



## Subcontractor Policy

## 1. Introduction

For 2020/21 Education and Skills Funding Agency (ESFA) requires that we do the following:

Publish supply-chain fees and charges policy on our website before entering into any subcontracting agreements for the 2020/2021 academic year, and

Publish data on the actual level of funding paid and retained for each of your subcontractors in 2020/2021. This data must be published within 30 days of the 2020/2021 ILR closing.

In compliance with the Education and Skills Funding Agency and other agency funding rules that apply, if a subcontractor withdraws from the arrangement, or if a sub-contractor goes into liquidation or administration, the College undertakes to directly manage and deliver the remainder of the agreed provision already being delivered. This delivery will be either through existing structure or by retaining tutor expertise and/or specialist equipment, whichever is more cost effective. Any provision planned but not yet started will be cancelled and the project closed.

If the College needs to withdraw from subcontracting arrangement, sufficient notice will be provided to allow sub-contractors to complete delivery of immediate provision. The College will provide support to enable sub-contractors to identify other sources of funding if possible, or take appropriate action to complete the project; or close the project at the earliest opportunity, without prejudice to currently enrolled learners or staff.

## ETHOS, VALUES & MISSION

We are extremely proud of the education and support we provide at Hopwood Hall College.

Our priority is to provide the best possible education for our students, ensuring that each individual is given the support and encouragement they need to achieve their goals. Our values reflect the importance that we place on a caring and supportive environment expecting the highest standards of work, behaviour and commitment from our students and staff.

<https://www.hopwood.ac.uk/about/ethos-values-and-mission>

## 2. Rationale

Hopwood Hall College is committed to delivering a range of Education and Training provision that meet the skills needs of Greater Manchester sub-region and the local community.

We sub-contract part of the College Adult Education Budget for the following reasons:

1. To deliver programmes to community groups with which the college hasn't previously engaged;
2. To provide flexibility and certainty regarding the delivery of the Adult Education Budget;
3. To build capacity in specialist areas that help meet GMCA skills priorities;
4. To broaden the College's offer in-line with our strategic objectives, mission and values;
5. To offer programmes to diverse groups; and
6. To develop community partnerships.

### 3. The following are proposed for 2020/21

#### Standard Fee

The standard income split is usually for the College to retain 20% of the income relating to sub-contracted delivery.

This 20% will cover the College costs relating to data management, administrative tasks, quality assurance, support with funding rules compliance, partner monitoring etc. The sub-contractor will pay all costs associated with the delivery of the programme including exam fees and any other awarding body costs.

#### Standard fee plus additional support

Where the partnership requires additional College input eg; where audit issues have been raised, an additional amount will be retained by the College. Where the partner is new the College may also provide additional support to assist with establishing appropriate procedures. The College may retain up to a further 15% of the funding to cover these costs.

#### Quality assurance

Sub contracted activity is a fundamental part of the College's provision. The quality of the provision will be monitored and managed through the existing college QA processes and procedures.

This policy positions sub-contracted provision as a core part of college activity to enable continuous improvements in the quality of teaching and learning for both the College and its subcontractors. This will be achieved through the sharing of effective practice across the supply chain, for example through the Self-Assessment Report (SAR) process, Teaching and Learning Observations and Termly monitoring meetings.

Hopwood Hall College undertakes a financial health assessment of all subcontractors. This is to mitigate the risk to the College and the contracts they may potentially let to a subcontractor. Subcontractors with proposed contract values in excess of £100,000 are required to register and pass the ESFA Register of Training Organisation before a subcontract can be approved.

Further investigations of the subcontractor would be undertaken if the provider has been involved in any of the following:-

- Ofsted has awarded the provider a Grade 3 or 4 for Leadership and Management
- Any irregular financial or delivery activity arises such as credit ratings that move to 'above average risk'.
- Sanctions are placed on the subcontractor by the awarding organisation
- Non-delivery of training
- Negative feedback received from learners or employers
- Failure to meet any performance criteria as detailed within the contract.

All sub-contractors should work in accordance with safeguarding policies and procedures, provide DBS & risk assessment information as required and ensure delivery staff are suitable to work with children and/or vulnerable adults.

All sub-contracts are confirmed by Hopwood Hall College subject to outcome of due diligence.

## Due Diligence

The first stage in establishing the partnership is the completion of a rigorous Due Diligence process. This ensures that each partner's financial, quality and learner support arrangements are robust and meet both ESFA and GMCA funding rules and to relevant college policies, including Equality and Diversity, Safeguarding and Preventing Extremism and Radicalisation

Due Diligence checks also require partner to confirm that health & safety risk assessments are in place and latest UK Government guidance in relation to COVID-19 is being adhered to.

## Accommodation

Where the College provides accommodation in support of the delivery of sub-contracted delivery, this will normally be charged at the standard letting rate.

## Publication and Communication

In compliance with Education and Skills Funding Agency and other agency funding rules that apply, the College will publish its sub-contracting fees and charges policy and actual end-of-year sub-contracting fees and charges on its website at the start of each Academic Year.

All necessary sub-contracting declarations will be submitted in accordance with ESFA requirements.

The above policy will be accessible on the College's website and will be made clear to all sub-contractors at the point at which contract values are finalised.

## Payment Terms

Our standard payment term is 30 days from invoice date, subject to satisfactory validation checks.

## Data Protection

Subcontractors will be required to warrant that they shall comply with the General Data Protection Regulation 2018 and all United Kingdom legislation implementing it, and shall not cause the College to be in breach of such provisions. Subcontractors will be required to indemnify and keep indemnified the College against all liabilities, costs, expenses, damages and losses (including but not limited to any direct, indirect or consequential losses, loss of profit, loss of reputation and all interest, penalties and legal costs (calculated on a full indemnity basis) and all other professional costs and expenses) suffered or incurred by the College arising out of or in connection with this warranty.

## Policy review

This policy will be reviewed and approved annually.

Next review date August 2021.

## 4. Disclaimer

Hopwood Hall College reserves the right to amend its subcontracting arrangements at any time in accordance with the requirements of funding body rules and regulations.

Funded by



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