

Supply Chain Subcontracting & Payment Policy – 2020-21

Review

Formal Review Cycle	Annual		
Latest Formal Review (date)	July 2020	Next Formal Review Due (date)	July 2021
Policy Owner	Vice Principal Partnerships and Commercial		
Policy Author	Head of External Funding and Contracts		

Approvals

Board of Corp Y/N	Y	Committee		Date Board approved	28 July 2020
SLT Y/N	Y	SLT date approved	28 July 2020	Additional committee	

Publication

Website Y/N	Y	Intranet Y/N	Y	Student VLE Y/N		Other	
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Change History

Version	Date Reviewed/ Revised	Description of Change	Reviewed by	Approved by

Supply Chain Subcontracting & Payment Policy 2020-21

1. Policy Statement

- 1.1. This policy is a policy of the City of Sunderland College, trading as Education Partnership North East (which includes Sunderland College, Hartlepool Sixth Form College and Northumberland College). These colleges will be referred to as “the College” throughout this document.
- 1.2. The College is committed to excellence at the heart of everything we do. This means we are continually striving to develop and maintain outstanding partnerships and student outcomes. We expect high quality provision which responds to the needs of students, local communities, employers, regional economic agendas and government priorities. This is why we are focused on extending and diversifying the range of courses delivered to engage new and niche markets; to widen participation, and respond to emerging needs. As part of this plan we are deeply committed to developing two-way mutually beneficial partnerships with high quality, low risk supply chain subcontractors to deliver only the best education and training.

2. Scope

- 2.1. This policy covers both our Subcontracting and Fees Payment Policy, which fulfils the requirements of the Education & Skills Funding Agency (ESFA).
- 2.2. This policy applies to all organisations who hold a supply chain subcontract for the delivery of education and training with the College, either procured through the College’s framework agreement or subcontracted delivery procured outside of the agreement to meet specific needs, all in line with our subcontracted plan.

3. Aims of the Policy/Underpinning Principles

3.1. The principles guiding this policy include:

- High quality subcontracted provision that will meet the professional values, high standards and priorities of the College.
- High level of support and guidance provided to support subcontractors to continually improve the quality of their provision.
- Full compliance with the ESFA and Office for Students funding rules.
- Efficiency in payments to subcontractors that are in line with the terms of the agreement.

3.2. The College subcontracts the delivery of education and training for the following reasons:

- Extend and diversify the range of courses delivered to engage those not in employment, education and training (NEETs), develop new and niche markets, and widen participation, realising positive social and economic benefits in response to emerging needs.
- Achieve the College’s strategic goal of shaping and evolving a careers focused curriculum to meet the current and future demands of the region’s labour market, this includes developing clear progression routes

- Grow long term, sustainable, two way, mutually beneficial partnerships with low risk, outstanding supply chain partners, ensuring an offer which complements the existing product portfolio of the college.
- Grow the College's market share through strengthening trusted, two way mutually beneficial partnerships in line with the strategic goal of engaging partners locally and regionally.
- Continue to develop and maintain outstanding student outcomes by placing excellence at the heart of everything we do.
- Enable the College to respond quickly to changing demands, through a flexible, agile supply chain.

3.3. The College's priorities for subcontracting include:

3.3.1. Provision

- 16-18 Community Based Study Programme and Princes Trust, which engages NEETs.
- 19+ Maths & English Provision, first full Level 2s, Employment Route-ways and the Health and Wellbeing of Communities.
- 19+ Distance Learning linked to key sectors, employers and progression to the College's further and higher education provision.

3.3.2. Key sectors

- Advanced Manufacturing & Engineering – including the automotive sector and process industries.
- Construction
- Digital
- Health and life sciences
- Land based industries and visitor economy
- Professional business services.

3.3.3. Target student groups

- 16-18 Year olds with a focus on NEETS.
- 19+ unemployed.
- 19+ employed and earning below earning threshold to receive full funding.

