

Policy title:	Sub-Contracting		
Scope:	Achieve Training		
Policy owner & job title:	Lee Mellor of Quality, Compliance and Funding		
Signed:		Date:	01/08/21
Approver:	Dan Canavan, Executive Director of Achieve Training Achieve Training Board (Minutes with approval available on request)		
Signed:		Date:	01/08/21
Date:	01/08/2021	Review Due Date:	31/07/2022

POLICY SUMMARY

This policy sets out how Achieve Training comply with the ESFA rules in respect of subcontracted provision. Achieve Training is committed to delivering a wide range of high-quality learning opportunities to young people and adults. To meet this aspiration, Achieve Training has partnered subcontracted provision and joint delivery arrangements with a number of training organisations. These arrangements have been entered into to ensure that:

- Achieve Training can offer as broad a range of choice and opportunity as possible, whilst still supporting its core direct delivery
- All learners receive the highest possible standards of teaching and learning
- Achieve Training supports its partners and subcontractors in raising their standards of delivery and quality of teaching and learning
- Achieve Training supports its partners and local employers to offer a wider range of choice and opportunity
- Demand is driven by employers and local area business need; particularly in response to COVID 19 and the changes to working practices

Associated Policies & Procedures: none

1. POLICY STATEMENT

In 2020 Achieve Training's sub-contracting policy was reviewed and reduced the number of sub-contractors that we are working with to five organisations (although we have some legacy learners that we continue to support to complete their programmes of learning) for both the Study Programme and Apprenticeships. Our current sub-contractors are:

- North Staffordshire Engineering Group (NSEGTA)
- Rebus Training
- Northern Premier League (Eliteform)
- Newcastle Town Football Club
- Jill Clewes Academy of Performing Arts

Over the following three years we have a strategy to further reduce our sub-contracting arrangement to ensure that we comply with the ESFA

requirements for sub-contracting, whilst still enabling Achieve to respond to local employer needs and the Stoke and Staffordshire LEP Economic and Skills Strategy.

Achieve Training will continue, on an on-going basis to improve the quality of any subcontracted arrangements which is evidenced by:

- pre-contract activity which assesses the capability, capacity and readiness of our partners and subcontractors to deliver the proposed programmes of learning;
- contract reviews which are undertaken on a regular basis, dependant on risk, which encompass the quality of provision delivered, learner progress, teaching and learning and contract performance to ensure continual professional development
- advising on the quality of provision and ways to improve working between Achieve Training and our partners.
- Closely monitoring performance and compliance with ESFA funding rules

2. SUPPLY CHAIN FEES AND CHARGES POLICY

We have strong working relationships with all our sub-contractors to ensure that all sub-contracted provision is ESFA compliant and provides:

- high-quality teaching, learning and training to all learners
- a safe environment in which to study/work through safeguarding arrangements in respect of health, safety, safeguarding and well-being.

Achieve Training's supply-chain fees for subcontracting vary dependent upon the level of support required by our partners. These fees are reviewed regularly and are adjusted as to ensure appropriate use of public funds. Achieve Training typically retain between 10% and 20% of the ESFA funding it receives against each learner, this is applied equally to both on programme and outcome payments. The percentage level of the sum retained is dependent on the following factors:

- the services being provided to our partners and Achieve Training;
- the vocational routes contracted for and the levels of risk associated with those routes;
- the additional support that the subcontractor may need to raise quality of teaching and learning as well as overall standards, evidenced by;
 - Joint CPD events
 - One to one coaching and mentoring
 - Frequency of contract monitoring
 - Outcomes of such monitoring and support provided.
 - The existing level of experience that our partners hold prior to subcontracting with Achieve Training

Subcontractors receive support from Achieve Training to deliver services to clients; typically this involves:

- Regular contract monitoring visits, frequency based on risk assessment according to the performance of the subcontractor; these will:
 - Identify issues with performance, exploring the organisations current intent and evaluation of the impact.
 - Develop and Monitor a bespoke Action plan, to ensure constant improvement in the quality of the provision.
 - Discuss learner progress, issues or support needs identified.

- Offer IAG on how to deal with specific situations and support that can be provided.
 - Sample, monitor and discuss the quality of teaching, learning through observations, analysis of completed learner work and compliance documentation.
 - Identify CPD requirements in response to any identified issues
 - Provide support materials for delivery, for example support with how to embed wider elements such as Prevent, British Values etc. Provide learner support for example materials for dealing with the stresses of working remotely during the pandemic.
- Experienced staff as a point of call and support to enable the subcontractor to contact Achieve Training for any questions and queries relating to their provision, funding arrangements and quality improvement.
 - Invitations to Achieve Training support activities in such areas as Safeguarding, health, safety, Prevent, British values, as well as learner well-being.
 - Performance assessment of activities such as teaching, learning & assessment.

