



**Adult  
Learning  
& Skills  
Service**

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# **SUBCONTRACTING POLICY**

## **2020-2021**

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## **SUBCONTRACTING POLICY**

### **1. Introduction and Purpose**

Rutland County Council (RCC) is committed to making the best use of resources when securing the provision of education and training. The 'subcontracting' out of the Education and Skills Funding Agency (ESFA) provision of training and education is one route to secure provision. This policy describes the principles underpinning the selection and management of subcontracted provision to ensure that it meets the required standard.

RCCs policy is to follow the ESFA guidelines for procuring high quality subcontract provision that meets the needs of the business. The aim is to build a long term partnership with a culture of continuous improvement.

#### Rationale for Subcontracting

- Subcontracting enables the RCC to deliver high quality niche provision in areas where subcontractors' have extensive and focused specialist expertise
- Subcontracting ensures cost effectiveness of programme delivery on occasions when it may be desirable for the RCC to run certain programmes but it is not viable for the College to build up in-house resources and expertise.
- Subcontracting widens the range of progression opportunities for learners, both from Subcontractors' to the RCCs programmes and vice versa.
- Subcontracting provides good development opportunities for both the RCC and its Subcontractors, to share good practice and new ways of working.

RCC will only work with high quality providers and for any provision the subcontractors have to be graded 1 or 2 by Ofsted Inspectors.

Upon commencement of the subcontracting process, RCC will ensure that:

- The proposed delivery is in the best interests of learners and employers and adds value to the work of the RCC, to our learners and community.
- The proposed delivery has a clear strategic fit with our mission, objectives and values
- There is sufficient expertise within the RCC to quality assure the provision throughout the learner journey.
- There is sufficient staff resource in support areas to administer the processes and make alternative arrangements in the event of subcontractor failure to ensure continuation of provision and that learners are not disadvantaged
- The Subcontractor is approved by our due-diligence process
- There is sufficient funding available within our funding contract
- The Subcontractor agrees to work within the terms of our contract and is willing to engage in a mutually supportive relationship

## **2. Implementation**

### **2.1 Due Diligence Process**

The first stage in establishing the partnership is the completion of a rigorous Due Diligence process. This ensures that each partner's financial, quality and learner support arrangements are robust. The Funding and Quality teams will fully support the partner to complete this process.

Companies House checks on Company Directors will be undertaken. Partners will be asked to refresh their Due Diligence on an annual basis.

The potential subcontractor will have to provide the college with details, including:

- Organisation Details
- Contact names, addresses and telephone numbers of all Company Directors/Secretary/Partners.
- Details of other college contracts
- Performance Data including previous success rates for each cohort/programme, by type of student
- Latest audited accounts for a financial viability health check
- Employer, Public and Product Liability
- Health and Safety Policy
- Equality and Diversity Policy
- Schemes of work for proposed programmes
- Details of approved centres for examinations
- CVs including professional qualifications and CRB checks of all staff
- Evidence that all staff have undertaken safeguarding training
- Data Protection Policy
- Sustainable Development Policy
- Performance Data

Additional information may be requested.

### **2.2 Working with the Employer**

As part of RCCs commitment to quality and ensuring the highest quality of learning is provided, the team support employers and providers throughout the delivery of the programme.

RCC will work with the partner to ensure that the appropriate paperwork and processes are in place to support learner starts and progression, and to ensure that ESFA Audit requirements are met. RCC is able to provide all of the relevant paperwork, however if the partner prefers to use their own paperwork we will review this to ensure that it meets requirements.

### **2.3 Quality Assurance and Improvement**

RCC is committed to ensuring subcontracting partners are able to deliver quality provision through robust quality assurance and improvement processes and supporting partners in developing QA and QI procedures in order to maximize the benefits, to learners and other stakeholders, of the subcontractors provision.

Managers at RCC will support and encourage the implementation of robust quality assurance and improvement in partner institutions and, where appropriate, other staff will participate in QA and QI procedures.

RCC advocates and promotes a rigorous self-assessment model and will require evidence of self –assessment in partner institutions that leads to operational and strategic improvement in provision.

Quality Assurance documents that we hold centrally and evaluate the most up-to-date reports provided as evidence of the outcomes and impact of quality assurance. Documents to be reviewed include:

- Latest Ofsted Report
- Quality Assurance Policy
- Verification of Assessment Practices and Standard (EV Reports and IV Plan)
- Classroom / Workplace Delivery Methodology and Effectiveness, to include
  - Observation Policy and Procedures
  - Observation of Teaching, Learning and Assessment Criteria
  - Observation of Teaching and Learning Summary Report
  - Samples of Graded Observation Reports
- Learner and Stakeholder Views
  - Learner Voice Policy and Procedures
  - Learner Feedback Report and Analysis
- Self-Assessment and Improvement Planning
- Staff Development Policy
- Monitoring Learner Progress
- Safeguarding
- Prevent and British Values
- Study Programme

A joint Quality Review meeting will be held at least twice a year so that our evaluation can be discussed and any follow-up activity confirmed. RCC will carry out regular and substantial quality assurance checks with each subcontractor to ensure high quality delivery is taking place that meets the funding rules. This will include telephone interviews with learners and involve direct observation of initial guidance, assessment, and delivery of learning programmes.

RCC require that subcontract partners submit dates, times and venues of all training that is scheduled to take place, in both classroom and the workplace. Unannounced visits will take place throughout the duration of the contract.

### **3. Subcontract Fees Policy**

The current recommended management fee for new contracts with new subcontractors will be 16.5%, however this can vary dependant on the level of support provided. This will fund the administration, the leadership and management time to ensure quality is delivered and to improve the provision if required. The college can also deduct any costs associated with delivery of any education to the learners.

The management fee is calculated using risk assessment of the following factors:

- Track record of the Subcontractor with regard to meeting quality benchmarks, success and funding targets.
- Financial standing of the Subcontractor.
- Anticipated demands of the contract on the College's resources including levels of support.

The payments to the contractor will be based upon the following:-

Actual monthly earnings of the subcontract provision to the college	x
Less the management fee and cost of the college delivering learning as a %	<u>y</u>
Balance payable to the subcontractor	z

The ESFA retain 20% of funding until the learning aim has been successfully achieved, and this is reflected in the payment methodology outlined above. Learner achievement will be claimed once all necessary evidence and paperwork has been submitted to college.

This policy will be discussed with potential subcontractors prior to the Due Diligence process commencing, at the negotiation stage.

This policy will be reviewed during the 2021 Summer term to reflect any updates to the ESFA funding rules. This policy will be published on RALSS website – [www.ralss.org.uk](http://www.ralss.org.uk) .