

Middlesbrough Council Community Learning Subcontracting Policy

2023/24

Our commitment

Middlesbrough Council Community Learning is committed to offering high quality learning supported and enhanced by third party training providers. Middlesbrough Council Community Learning promises to ensure that any delivery funded through Education and Skills Funding Agency (ESFA), Tees Valley Combined Authority (TVCA), Department for Work and Pensions (DWP), Department for Education (DfE) or any other part-funded projects, is represented by a high-quality learner experience and is good and proper use of public funding. Our current preferred partners can be found on our website.

Objectives

This policy provides transparency for subcontractors, funding bodies and other associated parties or individuals regarding the procurement, due diligence process, support and charging rationale relating to subcontracted provision for Middlesbrough Council Community Learning.

Rationale

Middlesbrough Council Community Learning intends to sub-contract part of its delivery to ensure learners receive a high-quality experience, regular one to one support and training in the workplace. Subcontracting supports Middlesbrough Council Community Learning to meet the demands and variety of learning required within the region in order to meet the needs of our learners. Where subcontracting of delivery does occur, the following criteria applies:

- There are clearly identified strategic benefits to the subcontracting arrangement.
- The subcontracting organisation has a strong knowledge and track record in the delivery of the subject through publicly funded provision.
- The provision is suitably located to enable effective quality assurance monitoring and audit by Middlesbrough Council Community Learning.

Subcontractor Procurement and Due Diligence

As part of the contract Middlesbrough Council Community Learning will follow a comprehensive process to ensure any potential provider has a proven track record, has the capacity and capability to deliver to our requirements and complies with appropriate funding agency regulations. Middlesbrough Council Community Learning has a formal due diligence process, which is as follows:

- Applications invited from prospective subcontracting organisations.
- Initial conversation and application review with the interested subcontracting organisation to ascertain provision type, capacity and capability.
- Due diligence form issued to prospective subcontracting organisation.
- Agreement to progress onto the due diligence stage confirmed in the subcontracting policy (documents requested for processing).
- Receipt and review of due diligence information by Middlesbrough Council Community Learning, and risk analysis completed.
- Prospective subcontracting organisation offered or denied a contract based on outcome of due diligence checks.
- Service Level Agreement (SLA) signed by both parties and profile agreed.

Management Fee Policy

The percentage of funding retained by Middlesbrough Council Community Learning as a management fee covers the costs associated with the management of subcontracted provision and includes an appropriate level of mark-up on such costs. The costs will vary according to the type of provision and level of involvement by Middlesbrough Council Community Learning personnel. These costs include, but are not limited to, the following: Registration & certification (varies from programme to programme)

- Contract management.
- Data entry and administration.
- Quality assurance.
- Data management incorporating systems and licence costs.
- Exam fees and End Point Assessments.
- Learner eligibility screening.
- Learner resources and materials.
- Elements of provision delivered by Middlesbrough Council Community Learning personnel.
- Course marketing and learner recruitment.
- Commissioning partner staff training and development.

Due to the various permutations of the subcontract partnership, the management fee rates will vary between a minimum of 0% and a maximum of 20% of the value of the funding drawn down in the contract period, for the programmes that are subcontracted.

Partnering and support with subcontractors to improve Quality of Teaching and Learning

Middlesbrough Council Community Learning values the benefits of a collaborative approach to partnering with subcontractors, to ensure our learners experience and support is exceptional. The support and facilities that will be made available to subcontracting organisations include:

- Sharing of relevant information and publications/updates from the ESFA, TVCA and OFSTED, made available to Middlesbrough Council Community Learning.
- Sharing feedback and insight to trailblazer programmes.
- Sharing best practice and standardisation in relation to funding processes, induction, progression, learner views, quality assurance etc.
- Sharing of learner resources and tools.
- Opportunities for training and workshop attendance and standardisation.

Payment Terms

Middlesbrough Council Community Learning recognises the importance of an efficient payment schedule and will always endeavour to ensure that payment for provision is made as soon as possible, on receipt of fully complete paperwork. The payment schedule is as follows:

- Funding report released by TVCA, DfE or ESFA following closure of funding return window determines an indicative funding amount Middlesbrough Council Community Learning will receive each month.
- Summary of activity and invoice supplied by subcontractor to Middlesbrough Council Payment to subcontractor within 30 days of invoice.

Communicating this Policy

This policy is published on Middlesbrough Council Community Learning's website. Interested subcontracting organisations will be signposted to this policy prior to any contract agreement, which is reviewed as part of the contract management process.

Policy Review

Middlesbrough Council Community Learning will review this policy at the end of every academic year, following any changes to TVCA, DfE or ESFA funding guidance and regulations, and pending any changes in subcontracting arrangements. Middlesbrough Council Community Learning reserves the right to change the policy in particular instances where the policy is deemed to be unsuitable, which may be without warning. Subcontracted funding information will be published on an annual basis or when required by the relevant funding agency.

Policy last reviewed date: 1st August 2023

Next review date: 31st July 2024