree College and Colchester Institute

I am enclosing the consultation document on the proposed merger of Braintree College and Colchester Institute and I am also writing to seek your views on the proposed merger by **5pm Tuesday 26th May 2009**.

As part of its consideration of the future direction for the college, the Corporation of Braintree College decided to consider the possibility of merger with another college or colleges. After careful deliberation, Braintree College decided that Colchester Institute should be the preferred merger partner.

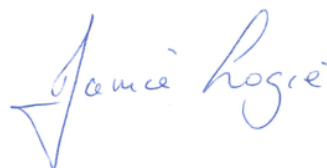
Since then, the LSC and the colleges have worked closely together to examine the potential of this proposal. An initial outline proposal for merger was presented to the LSC's Regional Board on 12 September 2008 and it was agreed that we should proceed to the next stage of the proposal: public consultation.

After the consultation period, the colleges will work together to put together a full merger proposal that will be presented to the LSC Regional Board. The proposed implementation date for the merger is 1st January 2010.

We have included a proforma for responses in the consultation document. Responses should be sent by 5pm, Tuesday 26th May 2009 to **Terry Collin, Partnership Director, Learning and Skills Council**. The information is also available on the LSC website, at www.lsc.gov.uk/regions/eastofengland/whatwedo

We hope you do take the opportunity to respond: I look forward to hearing from you.

Yours faithfully



Janice Logie
Director of Area

LSC East of England Region

Essex Area

Redwing House Hedgerows Business Park Colchester Road Chelmsford CM2 5PB

T 0845 019 4179 F 01245 451430 www.lsc.gov.uk

Public Consultation

**Proposed Merger Between
Braintree College and
Colchester Institute**

1 April 2009

This report contains 27 Pages

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1 Introduction

This consultation document sets out the background and rationale for a proposal from Braintree College and Colchester Institute that they should merge.

Under the current statutory framework the final decision on the proposal would be taken by the Secretary of State for Innovation, Universities and Skills to make orders establishing or dissolving further education corporations.

The Learning and Skills Council, East of England Regional Council will consider the results of this consultation, due diligence studies, and the full merger proposal from the colleges. The full merger proposal will be judged against an established set of criteria. It will then decide whether to forward the merger proposal to the Secretary of State for Innovation, Universities and Skills for his determination.

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**.

Responses should be posted to:

Terry Collin
Partnership Director
Learning and Skills Council Essex
Redwing House
Hedgerows Business Park
Colchester Road
Chelmsford
Essex
CM2 5PB

Information is also available on the LSC website;
www.lsc.gov.uk/regions/eastofengland/whatwedo

The final date for receipt of comments is **5pm, 26th May 2009**.

2 Executive Summary

2.1 Introduction

The Learning and Skills Council, East of England Regional Council has agreed that the proposal (Initial Outline Proposal) for the merger of Braintree College and Colchester Institute should be subject to formal consultation. This document provides information about the two colleges and the merger proposal in order to inform the views of interested stakeholders, whose views are welcomed.

2.2 Headline Benefits of Merger

The colleges consider that the headline benefits of the proposed merger will be that:

- it will improve education opportunities 14-19 in Braintree so that more learners can participate, progress and succeed
- there will be greater choice for learners in Braintree and a more coordinated approach to 14-19 learner provision in the town given the new developments planned in neighbouring schools
- the merger will address the relative weaknesses and reductions of opportunity identified in the 2007 Ofsted inspection of Braintree College
- the benefits will not be all one way. The areas of strength in Braintree College complement those of Colchester Institute resulting in overall benefits for the colleges, learners and their communities
- as shared and different skills and expertise from the two colleges come together, benefits to local employers should be considerable;. given a stronger more broadly based employer engagement unit.
- Braintree will have a potential increase in learner choice which will lead to stronger vocational opportunities and revenue to invest in skills developments, raising access, quality and success levels accordingly
- merger will increase the financial stability of Braintree College provision and increase the opportunities for new capital investments in current Braintree College facilities.

2.3 Rationale for the Merger

The main rationale for the merger of the two colleges is the creation of additional positive benefits for local learners in terms of greater choice, higher quality, better progression, raised success levels, better travel to learn propositions and closer employer engagement.