3.3.4. Geography

- The North East of England comprising the North East Local Enterprise Partnership and Tees Valley Combined Authority areas.
- 16-18 provision will be predominantly focused on Sunderland and surrounding area, Northumberland and Hartlepool and surrounding area in the Tees Valley.
- 19+ provision will be focused on the North East Local Enterprise Partnership and Tees Valley Combined Authority areas.

3.4. The College values diversity and inclusion and is committed to promoting equal opportunities and eliminating discrimination. Therefore, everyone will apply and administer this policy fairly and consistently to ensure that there is no discrimination on the grounds of age, disability, gender reassignment, marital and civil partnership status, pregnancy and maternity, race, religion or belief, sex, sexual orientation.

4. Responsibilities

4.1. Board of Governors:

- Consider and approve the College's policy annually
- Receive and consider reports on subcontractor provision including quality of education and financial performance
- Seek assurances that the College is complying with the ESFA funding rules

4.2. Executive Leadership Team:

- Consider and approve subcontract plan
- Consider and approve subcontract awards
- Receive and consider reports on subcontractor provision including quality of education and financial performance
- Seek assurances that the College is complying with the ESFA funding agreement

4.3. Vice Principal Partnerships & Commercial (Group):

- Strategic oversight of all aspects of Supply Chain delivery
- Receive reports on all aspects of subcontractor performance, seeking assurance that delivery is of high quality and low risk, that aligns with the College's strategic aims, objectives and subcontract plan

4.4. Head of External Funding & Contracts:

- Responsible for the end to end management of supply chain partners
- Ensuring full compliance with ESFA funding rules
- Monitoring and reporting on all aspects of subcontracted performance to the Vice Principal Partnerships & Commercial (Group), Executive Leadership Team & the Board of Governors, to confirm we only fund high quality, low risk supply chain partners

4.5. Subcontracting Steering Group:

- Operational oversight of subcontracted delivery focusing on quality, compliance and risk

4.6. External Funding & Contracts Team:

- Operational responsibility for the administration of all aspects of each subcontract relationship
- Ensuring full compliance with ESFA Funding Rules, Audit requirements, College Policies & Procedures

4.7. Curriculum Link Managers / QTLA Manager:

- Operational management and support for all aspects of quality assurance

4.8. Subcontractors:

- Ensuring delivery fully complies with all aspects of the subcontract, ESFA funding rules and audit
- Ensuring full compliance with all college policies and procedures
- Immediately informing the college of any risks, issues or non-compliance in relation to their subcontract with the College

5. Implementation

Teaching and Learning

- 5.1. The College is committed to outstanding teaching, learning and assessment. We will support, develop and share good practice with subcontractors through quality reviews, operational and

compliance meetings, lesson visits, professional development opportunities and employer and student evaluations.

- 5.2. Subcontractors will have access to the College policies and procedures and will need to attend training particularly when the College implements new policies and procedures.

Identifying Subcontractor Support Required and Associated Costs

- 5.3. The College is committed to ensuring the level of funds paid to subcontractors is maximised, to secure the highest quality of delivery for our students. Placing excellence at the heart of everything we do, we provide a high level of support to continuously improve the quality of our subcontracted delivery.
- 5.4. The College will pay subcontractors in the region of 75%-80% of the funding available. To ensure the effective management of subcontractors, full compliance with the ESFA and Office for Students funding rules and that we only fund high quality, low risk delivery, we provide a suite of standard support and services to our subcontractors, as a minimum, including procurement, support and contract management.
- 5.5. Payments take into consideration previous experience and delivery history; support requirements; locations of delivery; achievement rates; Awarding Body accreditation; OFSTED; EQA reports and levels of risk determined by due diligence.
- 5.6. All subcontractors receive a high level of support and guidance. The table provided in Appendix A follows an outline of the College's services provided and responsibilities in regards to partnership work. The table is not exhaustive and the level of support required is discussed with each subcontractor prior to contracts being issued taking into consideration experience, capacity, volume of provision, track record and due diligence checks.
- 5.7. The costs associated with the support outlined in the table provided in Appendix A are proportionate to the contract value, to ensure a fair and equitable contribution to costs, based on contract value. Individual costs are set out in each subcontract. As an example, the costs below have been modelled based on a £10,000 subcontract.

