

Sub-contracting Policy

Policy Details	
Policy Owner	Director of Operations & Stakeholder Engagement
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Statement of Intent

This policy sets out both the subcontracting strategy of Halesowen College (the College) and the applicable supply chain fees and charges. The policy aims to ensure transparency and equitability around subcontracting and the associated retained fees.

This policy will be supplied to potential subcontractors at the point of being invited to tender. The policy is signposted in the Subcontracting Procedures which are provided to all subcontractors, and available on the College website along with the College's subcontracting delivery value.

1. Introduction and Purpose

- 1.1 This policy governs provision subcontracting within the College. The College recognises that it holds full accountability for the delivery of subcontracted activity and that this cannot be assigned to subcontractors.
- 1.2 It is the responsibility of both the College and their subcontractors to refer to the rules and guidance of the relevant funding agency (Education and Skills Funding Agency, DfE or relevant Combined Authority) and any future updates in all matters regarding the delivery of the contract.
- 1.3 Roles and responsibilities for the College and the subcontractors are clearly defined from the outset and all subcontractors are required to agree and sign a Contract for the provision of education or training services with the College.

2. Definitions

- 2.1 "Subcontracting" refers to providers delivering education or training on behalf of the College. This encompasses subcontractors listed on the West Midlands Combined Authority Sub-Contracting Declaration, together with the ESFA 'Declaration of Subcontractors' if relevant.

3. Linked Policies

- a) Data Protection Policy
- b) Equality Diversity Inclusion Policy
- c) Internal Quality Assurance Policy (Subcontracting Quality Procedure)
- d) Risk Management Policy
- e) Complaints Policy

4. Responsibilities

4.1 This policy is owned by the Director of Operations & Stakeholder Engagement. The management of the subcontracting provision of education or training is provided through the College MIS team and the College Compliance Manager, under the guidance of the Director of Operations & Stakeholder Engagement

5. Subcontractor Strategy

4.1 Subcontracting will be reviewed and awarded annually, and must fulfil at least one of the following aims:

- a. To support the strategic objectives of the College or national, devolved, or local government (e.g. creating progression into employment)
- b. To enhance the overall quality of the College's provision
- c. To serve a specific demographic need that would not otherwise be met (e.g. hard to-reach learners)
- d. To bring positive local community benefits
- e. To build capacity in high demand subject areas
- f. To fill gaps in niche or expert provision or provide better access to facilities
- g. Not to compete with existing College provision, unless for strategic or quality enhancement reasons

4.2 In addition to the above, subcontracting of Adult Education Budget funding:

- a. Will deliver provision to residents in the West Midlands and local areas with the aim of meeting WMCA and LSIP Priorities.
- b. Where we have received an allocation from ESFA, DfE or any other relevant source of funding, the College will deliver provision in the specified areas, with the aim of meeting the requirements of the funding authority.

4.3 The College aims to build supportive and mutually rewarding relationships with its subcontractors, built on trust and respect, for the benefit of students, communities, and employers. The College will not subcontract to fulfil short-term funding objectives.

4.4 The college will not subcontract to any organisation not aligned with its values and ethos. All subcontractors must be able to demonstrate a commitment to Equality & Diversity and also have the welfare of staff and students at the core of their business.

6. Due Diligence

6.1 The College carries out thorough due diligence checks prior to the appointment of a subcontractor and reviews these checks on an annual basis.

6.2 As part of due diligence checks the College considers that:

- a. A subcontractor has the financial ability to deliver to the requirements of the subcontract.
- b. A subcontractor has a good credit rating.
- c. A subcontractor can pass other financial health checks as required.
- d. A subcontractor can evidence a track record of quality provision with successful learner outcomes

7. Supply Chain Fees and Charges

7.1 The 'Supply Chain Fees and Charges' applies to subcontractors of the College, as listed on the 'Subcontractor Declaration' and notified to the WMCA. The College negotiates with partners a retention % relevant to the management of sub-contracted delivery. This retention is calculated to cover day-to-day management of subcontracted delivery, monitoring of learner progress, collecting, and updating due diligence, ensuring audit compliance, dealing with partner queries, coordinating self-assessment processes, quality and compliance monitoring, as well as other similar services as needed.

7.2 The retention also includes administration support to process the data, ILR management, Middle and Senior Management support (working with national agencies, funding bodies, advice relating to policies, WMCA guidance, etc.), and management of funding and finances (preparation and processing of payments).

7.3 The retained percentage may be increased where a higher level of administrative and management support is necessary for a particular subcontractor. The retained percentage may be decreased where the level of administrative and management support required is significantly lower than for other subcontractors.