The merger will provide shared expertise, joint planning, improved shared resources, greater curriculum cohesion and improved progression. Learners in all of the local communities will benefit from this merger between two colleges who already collaborate successfully in a number of areas.

The benefits identified for learners will apply across all ages of learners. It is also expected that the merger will increase local enrolments, reductions in the need

for travel to access learning, and thus deliver a positive impact to the communities the college will serve.

2.4 Curriculum Benefits

Braintree College has developed a broad portfolio of 16-19 provision, encompassing both vocational and academic areas of work. Changes taking place in the development of the post-16 landscape in the Braintree District suggest that a stronger vocational focus may be required into the future. Adult provision has been developed at the college, but there is further potential for employer engagement. There is currently no HE funded provision at Braintree College.

Colchester Institute is a large, high quality and financially sound college. It has developed an extensive vocational provision for 14-19 and adult learners, with clear routes into Higher Education and an expanding HE portfolio. There are clear opportunities for the merged college to extend and develop vocational provision for all age groups and at all levels.

2.5 Financial Benefits

The financial benefits accruing to the merged college will be used to enhance learner choice, to raise quality of provision and to reach learners who have been traditionally difficult to engage. These are the key drivers underpinning the proposed merger. In financial terms, the merged college is expected to be larger than the sum of the two colleges, attracting higher learner numbers due to extended curriculum opportunities and high quality of provision.

2.6 Estates

Braintree College is a small tertiary/general further education college located on two campuses (Braintree and Witham) in the north Essex district of Braintree. The college has considered its future location strategy, and considers that the preferred option is to redevelop the main campus on a new site. The location, planning permission, and development are under discussion at a very early stage with the District Council and relevant stakeholders.

Colchester Institute is a large general college of further and higher education. It is located on a main campus in Colchester with two further sites at Clacton, in the district of Tendring, and learning centres in Dovercourt and in Colchester town centre. The college is currently undertaking a major redevelopment programme. This programme will provide new build accommodation adjoining existing good quality space and result in the demolition of older accommodation.

2.7 We Welcome Your Views

This document is intended to inform and invite the views of interested parties. Formal consultation on the merger proposed between Braintree College and Colchester Institute runs for a period of six weeks, with a closing date for comments on **26th May 2009 at 5pm**. All responses will be acknowledged by the Learning and Skills Council Essex and the two colleges.

Following this consultation, the Learning and Skills Council, East of England Regional Council will consider the results alongside the outcomes of the independent reviews carried out by the colleges on each other for financial and legal risks (due diligence reports), and the 'full merger proposal, document. It will consider the proposal against the nationally determined criteria. At that stage it may be decided to support the merger and forward the proposal to the Secretary of State for Innovation, Universities and Skills. Alternatively, they could choose to seek a revised proposal, which may require further formal consultation, or choose not to support the proposed merger.

3 Background

The Braintree College Corporation is committed to preserving a high quality college in its own community. Despite difficulties in the last decade, learners' needs have consistently remained the top priority and of primary focus.

In December 2006, Braintree College had a poor OfSTED report with "Inadequate" grades given across the board except in Quality of Provision. The subsequent reinspection resulted in satisfactory grades but even so, the college experienced a steep fall in enrolments for 2007/08. At the same time, greater competition for learners was developing locally due to the creation of a new school sixth form, and a new 11-18 academy. It is within this context that the decision to consider its strategic options was made by the Governors.

Conclusion from the Strategic Options Review (SOR)

In January 2008, Braintree College Corporation and LSC Essex appointed KPMG to undertake an SOR on behalf of the college.

Four options were considered as part of this process:

- 1 Status quo (but potentially involving developmental change)
- 2 Formal collaboration – federation/shared services
- 3 Merger with a local institution/partner to be identified
- 4 Closure.

The Strategic Options Review Report concluded:

Our detailed analysis and scoring of the four options would suggest that Option Three (Merger with a local institution/partner to be identified) should be the preferred option. Therefore we recommend that the College Corporation should give serious consideration to exploring the possibility of a merger with one or more partners.