Curriculum Intent

- 5.8. Subcontractors will be expected work with the College to construct a destination focused curriculum that is ambitious and designed to give all students, particularly the most disadvantaged and those with special educational needs and/or disabilities (SEND) or high needs, the knowledge and cultural capital they need to succeed in life.
- 5.9. Any curriculum provided by a subcontractor partner must be coherently planned and sequenced towards developing the knowledge, attitudes and skills for future learning and employment. Students study the full curriculum and subcontractors will be expected to ensure this by teaching a full range of subjects for as long as possible, 'specialising' only when necessary. The intent of the curriculum must be matched by the subsequent impact measures, in particular the destination of students.

5.10. Subcontractors delivering the Study Programme must meet the full requirements of the Department for Education Study Programme principles.

Quality Assurance

- 5.11. Subcontractors will be monitored, supported and guided to ensure their provision fully complies with the College's approach to quality in teaching, learning and assessment, which is one of continual improvement, aligned to our strategic goals and the Education Inspection Framework. Teaching and learning is at the heart of everything we do, which ensures positive outcomes and an enriched learning experience for all students.
- 5.12. Learner voice is a primary source of information used to triangulate against other performance metrics and will be captured at key points in the academic year and shared with senior managers at both organisations.
- 5.13. High student attendance to all planned classes is a key expectation and the College will seek to assure itself that classes start and end on time and that registers are accurately reflected.
- 5.14. Subcontractors must ensure they create an environment that allows the student to focus on learning and that the resources and materials reflect the College's ambitious intentions for students.
- 5.15. Monitoring and support may be increased if the College has concerns about the quality of education being provided to students. This may include an increased frequency of no notice classroom visits including capturing learner voice. The college believes there is a strong association between the quality of teaching and learning, and the wellbeing and workload of employees. Subcontractor partners will be expected to share with the college their approach to positively managing the wellbeing and workload of their staff.
- 5.16. Each member of teaching staff will only be approved by the College following a review of their CV and qualifications, to ensure they have:
- Appropriate qualifications.
 - Good knowledge of and skills within the subject(s) and courses they are teaching.
 - Experience to teach our students.
- 5.17. Teachers and/or trainers will be expected to complete the College's 'essentials for excellence' package of training for subcontractors and DBS checks.
- 5.18. Where a teacher and/or trainer is delivering a unit of study for the first time, the subcontractor will be expected in advance of delivery to share how appropriate additional support is being provided to the teacher/ trainer and to discuss how this member of staff can be further supported by the College. Subcontractors are expected to provide intended and actual destination data to the College so that it can seek assurance that provision enables students to go on to destinations that meet their interests, aspirations and the intention of their course of study.

- 5.19. Each of our subcontractors will be allocated to a Curriculum Link and/or QTLA Manager, who's expertise aligns with the subcontracted provision being delivered.
- 5.20. Their role is to support, guide and improve the quality of teaching and learning through a schedule of planned support or monitoring activities, which include:
- Observations of Teaching, Learning and Assessment and action planning.
 - Inclusion in audit and internal inspection processes.
 - Teacher / trainer approvals.
 - Quality visits scheduled throughout the year.
 - Sharing best practice in teaching, learning and assessment.
 - Review and evaluation of students' work and progress.
 - Subcontractors attending the College's professional development events.
 - Announced and un-announced visits.
 - Achievement Rate data analysis, reporting and action planning for early intervention if Achievement Rates fall below or are forecasted to fall below required standards.
 - Quality surveys with feedback to subcontractors including action plans or intervention strategies should feedback fall below required standards.
 - Intent match against impact of the quality of education.
- 5.21. Subcontractors also get a direct link with a named person in our External Funding & Contracts team for dealing with any ad-hoc queries and a named manager as your primary link with the College.

