



# Subcontracting Policy

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Vice Principal Business Success

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## **Rationale for Sub-Contracting**

The College enters into sub-contracting arrangements for the following reasons:

- To meet the skills and training needs of Wolverhampton and its region by providing training and education which complements the College's offer
- To support the College in meeting the needs of priority sectors, where specialist provision is required

Our purpose for commissioning sub-contracting arrangements is to deliver the following outcomes for learners:

- To enhance the opportunities available to learners through local and accessible provision
- To fill gaps in niche or expert provision, or provide better access to training facilities which exceed facilities available through the College
- To support better geographical access for learners who have preferences for delivery sites that are more easily available to them
- To offer an entry point for disadvantaged groups including delivery for maths and English and other learners who are constrained by work commitments or their socio-economic backgrounds
- To meet the needs of learners who share protected characteristics

The College will not sub-contract apprenticeship provision to partners who are also the employing organisation for the apprentices concerned.

## **Sub-Contracting Agreements**

Sub-Contracting Agreements comply with current ESFA and WMCA Funding Rules.

All apprenticeship sub-contractors must comply with ESFA requirements to be approved as 'Supporting Providers' on the Register of Apprenticeship Training Providers (RoAPT). Failure to do so will result in termination of contract.

All sub-contractors must comply with ESFA/WMCA Funding Rules and be listed on the UKRLP site and have a valid UPRPN and a valid entry on Companies House for accounting purposes.

## **Authorisation of Sub-Contracting Agreements**

Sub-contracting Agreements and any subsequent variations are authorised by the Principal or an individual to whom the Principal gives specific delegated authority.

## **Sub-Contracting Management Fees**

The range of fees for managing sub-contracted delivery is ordinarily 15% - 20%. A full annual risk-assessment is undertaken to establish the appropriate management fee for each sub-contracted partner, which includes:

- Previous track record of delivering Government funded programmes
- Financial stability including review of company reports and director evaluation (including reference to ESFA guidance on High Risk subcontracted provision).
- Overall and timely success rates (where applicable).
- Outcomes of compliance monitoring audits and visits (where applicable)
- Outcomes of Learner and Employer surveys and monitoring (where applicable)
- CVs for delivery staff

- Quality Assurance Arrangements, including teaching and learning
- Qualification Assessment Centre Status
- Timely submission of records (where applicable)
- Insurance cover and all required legal kite marks
- DBS and safeguarding monitoring

In the case of specific compliance concerns arising which necessitate external audit activity, these costs are chargeable to the sub-contractor.

In the event of a partner delivering from College sites, fees may rise up to 50%, where a partner benefits from some or all of the following associated additional services:

- Security
- Cleaning
- Reception
- Rates and utilities
- Exam registration costs borne by the College
- Initial Advice and Guidance (IAG)
- Student support services (e.g. counselling)
- Fees advice
- Enrolment services
- Marketing
- Joint EQA activity
- Open days/evenings
- College enrichment activities

### **Sub-contractor Management Activities**

The contracts team is responsible for the management of all sub-contracted provision. The team provides the following services:

- Due diligence and risk assessment for existing and potential sub-contractors
- Monitoring of quality and compliance, including planned audits together with unannounced visits throughout the year
- Sub-contractor review meetings
- Access to a named monitoring officer for all data and ILR processing/queries
- Policy, funding, quality and compliance advice
- Capacity building including the development of teaching, learning and assessment and Observation and grading of subcontractor staff (teaching, learning and assessment)
- Opportunities to bid for joint projects where these meet College priorities
- Assistance with advertising, shortlisting and recruiting apprentices including guidance on using Levy and non-Levy portals
- Administration of internal and external learner and employer surveys
- Awarding body registration and IQA and EQA activities where applicable
- Processing of apprenticeship employer incentive payments
- MIS data entry and enrolment procedures
- Learner eligibility checks and funding rules guidance
- Employer registration identification numbers
- Access to ALS specialists
- Access to a Teaching and Learning Advisor for CPD purposes

- Access to Marketing and Employer Engagement specialists
- Development through professional activities, self-assessment reviews and quality improvement plans
- Learner identification badges to enable access to College facilities including VL platforms

### **Timescales for Payment of Invoices**

All sub-contractor arrangements will be paid on the on the basis of an agreed proportion of funding, relating to valid funding claims, within 30 days of the invoices being authorised by the College.

### **Publishing of Data**

An annual statement of key data will be published within 30 days of the ILR year-end close. This data will include for each sub-contractor:

- The name of the sub-contractor
- The UKPRN number
- Their Agreement start and end date
- The type of provision: programme; age range
- The amount of funding received from the ESFA and/or WMCA
- The amount of funding paid to the sub-contractor during the academic year
- The amount of funding retained by the College

### **Contribution to improving Sub-Contractors' quality of teaching and learning**

The College offers a full range of teaching, learning and assessment delivery qualifications, which partner providers can access. The College's teaching, learning and assessment criteria is shared with sub-contracted partners to be used as a minimum standard. Meetings are brokered between the sub-contractors and College curriculum areas with responsibility for delivering in the same sector, in order to facilitate the sharing of best practice.

### **Communication of the Sub-Contractor Policy**

The Sub-Contractor Policy is reviewed on an annual basis and amended to reflect changes to funding guidance and College policy for the next contract year. The policy is reported to the Board for approval, discussed with partners during review meetings and is published on the College's website under the College Governance page.

### **Contingency Planning**

In compliance with ESFA and WMCA Skills funding rules that apply, if a subcontractor withdraws from the arrangement, or if a sub-contractor goes into liquidation or administration, the College undertakes to directly manage and deliver the remainder of the agreed provision already being delivered. This delivery will be either through its existing structure or by retaining tutor expertise and/or specialist equipment, whichever is more cost-effective. Any provision planned not yet started will be cancelled and the project closed.

For apprenticeship delivery, failure by a sub-contractor to successfully join the Register of Apprenticeship Training Providers will automatically result in termination of contracts with the College

If the College needs to withdraw from a subcontracting arrangement, sufficient notice will be provided to allow sub-contractors to complete delivery of immediate provision. The College will provide support to enable sub-contractors to identify other sources of funding if possible, or take appropriate action to complete the project; or close the project at the earliest opportunity, without prejudice to currently enrolled learners or staff.

Contracts will clearly state conditions for termination and recovery of ESFA and/or WMCA funding grants in case of non-delivery.

### **Commitment to Government Policy**

In line with ESFA policy, the College is committed to reducing its overall level of Sub-Contracting delivery by 2023. This includes, specifically, reducing the volume of sub-contracted delivery at geographically distant locations. ESFA policy also requires that the College publishes its rationale and plan for sub-contracted delivery and this document forms part of the College's response.