In our view the capacity for performance improvement at the College and the interests of learners and the wider community will be best served by merger. Our key reasons for selecting merger over changing the mission of the College were:

- *That the quality of teaching and learning and academic standards would be raised more quickly were the College to merge with another high performing college. We recognise the work currently being done in the College to raise standards, nevertheless we assess that improvement will be implemented more quickly and to greater effect if a merger takes place ; and*
- *Financial viability would be improved more quickly"*

(Braintree College – Strategic Options Review, KPMG, March 2008)

Subsequently, the college agreed to undertake the formal process of identifying a suitable merger partner. This process had three distinct stages, over a four month period, led by the Governors throughout. As a result of this process, Colchester Institute was selected as the preferred merger partner.

4 North and East Essex: demographics and demand for skills

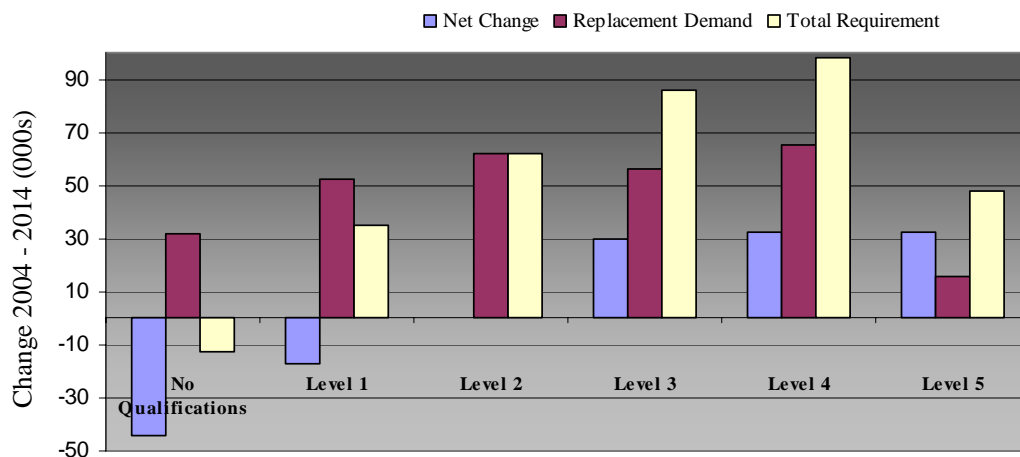
Both colleges emphasise strongly that the proposed merger is driven by current and future needs of learners, employers and the wider community. Braintree College and Colchester Institute both serve their respective local areas but also operate more broadly, serving in some cases rural and dispersed communities, and meeting a variety of learner needs.

Braintree and Colchester are both centres of population growth and this is projected to continue. They are areas of relative affluence with levels of employment and economic activity above both regional and national benchmarks (although there are some pockets of deprivation). High quality and dynamic further education is needed to meet both increasing demographic and skills demands.

Current demand for Skills

The analysis of employment projections by level of qualification suggests that those occupations requiring level 3 or higher qualifications will increase significantly over the next ten years. Employment requiring Level 1 or no qualifications is projected to decrease significantly over the next ten years. This suggests a requirement to up-skill individuals with no qualifications, to take advantage of future 'first rung' employment opportunities and promote economic inclusion.

Essex Employment Projections by Qualification



Source: IER/Cambridge Econometrics

5 College Contexts

5.1 Braintree College

Braintree College is a small tertiary/general further education college located on two campuses (Braintree and Witham) in the north Essex district of Braintree. Braintree is a small market town enjoying rapid growth and low unemployment. Whilst many of the college's learners are resident in Braintree and Witham towns, a large number also come from Halstead, and the rural areas surrounding Braintree, Witham and Halstead, which are generally poorly served by public transport.

The college's mission is to be "a college at the heart of its community, providing high quality education and training to meet the diverse needs of individuals and organisations in Braintree and its surrounding areas".

The college has two Centres of Vocational Excellence (CoVEs), in Information Technology, and Care In Society. In 2007/08, the college provided courses in 14 of the 15 QCA sector subject areas. The level of provision offered ranges from pre-Entry to Higher Education, although at the moment there are no HE enrolments.

The college has considered its future location strategy, and considers that the preferred option is to redevelop the main campus on a new site.

FE learner numbers (LSC Funded) at Braintree College in 2007/08

| | Aged 16 to 18 | Aged 19+ | All ages |
|-----------|---------------|----------|----------|
| Full-time | 984 | 125 | 1,109 |
| Part-time | 401 | 1,368 | 1,769 |
| Total | 1,385 | 1,493 | 2,878 |

The main sector subject areas in which the college delivers currently are:

- Preparation for Life and Work
- Arts, Media and Publishing
- Health, Public Services and Care
- Leisure, Travel and Tourism.