In addition to the direct support, Achieve Training provides a broad range of management information and performance reports to support the effective and timely delivery to learners and to monitor performance against agreed targets in line with ESFA data performance monitoring.

3. FINANCIAL HEALTH ASSESSMENT OF THE PROVIDER

Achieve Training undertakes a financial health assessment of all subcontractors to mitigate the risk in terms of capacity and capability to deliver.

Before provision is agreed, due diligence and scrutiny of policies is undertaken to obtain sufficient information to satisfy Achieve Training that the subcontractor has the potential to deliver high quality services to Achieve Training's learners.

As set out in the contract all sub-contractors are expected to comply with the contractual conditions and those set out within the ESFA funding rules at the time.

Sub contracted providers are required to confirm and register to be providers through the Register of Apprenticeship Training Providers (RoATP) and Register of Training Providers (ROTO) as appropriate.

It is the responsibility of the sub-contractor to advise of any material change to its circumstances in terms of financial status, OFSTED grade, awarding body sanction etc, which would revise the outcome of the initial and ongoing annual due diligence assessment.

If the subcontracted partner does not meet the performance standards set out in the contract, Achieve Training reserves the right to trigger the penalty clauses included in the contract and take actions as necessary with the provider to ensure performance improves and learners are fully supported. If improvements are not forthcoming it is the responsibility of Achieve Training transfer the learners to alternative provision, whether that be in-house or to an appropriate partner organisation. And terminate the contract.

4. REPORTING SUBCONTRACTING ARRANGEMENTS

Achieve Training will, as required by the ESFA in its funding conditions, declare the amount of subcontracted provision undertaken as well as a declaration of the individual providers, with whom Achieve Training hold a delivery partnership subcontract with.

Achieve Training will maintain a contract with the respective subcontractor and delivery partner in line with the requirements of the ESFA.

In line with ESFA requirements, Achieve Training will obtain independent assurance of its continuing compliance with ESFA subcontracting rules by way of annual audit assessment. A copy of the certificate, report and any actions required will be shared with the ESFA on a yearly basis to coincide with the start of each ESFA contract year.

5. PAYMENT TERMS BETWEEN ACHIEVE TRAINING AND THE SUBCONTRACTOR

Achieve Training sets out clearly defined monthly targets to each individual partner. The payment terms and evidence requirements are detailed within the appropriate subcontractor's contract.

Payment processes are compliant with ESFA contractual requirements and are made available on a monthly basis. This is providing that our partner has submitted the appropriate evidence, ensuring that it is an accurate data set of activity and meets the needs of the learner and Achieve Training.

Achieve Training provides a monthly claim summary to our partners which sets out the payments for the month and details any amounts withheld typically where further evidence is required.

Once Achieve Training is satisfied with the quality of the subcontractor's provision for the month, the payment will be made to the subcontractor. Payment is typically made within 30 days of Achieve Training receiving their monthly payment from the ESFA where all contractual processes are complied with.

6. PUBLISHING OF THE SUBCONTRACTING POLICY

The Policy will be published on the Achieve Training website as well as being forwarded to all appropriate subcontractors and made available as required to funders and partners.

Equality & Diversity:

This policy has been considered against our Equality and Diversity Policy and no additional provisions are required.

7. RESPONSIBILITIES OF ACHIEVE TRAINING

To ensure the effective application of this policy in respect of subcontracted and partnered provision to ensure that the policy and its application are compliant with ESFA funding rules.

To ensure that the delivery of high-quality teaching, learning and training is provided to learners and adequate safeguards are in place in respect of health, safety, safeguarding and well-being.

8. RESPONSIBILITY OF THE SUBCONTRACTOR

To comply with this policy and the requirements of the contract and ESFA funding rules.

To co-operate with and respond to all reasonable requests for information and assistance required by Achieve Training to ensure this policy can be implemented effectively.

To meet the requirements of the OFSTED education inspection framework, retain MATRIX or equivalent quality kite mark accreditation and any other conditions required as part of the funding agreement.

To comply with awarding organisation requirements.

To provide regular updates on performance and data to evidence and support learners in line with ESFA data reporting requirements.

To provide access to Achieve Training colleagues to help ensure that provision continues to meet quality and compliance requirements.

To advise Achieve Training of any issues in undertaking the duties set out in the contract or material changes in its status as a training provider.

To deliver teaching, learning and training services to the highest possible quality in line with this policy and to ensure that health, safety and safeguarding arrangements are fit for purpose to protect learners.

9. OUR SUBCONTRACTOR AND DELIVERY PARTNERSHIPS FOR 2021/22

NSEGTA	REBUS
NORTHERN PREMIER LEAGUE	NEWCASTLE TOWN FC
ACADEMY FOR THE PERFORMING ARTS	