

Subcontracting Policy 2024-2025

Introduction

The purpose of this policy is to provide accurate and comprehensive information on how First College procures its subcontracted services and the pricing framework used. This policy provides transparency for all sub-contractors, funding bodies and other associated parties or individuals regarding our procurement, due diligence process, support and charging rationale related to sub-contracted provision.

Scope

This policy applies to all subcontracted provision supported with funds supplied by the Education and Skills Funding Agency (ESFA), or any successor organisations, and is a mandatory requirement for subcontracting activity.

Values

The vision of First College is to deliver high quality learning that raises participation and attainment that meets the individual needs of learners through collaborative partnership working and employer engagement.

First College will look to work with subcontractors that have high expectations for our learners and who will ensure that they maximise their full potential, whilst delivering the highest quality teaching, learning and assessment that facilitates progression in employment, to employment and/or higher learning. First College will seek to build supportive and mutually rewarding long-term relationships, built on honesty, trust and respect.

First College will in the first instance consider direct delivery, however, the benefits that effective subcontracting can bring in extending our range and accessibility of provision for learners and employers is recognised. First College may engage in subcontracted delivery that offers little or no financial benefit but affords a significant reputational or other advantage.

Overarching Principle

First College will use its subcontractors to optimise the impact and effectiveness of its learning delivery to our learners and employers and will therefore ensure that;

- Subcontractor management activities comply with the principles of best practice in the skills sector
- Procurement activities undertaken are fair and transparent through robust due diligence procedures
- The highest quality of learning delivery, demonstrating value for money and a positive impact on learner lives is achieved
- Learners are safeguarded and are able to access learning support in the same way as those attending First College
- The funding retained by First College relates directly to the costs of the services provided. These services and the levels of funding being retained will be clearly documented and agreed by all parties
- The subcontractors will have sufficient staff capacity and capability in place to deliver the learning and First College will have sufficient staff capacity and capability to manage the contracts
- The quality of the subcontracted provision is monitored and managed through established quality assurance processes and procedures which provide both challenge and support
- Where disputes between subcontractor partners cannot be resolved through mutually agreed internal procedures, First College will submit to independent arbitration and abide by its decision

Governance

The Board of Trustees provide strong strategic leadership, they determine policy, oversee strategic planning and financial management and monitor progress against learning and operational objectives. Trustees are responsible for the setting and communicating of strategy, goals and targets, and educational character, whilst having an oversight of subcontracting activity as an integral part of these functions.

Rationale

First College engages with subcontractors to better meet learner and employer needs and those of our local community. Reasons are varied but can include;

- To support the strategic objectives of First College
- To secure positive local community benefits
- To enhance the opportunities available to young people and adults
- To provide a curriculum offer that meets identified national and local priorities
- To support skills development and employment opportunities
- To temporarily expand provision to meet a short-term need
- To provide immediate provision whilst expanding direct capacity
- To explore and learn about new sectors prior to investment in resources
- To provide access to, or engagement with a new range of learners and employers
- To ensure delivery intention is met where there is a recognised risk in direct provision
- To support another provider to develop capacity/quality
- To provide niche delivery where the cost of developing direct delivery would be prohibitive
- To support employers with a wide geographical requirement

Due Diligence

First College will undertake a robust process of due diligence when selecting potential subcontractors to ensure the highest quality of learning delivery is made available, that demonstrates value for money and has a positive impact on the experience of both learners and employers.

Potential subcontractors must complete and submit a pre-qualification questionnaire at the expression of interest stage, through this process First College will test the provider robustness to assess and mitigate any potential risks.

First College will not procure the service of subcontractors who are not registered on the Apprenticeship Provider and Assessment Register (APAR).

Contracting

Successful subcontractors will be issued with a contract for the period from when the contract commences until the end of the current contract year, namely 31 July XXXX. No learners can be recruited until this written agreement is in place. Established subcontract arrangements will be reviewed annually with a new contract awarded annually. The subcontract will accurately reflect the ESFA Performance and Management Rules.

Subcontractors are required to have robust internal policies to ensure compliance with legislative undertaking and general good practice. These policies are to be regularly updated and effectively implemented, the requirements of which are identified in the contract.

First College recognises that it is fully accountable for the delivery of all activity it subcontracts and will ensure that all learners are provided with the opportunity to complete and achieve their agreed education and training.

Quality Assurance

Published date

May 2015

StaffHB

2.19

Date of last review

13 August 2024

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Updated

13 August 2024

Next review due

17 April 2025

First College is committed to improving the quality of teaching, learning and assessment as well as the learner and employer experience across its provision and will work with its subcontractors to enable continuous improvement across the range of provision offered.

The following processes are in place to help monitor the quality of subcontracted provision and to actively improve quality on an ongoing basis;

- Data checks and support
- Schedule of quality assurance audits conducted throughout the year
- Initial assessment and guidance, teaching, learning and assessment observations
- An annual review and risk assessment with target setting to include minimum success rates
- Ongoing monitoring of performance including measurement against the ESFA Accountability Framework
- Regular contract meetings between First College and its subcontractors
- Regular monitoring and review meetings identifying good practice and areas for improvement
- Support for the training and development of subcontractors and their employees
- Regular support to ensure information, advice and guidance meets ESFA requirements
- Annual survey of learners, employers and subcontractor staff

All subcontractors are required to hold the Matrix Standard or will agree to achieve this within 12 months of subcontract commencement.

All subcontractors are required to undertake a self-assessment process in accordance with the Education Inspection Framework and contribute to First College's self-assessment report and quality improvement plan. First College will support partners in this process and in the setting of clear targets for improvement.

Fees and Charges

Subcontractors will be provided with details of the services that will be provided and the costs associated with the delivery of these services. Details of all services and their associated costs are recorded in Schedule 2, the Subcontractor Services and Charges, of the First College Subcontractor Learning Agreement. The amount of funding retained by First College will cover the costs incurred by First College in the management and administration of the contract.

The services provided will ensure the provision of:

- Recruitment and vacancy support via the governments Apprenticeship Vacancy Site
- Administration and Finance
- Quality assurance
- MIS function and the submission of funding claims to the ESFA
- Awarding organisation support
- Contract meetings
- Monitoring and review meetings
- A named Contracts Manager and Liaison Officer
- Due diligence support guidance and checking
- Audit and compliance checks

The services provided and associated costs may increase where First College identify the subcontractor to be high risk or if a higher level of support is required. Equally the services provided and associated costs may decrease if the subcontractor is identified as low risk and the level of management support required is significantly lower than for other subcontractors. If additional/exceptional services are required of First College there will be separate costs, based on usage (such as awarding organisation activity, internal quality assurance, additional learning activity etc). These costs will be clearly documented and agreed by all parties.

Payment

Payment will be made monthly subject to all necessary paperwork and records having been submitted. Payment terms will be within 30-days from invoice receipt.

Policy Review and Communication

First College will review this policy annually, with approval of this policy by Trustees. Any changes to the policy will be communicated to existing subcontractors through ongoing contract review. This policy will be discussed with new subcontractors prior to engagement. This policy will be posted on the First College website, to be accessed by organisations that may have an interest in working with First College.

Signed



Paul McCooey
Chair

Signed



Ian Dickinson
Chief Executive