The highest number of further education enrolments for learners aged under 19 years old in 2007/08 were at Level 3 (28% of enrolments), followed by level 1/Entry (25% of enrolments) and level 2 (18% of enrolments). The remaining 28% were hybrids with combinations of different levels.

Learners under 19 years old

An analysis of travel to learn patterns for Braintree residents suggest that currently more than half of 16-18 Braintree residents travel out of the area for post-16 access to further education and training provision.

Enrolments of Braintree learners, in post-16 further education 2006/07

| Provider | Learners |
|-------------------------------|-------------|
| Braintree College | 1030 |
| Sixth Form College Colchester | 497 |
| Colchester Institute | 371 |
| Chelmsford College | 205 |
| Writtle College | 77 |
| Essex County Council | 61 |
| West Suffolk College | 22 |
| Cambridge Regional College | 19 |
| Seevic College | 12 |
| Other | 82 |
| Total | 2376 |

Source: ILR 2006/07 F05

Participation post-16 is also likely to increase as more vocational curriculum opportunities are made available at each level. The proposed raising of school leaving age should also support this growth in participation.

Braintree College's 16-19 provision offers both vocational and academic programmes, with 1,400 learners in 2007/08. The college also currently collaborates with local schools, delivering approximately 200 enrolments across a range of vocational provision, thus widening choice for 14-16 year olds.

As the merged college delivers a more, but not exclusively so, vocational agenda in Braintree in the future, this is likely to complement the development of academic (A Level) provision within school provision (new sixth forms and academies), and broaden the range of academic and vocational progression routes for Braintree learners. It will also support and strengthen the development of Diploma delivery.

Braintree College is part of the Braintree, Colchester and Tendring (BCT) work based learning consortium, with Colchester Institute as the lead partner, so there is already significant collaboration in this area. The college delivers all its E2E and WBL (apprenticeships) activity through the BCT Consortium.

Adult Learners

Braintree College has the largest number of adult learner enrolments who are resident within Braintree.

Enrolments of adult Braintree residents in Further Education 2006/07

| Provider | Learners |
|----------------------|----------|
| Braintree College | 1,350 |
| Essex County Council | 872 |
| WEA | 449 |
| Colchester Institute | 277 |
| Chelmsford College | 218 |
| Writtle College | 191 |
| Otley College | 140 |
| West Suffolk College | 99 |
| SEECAT | 38 |
| Other | 485 |
| Total | 4,119 |

Source: ILR 2006/07 F05

Braintree College has a very small contract in the delivery of Adult and Community learning as part of the Adult Safeguard. Additionally, the college accesses LSC funded programmes to deliver adult skills.

Employer engagement is seen by the college as a huge potential for growth. The college is a partner providing in BCT (Braintree, Colchester and Tendring) WBL and T2G Consortium. In addition the college leads and manages its own T2G Consortium.

Inspection

Braintree College was last inspected by OfSTED in December 2007. It was graded as satisfactory in all cross-college areas and overall. For the curriculum areas, the college was graded good in two areas and satisfactory in six.

Key strengths identified at inspection included: good development of learners' personal skills and confidence; effective links with local schools that benefit learners; effective actions to improve success rates; well managed quality improvement of teaching and learning; and, good facilities for sport and science.

The areas for improvement identified at inspection included: more effective target setting for learners; the need to increase the proportion of teaching which is good or better; the need to extend links with employers; the need to raise aspects of quality assurance; and, to improve its financial position.

Recent financial years has seen a consistent decline in the financial health of the College. The Colleges financial health category has decreased from Category A to Category C with no forward projection for immediate or short term improvement. All of the colleges reserves have been exhausted

| | 2004/05 Actual | 2005/06 Actual | 2006/07 Actual | 2007/08 Forecast | 2008/09 Forecast | 2009/10 Forecast |
|--|-------------------|-------------------|-------------------|---------------------|---------------------|---------------------|
| Calculated Health Score | A | A | C | C | C | C |
| <i>Source: Learning and Skills Council</i> | | | | | | |

5.2 Colchester Institute

Colchester Institute is a large general college of further and higher education with a main campus in Colchester, two further sites at Clacton, a learning centre in Dovercourt, and an engineering training centre at Stanway. Colchester Institute draws learners from Colchester and Tendring, but also serves a broader geographical area which in part overlaps with Braintree College.