Safeguarding, Prevent and Health and Safety

- 5.22. The College has a statutory and moral duty to ensure that subcontractors functions to safeguard and promote the welfare of children/young people and vulnerable adults receiving education and training at the College. This includes ensuring our students have support in situations where they could come into harm, be abused, be radicalised or drawn into extremism.
- 5.23. The College will ensure all subcontractors create and maintain a safe learning environment for all our students.
- 5.24. The College has a strategic safeguarding lead within the Senior Leadership Team together with a designated safeguarding lead and designated staff to ensure appropriate protocols are in place.
- 5.25. Subcontractors will be given a named safeguarding contact at the College and are required to immediately inform the college of any identified concerns or requests for early support and intervention, which will be addressed and supported in partnership with other agencies as appropriate.
- 5.26. The College's Safeguarding Policy (including Prevent) covers all members of the College community including our subcontractors and highlights specific reference to safeguarding children and vulnerable adults.
- 5.27. Our subcontractors will follow and fully comply with all aspects of our Safeguarding Policy (including Prevent).
- 5.28. Subcontractors are required to fully comply with the College's Health & Safety Policy.

Payment Terms

- 5.29. Payments are made to subcontractors once received by the ESFA or other funding body, limited to the maximum cumulative monthly value in the contract. Calculations are determined by details on the ILR which is run on a monthly basis. The College will pay subcontractors within 30 days of receipt of a valid, undisputed invoice.
- 5.30. The College defers 10% of the value of on programme payments for each student until a student is reported in the ILR as achieved (Timely Achievement for Apprenticeships) or continues into the next academic year and all conditions outlined in the contract are met.
- 5.31. Apprenticeship payments are subject to the minimum 6-week stay. No start payment will be made until after the minimum stay payment.
- 5.32. Achievement payments will be included once evidence has been received that students have received certification.

Publication of Payment Data

- 5.33. The actual level of funding paid to each subcontractor will be published by the ESFA in line with their published guidelines. The publication of this information excludes provision within the scope of the Office for Students.

Policy Communication

- 5.34. This policy is communicated to and discussed with all subcontractors as part of our contract clarification.
- 5.35. This policy is published in the public domain, available at https://mk0epnexus4mxrm4fu08.kinstacdn.com/app/uploads/2020/07/2019-20-Supply-Chain-Payment-Policy_Approved-2.pdf and supplied to all new and existing subcontractors. If you require a hard copy of alternative format and/or language please contact the partnership office on 0191 5116000.

Subcontractor Reviews

- 5.36. The College expects leaders and managers in our subcontractor partners to have a clear and ambitious vision for providing high-quality, inclusive education and training to all which is realised through strong, shared values, policies and practice.
- 5.37. Subcontractor Review meetings are scheduled in advance for the whole academic year, taking place a minimum of twice termly or more frequently, determined by provision type, scale and level of risk.
- 5.38. Appendix B sets out the areas covered as part of the review meetings.

6. Associated Documents

- ESFA Funding Agreement
- ESFA Funding Rules
- OfS Funding Agreement

7. Policy Monitoring and Review

7.1. We regularly review all our College policies to ensure equal opportunities.

7.2. This policy will be reviewed on an annual basis or when significant changes occur.

8. Equality Impact Assessment

Have you sought consultation on this policy?		No		
Details:				
Could a particular group be affected (negatively or positively)?	Impact Y/N	Description of Impact	Evidence	Mitigation/Justification
Protected characteristics under the Equality Act 2010				
Age	N			
Disability	N			
Gender Reassignment	N			
Marriage and Civil Partnership	N			
Pregnancy and maternity	N			
Race	N			
Religion or belief	N			
Sex	N			
Sexual Orientation	N			
Additional characteristics to consider				
Young Persons in Care & Care Leavers	N			
Young Carers & Care Givers	N			
Young Parents	N			
Youth Offenders	N			
Those Receiving Free School Meals	N			
If there is no impact, please explain:				

