

## **Middlesbrough Council Community Learning Subcontracting Policy 2020-2021**

### **SUB-CONTRACTING AND MANAGEMENT FEES POLICY**

#### **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 promise to ensure that any delivery funded through Education and Skills Funding Agency (ESFA), Tees Valley Combined Authority (TVCA) or part funded by European Social Fund (ESF) grants and public funding, is represented by a high quality learner experience and is good and proper use of public monies.

Our current preferred partners can be found on our website.

#### **Objectives**

This policy provides transparency for sub-contractors, funding bodies and other associated parties or individuals regarding the procurement, due diligence process, support and charging rationale relating to sub-contracted 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. Sub-contracting 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 clients.

Where subcontracting of delivery does occur, the following criteria are enforced:

- There are clearly-identified strategic benefits to the sub-contract arrangement.
- The sub-contracting 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 Education and Skills Funding Agency regulations.

Middlesbrough Council Community Learning has a formal due diligence process, as follows:

- An initial briefing with the interested sub-contracting organisation to ascertain provision type, capacity and capability.
- Agreement to progress onto the due diligence stage confirmed in the Subcontracting Policy
- Details of the due diligence requirements to be provided to the interested sub-contractor.
- Receipt and review of due diligence information by Middlesbrough Council Community Learning qualifications and quality team; a risk analysis is completed and submitted for approval.
- Sub-contractors are invited to deliver a strategic development plan.
- Proposal of provision to sub-contract issued and summary of due diligence findings reported.

### **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 sub-contracted 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)
- Data entry & administration
- Quality assurance
- Data management incorporating systems & licence costs
- Exam Fees and End Point Assessment
- Learner eligibility screening
- Learner resources and materials
- Elements of provision delivered by Middlesbrough Council Community Learning personnel

Due to the various permutations of the sub-contract partnership, the management fee rates will vary between a minimum of 0 % and a maximum of 15% of the value of the funding drawn down in the contract period, for the programmes that are subcontracted.

### **Partnering and support with Sub-Contractors to improve Quality of teaching and learning**

Middlesbrough Council Community Learning value the benefit in ensuring a collaborative approach to partnering with sub-contractors, to ensure our learners experience and support is exceptional. The support and facilities that will be made available to sub-contracting organisations, as part of continuous improvement and a true partnership include;

- Sharing of relevant information and publications/updates from the SFA 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 is practical after delivery has taken place and within the agreed payment terms. Payment schedule is as follows:

- Funding report released by 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 sub-contractor to Middlesbrough Council
- Payment to Sub-contractor within 30 days of invoice agreed by both parties.

**Communicating this Policy**

This Policy is published on Middlesbrough Council Community Learning's website; interested Sub-contracting 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 ESFA guidance and regulations and pending any changes in sub-contracting arrangements.

Middlesbrough Council Community Learning reserve the right to change the policy in particular instances where the policy is deemed to be unsuitable, this may be without prior warning.

**Subcontractor Funding Payments**

Subcontracted levels of funding paid and retained will be published on our website on annual basis (or when required by the Funding Agency)

Date : 14 Dec 2020