On the main Colchester site, the Institute is currently undertaking a major redevelopment programme. This programme will provide new build accommodation adjoining existing good quality space and result in the demolition of older accommodation.

Colchester Institute has developed provision for 14-16 year olds, which is integral to the development of broader full time 14-19 provision. There are currently 500 plus 14-16 learners at the college, through collaboration with local secondary schools, accessing work related programmes at Key Stage 4.

Colchester Institute focus their 16-19 programmes exclusively on vocational provision, and have developed a broad and extensive offering with in excess of 3,300 16-19 learners. The college offers a wide range of full time and part time provision with opportunities to progress to higher education. The college has CoVEs in Hospitality and Catering, and in Construction. Additionally, there is an ICT CoVE which is delivered in liaison with five other Essex colleges. The college has a commitment to meeting the needs of learners with learning difficulties and disabilities, with 400 full and part time learners.

FE learner numbers (LSC Funded) at Colchester Institute in 2007/08

| | Aged 16 to 18 | Aged 19+ | All ages |
|-----------|---------------|----------|----------|
| Full-time | 2,891 | 415 | 3,306 |
| Part-time | 474 | 2,685 | 3,159 |
| Total | 3,365 | 3,100 | 6,465 |

The college is the lead partner in the Braintree, Colchester and Tendring work based learning consortium. The college's work based learning provision is primarily in construction and engineering. The college has Train to Gain provision in hospitality, retail and basic skills.

Learners aged under 19 years old

The main sector subject areas in which the college delivers currently are:

- Preparation for Life and Work
- Retail and Commercial Enterprise
- Engineering and Manufacturing Technologies
- Arts, Media and Publishing.

Analysis of enrolments for learners under 19 by level in 2007/08 revealed that 41% were at level 2 followed by 35% at level 1/Entry and 22% at level 3.

Adult Learners

The sector subject areas with the highest number of adult enrolments were:

- Preparation for Life and Work
- Information and Communication Technology
- Business, Administration and Law
- Retail and Commercial Enterprise.

Analysis of adult enrolments by level in 2007/08 revealed that 36% were at level 2 followed by 35% at level 1/Entry and 25% at level 3.

Inspection

Colchester Institute was last inspected by OfSTED in October 2006. It was graded 'good' in all cross college areas and overall. It was graded as outstanding in hospitality and catering provision, with all other provision good or satisfactory.

The key strengths identified at Inspection were: a clear strategic direction and good governance; success rates for adults on long courses, and for 16-18 year olds at level 1 and 2; good provision in work based learning; very effective teaching to develop learners' skills; and, a broad range of vocational provision with productive links with employers and community organisations.

The areas for improvement identified at inspection included: success rates for 16-18 year olds at level 3 and for short courses; the management of tutorial provision; and the promotion and reinforcement of equality and diversity.

The college enjoys strong financial health, and indications are that the financial health of the college will remain strong. The forecast slip to Category B is solely due to the borrowings required to support the capital redevelopments of the college. The consistent surplus generation in recent years supports the likelihood of continued strong financial health.

| | 2004/05 Actual | 2005/06 Actual | 2006/07 Actual | 2007/08 Forecast | 2008/09 Forecast | 2009/10 Forecast |
|--|-------------------|-------------------|-------------------|---------------------|---------------------|---------------------|
| Calculated Health Score | A | A | A | A | A | B |
| <i>Source: Learning and Skills Council</i> | | | | | | |

6 Benefits of the Merger

6.1 Headline Benefits of Merger

The colleges consider that the main benefits of merging will be:

- to improve education opportunities 14-19 in Braintree so that more learners can participate, progress and succeed
- greater choice for learners in Braintree, and a more coordinated approach to 14-19 learner provision in the town given the new developments planned in neighbouring schools
- to address the weaknesses and reductions of opportunity identified in the 2007 Ofsted inspection of Braintree College
- the complementary nature of the strengths of each college, leading to potential benefits for existing and future learner cohorts, and local communities
- that local employers will have access to a stronger and broader based employer engagement unit, bringing together the skills and expertise of the two colleges
- a more diverse range of vocational opportunities
- increased opportunities for the merged college to invest in skills developments, through increased financial stability, to improve access, raise quality and improve success rates

