

Subcontracting Supply Chain Policy 2019-20

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1. Scope

This Subcontracting Supply Chain Policy is a mandatory requirement that must be in place prior to participating in any subcontracting activity from 1st August 2019. The content of this policy has been developed in line with the ESFA Funding Rules, the LSIS Supply Chain Management document and the AOC/AELP Common Accord.

This policy relates to activity funded through the **Education Skills Funding Agency (ESFA)** whereby Kirklees College enters into a subcontracting agreement with a supplier for Apprenticeship or Adult Skills recruitment and delivery.

This policy provides transparency for all sub-contractors, funding bodies and other associated parties or individuals regarding the procurement, due diligence process, support and charging rationale related to sub-contracted provision under Kirklees College's direct contract with the ESFA.

2. Rationale for Subcontracting

Kirklees College;

- Recognises the benefits that effective subcontracting can bring to extending the accessibility of provision for learners and thereby contribute to the economic prosperity of our neighboring local communities.
- Uses subcontractors to widen participation amongst learner groups that it would otherwise be "hard to reach" and other individuals that face barriers to participation in learning and work.
- Uses subcontractors as appropriate to fill gaps in, and to extend the breadth of its provision: for example, through widening the range of apprenticeship frameworks offered to employers and learners and broadening the range of sector subject areas or business sectors that can be covered.

3. Quality Improvement

Kirklees College;

- Actively works with subcontractors to improve the quality of the teaching and learning they deliver and thereby improve the overall quality of teaching and learning for all College learners.
- Undertakes observations on all aspects of teaching and learning including information, advice and guidance, progress reviews and assessment.
- Provides timely and meaningful feedback to both subcontractor and delivery staff and observations are incorporated into the College moderation and standardisation process, in order that improvement actions impact both internal and subcontractor quality.
- Carries out learner voice surveys to gather feedback from learners.
- Supports subcontractors to implement effective policies and procedures relating to teaching and learning including assessment and verification policies and procedures.
- Supports subcontractors to develop an effective Self-Assessment Report (SAR) and Quality Improvement Plan (QIP) and will incorporate subcontractors' SARs and QIPs into the whole College SAR.

4. Management Fees

- Kirklees College will retain a Management Fee of 20% of funding in 2019/20. The College also reserves the right to increase the management fee to 30%, where significant underperformance and/or intervention is required in the management of its subcontractors.
- The Management Fee is calculated based on the level of resource required: to manage effectively the individual subcontractor relationship; to ensure funding returns and requirements are met and to ensure that the high quality of delivery to learners is maintained and that any risk to the College and Skills Funding Agency is mitigated.

5. Support Provided to Subcontractors

Kirklees College:

- Has an Apprenticeships & Subcontracting Manager to manage the relationship with every subcontractor, including the co-ordination of any Invitation to Tender (ITT), Due Diligence process and regular Contract Monitoring Meetings with every subcontractor.
- Has a Head of Quality and Programme Quality Leads, to ensure that the quality of every subcontractor's teaching, learning and assessment meets the College standards and to support the continuous improvement of the subcontractor's provision, including any relevant staff training and CPD opportunities.
- Has a Head of Funding & Management Information to ensure the timely and accurate recording of student information on the College's ILR.
- Commits to undertake a regular and substantial programme of quality assurance checks on the education and training provided by subcontractors, including visits at short or no notice and face-to-face interviews with staff and students. These checks include whether the learners exist and are eligible, and involve direct observation of initial guidance, assessment and delivery of learning programmes.
- Ensures that all of the subcontractor's delivery meets the ESFA's Funding Rules.

6. Payment Terms

Payment terms and method of calculation are made in line with the contract. Payments will be made on a monthly basis, at the end of the month following the delivery period, which has been validated and payment confirmed by the ESFA. Payments will be made based on the funding confirmed and received, less the applicable Management Fee.

7. Communication

The Fees and Charges Policy will be routinely communicated to and discussed with current subcontractors as part of the contract review process.

The Fees and Charges Policy will be communicated to potential subcontractors as part of the procurement process.

The Fees and Charges Policy is available on the College website www.kirkleescollege.ac.uk

8. Policy Review

The fees and charges policy will be routinely reviewed annually, however, may be reviewed in-year in response to any relevant changes in government policy or funding rules.

9. Invitation to Tendering and Due Diligence

The college has a due diligence framework. To be considered for subcontracting please contact the College at tenders@kirkleescollege.ac.uk . The process for bidding to become a subcontractor will involve, as a minimum:

- Completion of **Due Diligence Application Form**
- Completion of **Invitation To Tender Form**
- Two satisfactory and current references
- Satisfactory annual accounts for the last three years
- Satisfactory track record of delivering government funded training e.g. achievement rates

In addition, in order to pass the Due Diligence stage, the Provider will need to pass a quality assurance visit by an appropriate member of College staff.

As a minimum, all subcontractors will be required to re-validate their due diligence every three years.

10. Intervention

When a subcontractor is not performing according to contract, or there have been other significant issues and/or 'causes for concern' identified which may be of a financial, quality or audit nature, the Apprenticeship & Subcontracting Manager will refer the matter to the Assistant Principal (Quality & Apprenticeships), Director of Finance or Vice-Principal for Curriculum, Performance and Innovation, as appropriate.

Action taken may include, but not limited to:

- The production of an Action Plan, with or without identified support.
- Financial penalty
- An **Improvement Notice** issued
- Higher Management Fee imposed, with mandatory support
- Termination of contract

11. Using Subcontractors in the Delivery of Apprenticeships

From the outset of each apprenticeship, the College and employer will agree a plan for its delivery. The College must directly deliver some of the apprenticeship training and/or on-programme assessment associated with each employer's apprenticeship programme. The volume of training and/or on-programme assessment that the College will deliver for each employer will have some substance and will not be a token amount

The College may use delivery subcontractors to complement its own delivery, if requested by an employer and agreed at the start of an apprenticeship. Within an employer's apprenticeship programme, delivery subcontractors will deliver either substantial or part-apprenticeship training for frameworks and standards. The scale and make-up of an employer's programme may vary from month to month or from year to year.

When an employer's apprenticeship programme includes subcontracted delivery, the College will draw up a Written Agreement, specifically to set out which parts of the programme will be delivered by the College and which parts by the delivery subcontractor.


Marie Gilluley
Principal and Chief Executive


Gerard Hetherington
Chair of the Corporation