7.4 The College will endeavour to ensure the retained fee arrangements for different subcontractors are fair and equitable based on these parameters. If additional and/or exceptional services are required of the College in ensuring quality subcontractor provision, there will be a separate fee agreed above the core retention percentage based on usage (such as Internal Verification, additional training etc.).

7.5 Specific details of the fees retained will be outlined in the sub-contracting agreement for each sub-contractor and stated on the WMCA Subcontractor Declaration.

8. Procedures

8.1 Subcontracting intentions for each year will be proposed, based on an allocated budget. The Subcontracting Procedures document is reviewed and updated annually and provided to subcontractors as part of their annual contract.

- 8.2** If a subcontracting arrangement could potentially evolve into a partnership or become a potential acquisition for the college this will be referred to the Corporation Finances and Resources committee.

9. Payment Terms

- 9.1** Payment terms and timings are set out within individual Contracts under schedule 1 'Calculation of the Price and Invoicing' and schedule 5 'Funded Learners'. The College pays subcontracting partners by BACS the proportion of fees due in respect of valid paperwork provided by the subcontracting partner to the College and under the terms of the Contract issued. The payment is calculated on data submitted to the WMCA (or relevant funding authority) by the College in the preceding month and paid in line with Contract terms; normally within 30 days of the ILR data return.

10. Quality of Teaching, Learning and Assessment

- 10.1** In order to allow for appropriate oversight and support of quality of delivery, the following measures are currently in place to monitor providers:

- a. Termly performance quality reviews are overseen by the Assistant Principal for Standards and Quality. The outcome of these reviews are reported to the Senior Leadership Team.
- b. Termly contract management performance reviews are held with the Compliance Manager and the Director of Operations & Stakeholder Engagement.

- 10.2** In addition to quality monitoring meetings, a range of other meetings take place with subcontractors. These take the form of: contract review meetings; direct observation of IAG; joint lesson observations; and contract compliance spot checks. Other ad hoc meetings, visits and discussions take place for general issues as they arise, but these also form part of our relationship management and support for sub-contractors. Such meetings inform the College's RAG rating of subcontractors' performance in Teaching, Learning and Assessment, and give rise to actions and interventions where appropriate.

11. Contingency Plan

- 11.1** If for any reason, financial or otherwise, a subcontractor is unable to continue delivery either temporarily or permanently; the College will work with the subcontractor to ensure the continuity of delivery for learners enrolled on college programmes appropriate to the circumstances. Options may include, but are not limited to:

- a. Delivery at College, other appropriate premises or online
- b. Delivery using College staff
- c. Transfer of delivery to an alternative subcontractor
- d. Transfer of delivery to an alternative college
- e. Linked policies and regulations
 - HALESOWEN College Financial Regulations

- Education and Skills Funding Agency 'Funding and Performance Management Rules'
- Education and Skills Funding Agency 'Subcontracting funding rules for post16 education and training'

Equality, Diversity and Inclusion Statement

Halesowen College values social and cultural diversity and aims to ensure you will find the College to be an inclusive and welcoming place to study. We are a learner focused organisation with values based on trust, integrity and respect. We seek to provide a working environment free from harassment, discrimination and victimisation. We will not tolerate any form of discriminatory behaviour against actual or potential learners, visitors or employees.

Regular checks of suppliers will be undertaken to ensure they are FREDIE complaint insofar as this is possible. Our procurement policy ensures that suppliers and contractors have appropriate policies in place. The college encourages the use of local suppliers with whom we can partner.

The College aims to actively promote equality of opportunity and challenge discriminatory attitudes. Equality and diversity affects everyone as we all work in diverse teams with people of different genders, ethnic origins, sexual orientation, ability, beliefs, values, and working styles. It is important to understand what we mean by equality and diversity, how it impacts on everyday life, and the reasons for and benefits of promoting it. We are committed to creating an inclusive College, where people are treated with dignity and respect and where we anticipate and respond positively to different needs and circumstances so that everyone can achieve their potential.

The college uses a range of events and activities including training and workshops to raise understanding and awareness with the aim of developing diversity and inclusion skills. The college takes any allegation of hate, bullying, victimisation or harassment extremely seriously and will take disciplinary action in the event of any substantiated claim.

We will communicate to our community our EDI commitments and achievements.

College of Sanctuary

We were the first College in the West Midlands to be awarded the College of Sanctuary accolade in recognition of the safe, welcoming environment we provide for everyone, but particularly for those students who are asylum seekers, refugees or migrants. We are committed to providing an environment where our whole community can Learn, Succeed and Flourish. Birmingham is a City of Sanctuary; to read more about the City of Sanctuary initiative you can download and view the City of Charter on this page.

Reviewed / Approved	By	Date
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Approved	n/a	
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