6.2 Curriculum benefits of the merged College

Braintree College has developed a broad portfolio of 16-19 provision encompassing both vocational and academic areas of work. Changes taking place in the development of the post-16 landscape in the Braintree District suggest that a stronger vocational focus may be required into the future. Adult provision has been developed at the college, but there is further potential for employer engagement. There is currently no HE funded provision at Braintree College.

Colchester Institute has developed an extensive vocational provision for 14-19 and adult learners, with clear routes into Higher Education and an expanding HE portfolio. There are clear opportunities for the merged college to extend and develop vocational provision for all age groups and at all levels.

6.3 Financial benefits of the merged College

The improved financial strength of the merged college will be used to support increased learner choice, improvements in quality of provision, and meeting the needs of learners who have been traditionally difficult to engage.

The combined turnover of the two colleges is approximately £41 million, based on existing financial forecasts for 2007/08. The colleges have identified the following financial advantages of the proposed merger:

- a larger organisation will have greater financial capacity to invest and develop learning facilities for a wider range of learners, through access to greater borrowing potential
- due to economies of scale and the elimination of duplicate costs and activities, some significant cost savings will be made
- longer term financial viability will be easier to achieve through efficiencies in space and utilisation arising through review of overall accommodation needs
- the improved strategic and commercial position will increase the range and diversity of opportunities to expand the potential income generation of the merged college

6.4 Quality benefits of the merged college

The merged college will benefit from the quality strengths exhibited by Colchester Institute at its most recent inspection, with clear advantages to learners. In addition, the only areas where Colchester achieved a grade 3 in inspection are the areas where Braintree achieved a grade 2 so there will be opportunities to share expertise from each college in terms of improving quality post-merger. Success rates are generally improving at both colleges and there will be opportunities to share areas of good practice and high quality. The merger will support improved financial stability, and assist in the development of an improved curriculum offer to Braintree learners.

6.5 Capital plans and travel to learn patterns

Travel to Learn patterns indicate that there is no need to amend the existing capital plans of the two colleges. The distance between the colleges suggests that there is likely to be some unnecessary provision duplication and, therefore, that a review of particularly expensive space should be undertaken to ensure that space is not replicated unless necessary. The experience Colchester has gained in undertaking its capital redevelopment scheme will be essential in whatever redevelopment occurs at Braintree in the future.

7 Rationale for Re-organisation

The main rationale for the merger of the two colleges is the creation of additional positive benefits for local learners in terms of greater choice, higher quality, better progression, raised success levels, better travel to learn propositions and closer employer engagement.

The merger will provide shared expertise, joint planning, improved shared resources, greater curriculum cohesion and improved progression. Learners in all of the local communities will benefit from this merger between two colleges who already collaborate successfully in a number of areas.

Many of the benefits identified for 14-19 learners will also apply to adult learners. It is also anticipated that the merger will increase the number of local enrolments, thus strengthening the college's role in the community.

Other reasons for merger include:

- improving partnerships and community cohesion, and thus developing a more coherent approach to learner recruitment within the area
- new programmes, initiatives and provision for learners needing specific support in pursuit of individualised learning and increased independence
- a more rapid response to government agendas, for example in relation to employer engagement, with a commitment to better resourced skills training in the wider Braintree area
- a strengthened and improved curriculum for the area working closely with partner institutions. In particular, the merged college will develop world class expertise in vocational specialisms in Care, Construction, Hospitality and Retail, The merged college will support partner education institutions to ensure the area's 14-19 offering is comprehensive, effective, accessible and of the highest quality
- support for the development of adult skills. The merged college aims to be the major provider of adult training in the area. It will support the further growth of Train to Gain as part of the Skills Agenda
- an increase in skills updating opportunities for the college's own staff
- increased financial stability overall
- enhanced quality improvement strategies and systems through combining expertise and effective practice, target setting and internal benchmarks
- some economies of scale should result, with all efficiency benefits reinvested in learner needs
- opportunities to extend Higher Education opportunities in collaboration with the University of Essex, building on the existing provision and increasing progression opportunities.