Appendix A

Group Services Provided and Associated Costs

Support / Activity	% of costs Apportioned Across Services	Annual Cost Example (Per £10,000 of contract)	Description of how each specific cost is reasonable and proportionate to delivery of the subcontracted teaching or learning and how each cost contributes to delivering high quality learning
<u>Internal Monitoring & Reporting:</u> Contract Compliance, Budget, Quality, Risk Management	5.0%	£100	Ensures the quality and compliance of provision is robustly monitored and reported to The Executive Leadership Team & Governors.
<u>Quality & Compliance External Monitoring Activities & Support</u> Contract Compliance & Quality Visits Teaching & Learning Observations Announced & Unannounced Visits Continuing Professional Development, including Training & Support (On and off Site) Curriculum Review Guidance & Support from a range of teams including: Funding Quality Intensive Support Team (Safeguarding, Prevent) MIS & Data Inclusion in audit and internal inspection processes, provision of partnership handbooks Tutor approvals	55.0%	£1,100	It ensures timely action can be taken where required to mitigate risk, ensuring the college only funds a high-quality learning experience for all our students. The % accounts for staff time from across the organisation at all levels, who are involved in the management and oversight of subcontracted delivery. This is a requirement of the College, ESFA, OFSTED and our external auditors
<u>Financial Transactions (invoicing).</u> Invoice Calculation, reconciliation, payments	1.0%	£20	Ensures Safe, Secure & Auditable Transactions to Subcontractor

<p><u>Internal Support Services:</u></p> <p>Access to Guidance & Support across all College Services</p> <p>Enrolment:</p> <p>Support with enrolment and administration procedures including initial training and regular updates/refresher sessions</p> <p>Enrolment information including supply and distribution of student charters and disciplinary procedures</p> <p>Registers, tracking of attendance, reconciliation and student transfers and withdrawals ensuring timely data returns within census points</p> <p>Supply of necessary documentation</p> <p>Data:</p> <p>Data Input & Validation</p> <p>ILR Submission and maintenance, bespoke runs, provision of ILR data to subcontractors for QA monitoring and invoicing purposes</p> <p>Data Reconciliation including, completion, achievement</p> <p>Data Queries Student tracking, forecasting, and utilising data for early intervention</p> <p>Funding approvals, eligibility checking of proposed qualifications</p> <p>GDPR, Freedom of Information requests</p> <p>Where students are aged 16-18 tracking of attendance to ensure entitlement to bursaries</p>	<p>38.0%</p>	<p>£760</p>	<p>Ensures fully compliant evidence to substantiate all public funds claimed and timely processing and submission of data to funding agency. The % accounts for staff time from across the organisation at all levels, who ensure fully compliant evidence is validated and claimed from the ESFA. This is a requirement of the College, ESFA, OFSTED and our external auditors</p>
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<p>CPD</p> <p>Access to College Wide CPD activities including annual QTLA conference, cross College events</p> <p>Requirement to complete essential training</p> <p>Specialist Support</p> <p>Advice is given re Safeguarding, Prevent, British Values, Equality & Diversity procedures</p> <p>IAG and progression opportunities are available to all students</p> <p>H&S checks of venues, Risk Assessments where appropriate</p> <p>Other:</p> <p>Any reasonable support or assistance which we can offer that a subcontractor might need.</p> <p>Maintenance of subcontractor files</p> <p>Performance reports</p> <p>Paperwork Compliance</p> <p>Course Code request</p> <p>Time Tabling</p> <p>Staff Vetting & Approval</p> <p>Contract Preparation</p> <p>Complaint investigation</p> <p>Dispute resolution</p> <p>Any reasonable support or assistance which we can offer that a subcontractor might need.</p> <p>Partnership Approvals</p> <p>Reporting on essential CPD training completion rates with expectations for 100% timely completion</p>			
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Audit Preparation throughout the year	1.0%	£20	An ESFA funding requirement, preparation and cost of audit. The % accounts for staff time from across the organisation, which ensures the college & its subcontractors are fully compliant with ESFA subcontractor controls & regulations.
Due Diligence & Ongoing Checks			
Student Learner Voice Survey			
<p>Support with ESFA Register Applications (ROATP & ROTO) including business cases, references, performance reports</p> <p><i>Exams:</i></p> <p>Exam registration and accreditation services can be provided including certificate distribution or collection of proof of achievement where subcontractors are their own accredited centres.</p> <p>IV/EV where appropriate</p> <p>Processing of achievement data, assessment boards</p> <p>Exam Fees, IQA & EQA.</p>			Only applicable where partner uses college accreditation.