8 Vision and aims for the merged college

8.1 Vision

The vision for the merged college is:

“To be the first choice provider of top quality vocational education and training throughout the communities it serves”

This vision will be the starting point for the merged college and will be developed and refined as appropriate. The vision and values will drive the college and, working with stakeholders, staff and partners, the vision will become reality.

Colchester Institute has substantial experience of collaborative working and will build upon this to develop appropriate provision to meet the needs of the area served by the merged college. The college currently operates from several sites and the ‘college at Braintree’ branding will be developed as part of the merged college.

In particular, the merged college will aim to maintain and enhance vocational provision in the Braintree district at pre-Foundation, level 1, level 2, and level 3. Alongside this, in collaboration with other local providers, will be a review of ‘A Levels’, with a consideration of the relative strengths of different suppliers within the area.

The merged college will develop a clear focus on vocational work, consolidating high quality provision, and supporting the development of strong partnerships to deliver provision which is outside the mission of the college.

8.2 Aims

The aims for the merged college are to:

- extend the breadth and quality of learning across the full range of learner need working in partnership with other providers to build on relative strengths and ensure high quality provision for all learners
- offer an enhanced learner support service, to combat disadvantage, and enable individual learners to achieve their maximum learning potential. In particular, Colchester Institute has a strong commitment to meeting the needs of learners with learning difficulties and disabilities. There are opportunities to develop this provision across the area served by the merged college
- create flagship learning resources and environments.
- become an employer of choice for all staff in the merged college
- maintain financial stability and manage risk effectively, to ensure success against the above aims.

In particular the merged college will:

- map existing recruitment patterns against local area demographic information and LSC priorities, to identify client groups whose needs are not currently met by either college
- continue to support partnership working especially in relation to crucial issues such as the 14-19 agenda and the development of Diploma provision across the area
- carry out a full curriculum review of all provision to eliminate duplication, replace programmes that are no longer fit-for-purpose and introduce new qualifications. The college will analyse travel to learn patterns and these will inform the development of provision at different college sites
- develop the employer engagement agenda across the extended area served by the merged college
- increase Train to Gain numbers, and develop new approaches to work based learning
- underpin the above objectives with transformational leadership, with the active participation of a fully engaged workforce, and with an adherence to a common set of values.

9 Consultation and the Merger Process

The Learning and Skills Council Essex are now formally consulting on the merger proposed between Braintree College and the Colchester Institute. Consultation is for a period of six weeks with a closing date for comments on **26th May 2009 by 5pm**. All responses will be acknowledged by Learning and Skills Council Essex and copied to the two colleges.

The Learning and Skills Council, East of England Regional Council will consider the results of the consultation alongside the outcomes of the due diligence report.

The full proposal will be considered in a separate meeting and measured against nationally determined criteria. At that stage it may be decided to support the merger and forward a proposal to the Secretary of State for Innovation, Universities and Skills. 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 Secretary of State for Innovation, Universities and Skills may approve the formal submission, or reject the proposal. If accepted, the necessary Order will be made with a view to the dissolution of Braintree College taking place on **1st January 2010**.

All consultation responses will be included in the file sent with the proposal to the Secretary of State for Innovation, Universities and Skills.

Appendix A

CIRCULATION LIST

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

14-19 Area Planning Group Chairs
Awarding bodies
Association of Colleges (AOC)
Association of Colleges (Eastern Region) (ACER)
Association of Learning Providers
Business Link
Department for Innovation Universities and Skills
District Councils in the vicinity
Employers
Essex County Council
Federation of Essex Colleges (FEDEC)
HEFCE
Job Centre Plus
Local Further Education Providers
Local Headteachers
Local Learning Partnerships and/or LSP Subgroups
Local MP's
Local Work Based Learning Providers
Ofsted
Princes Trust
Regional Development Agency
Sector Skills Councils
Sixth Form College Forum
Student Unions
Teaching and Staff Unions
Train to Gain Consortium leads (Essex)
University Vice Chancellors
Youth Offending Teams

Appendix B (i) Statutory Draft Proposal

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 BRAINTREE COLLEGE UNDER SECTION 27 OF THE ACT

NAME OF THE FURTHER EDUCATION CORPORATION AND INSTITUTION:

Braintree College

ADDRESS:

Church Lane, Braintree, Essex. CM7 5SN.

GENERAL DESCRIPTION OF THE EDUCATION PROVIDED AND THE NUMBER OF LEARNERS AT THE INSTITUTION:

Braintree College is situated in Braintree Town in Braintree Local Authority District. The College provides education for a broad learner market ranging from 14-16 year olds, 16-18 year olds and 19+. It offers a broad academic and vocational curriculum across all three levels for its 1,000 16-18 learners and a range of part-time and short courses for its 1,500 19+ learners. Work Based Learning is delivered through Entry to Employment (E2E), Apprenticeships and Train to Gain. There are approximately 800 learners currently engaged in Work Based Learning activity.

REASON FOR PROPOSING DISSOLUTION OF THE CORPORATION:

The governing body of Braintree College is proposing to merge with Colchester Institute. This would be achieved by the dissolution of the existing Further Education Corporation of Braintree College and the transfer of its property, rights and liabilities to the Further Education Corporation of Colchester Institute.

The principal reason advanced by the governors of the colleges in support of the proposal is to extend the breadth and quality of learning across the full range of learner need working in partnership with other providers to build on relative strengths and ensure high quality provision for all learners.

DATE PROPOSED FOR THE DISSOLUTION OF THE CORPORATION:

1st January 2010

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

Provision will be made for those learners at Braintree College who have not completed their courses by the date of the dissolution to complete their studies at the joined college.

Appendix B (ii)

Statutory Summary of the Draft Proposal (NOTICE)

**FURTHER AND HIGHER EDUCATION ACT 1992
THE LEARNING AND SKILLS COUNCIL**

Braintree College, Church Lane, Braintree, Essex

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 Braintree 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 **Braintree College**, in order that the college may merge with **Colchester Institute**. It is proposed that the property, rights and liabilities of the corporation be transferred to the corporation of **Colchester Institute**.

The date proposed for the dissolution is **1st January 2010**.

Provision will be made for all learners at **Braintree College** who have not completed their courses of study by the date of the proposed dissolution to complete their studies at the joint college.

A copy of the draft proposal is available free of charge from the LSC 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 **5pm, Tuesday 26th May 2009**. Representations should be made in writing to:

Terry Collin
Partnership Director
Learning and Skills Council Essex
Redwing House, Hedgerows Business Park, Colchester Road,
Chelmsford, Essex, CM2 5PB
www.lsc.gov.uk/regions/eastofengland/whatwedo

Date: Friday 3rd April 2009

Signed:



Janice Logie – Area Director, Essex
Learning and Skills Council

Appendix C

CONSULTATION RESPONSE PROFORMA

Responses are invited by **5pm, 26th May 2009** to the following attached documents:

- a. Consultation document on the proposed merger of **Braintree College and Colchester Institute**.
- b. Statutory Draft Proposal for the reorganisation of **Braintree 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 Essex 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 Essex.

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. 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 Essex
- The Colleges and the Learning and Skills Council Essex

Name

Organisation (if applicable)

Address

.....

Signed Date

Please return this pro-forma to:

Terry Collin,
Partnership Director
Learning and Skills Council Essex
Redwing House, Hedgerows Business Park
Colchester Road,
Chelmsford,
Essex
CM2 5PB

By 5pm on 26th May 2009.

Statutory Draft Proposal

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 BRAINTREE COLLEGE UNDER SECTION 27 OF THE ACT

NAME OF THE FURTHER EDUCATION CORPORATION AND INSTITUTION:

Braintree College

ADDRESS:

Church Lane, Braintree, Essex. CM7 5SN.

GENERAL DESCRIPTION OF THE EDUCATION PROVIDED AND THE NUMBER OF LEARNERS AT THE INSTITUTION:

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Statutory Summary of the Draft Proposal (NOTICE)

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THE LEARNING AND SKILLS COUNCIL**

Braintree College, Church Lane, Braintree, Essex

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www.lsc.gov.uk/regions/eastofengland/whatwedo

Date: Friday 3rd April 2009



Signed: Janice Logie – Area Director, Essex
Learning and Skills Council

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Terry Collin,
Partnership Director
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Redwing House, Hedgerows Business Park
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By 5pm on 26th May 2009.