Appendix B

Subcontractor Review Meetings

Confirmation of Delivery Arrangements
<p><i>Key Areas for Consideration:</i></p> <p>Qualifications, Awarding Organisations, Levels correct?</p> <p>Agreed staff are delivering?</p> <p>Any changes to staff resources, ensure all staff are approved by college?</p> <p>Any sanctions/loss of Direct Claims Status with Awarding Organisations?</p> <p>Ofsted visit/inspection?</p> <p>Any safeguarding incidents (if yes, ensure college policy & procedures followed)</p> <p>Any PREVENT incidents (if yes, ensure college policy & procedures followed)</p> <p>Has there been any health and safety incidents (if yes, ensure college policy & procedures followed)</p> <p>Has there been any information security incidents (if yes, ensure college policy & procedures followed)</p> <p>Any new sites, if yes, ensure relevant H&S checks taken place?</p> <p>Have there been any student complaints? (if yes, ensure college policy has been followed)</p> <p>Are there any other changes of circumstances e.g. ROTO, ROATP, change of company ownership, Directors?</p>
SAR/QIP Update
<p><i>Key Areas for Consideration</i></p> <p>Has the SAR/QIP been developed and submitted to College?</p> <p>What are the Key Areas for Improvement and how much progress has been made since the last visit?</p>
Student Reconciliation
<p><i>Key Areas for Consideration</i></p> <p>MIS Student List & Pro achieve Data.</p> <p>Are all students registered with the Awarding Organisation and Proxies submitted?</p> <p>Certificates claimed submitted to the College?</p> <p>Are there any discrepancies between college data and the partners' data?</p> <p>On visit check registers/contact logs and reconcile with students present.</p>

Performance
<p><i>Key Areas for Consideration</i></p> <p>Progress against targets - on and off track?</p>
Internal and External Quality Assurance
<p><i>Key Areas for Consideration</i></p> <p>Sampling plan for all students? Is it appropriate?</p> <p>What exam procedures are in place (if appropriate)?</p> <p>Review robustness of examination practices including shadowing of exam invigilation and review of invigilation records?</p> <p>Frequency of standardisation meetings? Is this sufficient and effective? How effective is feedback to Trainer/Assessors?</p> <p>Has the IQA plan been followed?</p> <p>Does the partner have Direct Claim Status?</p> <p>Are there any actions from the last EQA visit & progress made?</p> <p>Confirm examination procedures appropriate if applicable</p>
Examination of portfolios, marked work, assessments, schemes of work
<p><i>Key Areas for Consideration</i></p> <p>Schemes of Work appropriate.</p> <p>Assessment records/declarations signed and dated.</p> <p>Student progress evident.</p> <p>Relevant feedback from Trainer/Assessor evident in portfolio.</p> <p>Evidence is referenced appropriately.</p> <p>Evidence is countersigned if appropriate.</p> <p>Evidence of Functional Skills (English and Maths is embedded).</p> <p>Tracking sheets showing progress.</p>
Observation of teaching, learning and assessment
<p><i>Key Areas for Consideration</i></p> <p>Have all the Teachers/Trainers/Assessors been observed.</p> <p>What is the grade profile?</p> <p>What are the strengths and areas for improvement?</p>

Performance Management of Staff***Key Areas for Consideration***

Confirm appraisal/performance management processes for all staff.

When do appraisals/reviews take place?

What CPD have trainers/assessors completed?

Learner Voice***Key Areas for Consideration***

Meet pre-selected students

How well they are progressing, quality of TLA, usefulness of feedback, safeguarding arrangements.

Provide feedback on QDP – on programme survey.

Own survey results.

Health and Safety***Key Areas for Consideration***

Have there been any accidents or near misses since last visit?

Are there any health and safety / safeguarding concerns requiring discussion?