

SOMERSET SKILLS & LEARNING CIC
SUB-CONTRACTING AND COMMUNITY
LEARNING PARTNERSHIP (CLP) GRANT
FUNDING POLICY 2018/19



Somerset Skills & Learning CIC (CIC) is committed to providing high quality provision and an outstanding learner experience for all its learners, including those receiving their provision through one of our subcontractors or community based grant funded partners. Quality, Achievement and Community Development / Cohesion are key drivers for the provision. Sub-contractors and partners are required to adhere to our Policies / Procedures for the delivery of Teaching, Learning & Assessment (TLA) and engage positively in the process of continuous improvement and self-assessment.

The governing body (Board of Directors) and Chief Accounting Officer (Chief Executive) must be satisfied and confirm that all sub-contracting to be undertaken meets the CIC's Strategic aims and enhances the quality of the offer to learners, and where entering into sub-contracting arrangements, that a Subcontractor is determined to be of a high quality and low risk.

Rationale for Sub-contracting

Somerset Skills & Learning CIC is committed to the delivery of a wide range of high quality courses that meet the needs of the wider community in Somerset, in line with the funders' priorities and identified skills gaps locally. Where appropriate a percentage of that delivery is delivered through high quality sub-contractors and community based partners with the experience and expertise to meet specific learner needs. Any sub-contracting arrangement entered into by the CIC is subject to due diligence and is signed off by Director of Curriculum & Business Development.

The Scope

Somerset Skills & Learning CIC recognises the importance of ensuring that potential learners have access to relevant and appropriate learning opportunities regardless of their circumstances and we endeavour to ensure these are available through our sub contract arrangements with specialist learning providers in Somerset.

The CIC is committed to growing and diversifying the range of provision on offer, whilst also ensuring that the most disadvantaged and excluded individuals / groups can be reached through an alternative option to our mainstream sub contracted provisions.

The CIC therefore recognises the value of sub-contracting all mainstream contracts and supporting other provisions via our Community Learning Partnership (CLP) grant funded model in some instances, to ensure that it:

- Actively responds to a wide range of individual learner, family and community needs across all parts of the county.
- Engages with hard-to-reach learners.
- Can maintain a balanced and wide-ranging high quality programme offer.
- Can respond rapidly to local, regional and national initiatives.

The delivery of ESFA funded Community Learning programmes through subcontractors and our grant funded Community Learning Partnership (CLP) provisions delivered through community based partners is therefore integral to this policy and is a commitment to develop the capacity of such organisations to deliver learning in the community for the benefit of the wider community.

The Policy

Somerset Skills & Learning CIC will continue to have a mix of sub-contracted and direct delivery in 2018/19. Sub-contractors will be contracted on a limited basis and only when the best interests of the community and individuals are served through the use of partners. The CIC will only use sub-contractors when it believes it has the appropriate knowledge, skills and experience within the organisation to successfully procure, contract with and manage these sub-contractors. The CIC has well developed and established procedures relating to the safeguarding of learners, which include ensuring that sub-contracting / grant funding does not lead to the inadvertent funding of extremist organisations. The CIC will use its supply chains, networks and Community Learning Partnership to optimise the impact and effectiveness of service delivery to the end user.

The CIC will therefore ensure that:

- a. Supply chain management activities comply with the principles of best practice in the skills sector. In particular they will be guided by the principles given in the Education and Skills Funding Agency (ESFA) and Loans Company Funding Rules for 2018/19. In terms of status the CIC will only sub contract and award grant allocations to organisations that have a UKPRN number and are classed as a 'Legal entity' in their own right. This will be evaluated in terms of risk and status, as part of the due diligence process. Should the CIC have concerns about either aspect it will not allocate funds to a potential sub-contractor or CLP partner.
- b. The CIC will at all times undertake fair and transparent procurement activities in line with the CIC – Purchasing / Procurement Guide, conducting robust due diligence procedures on potential sub-contractors of Apprenticeship delivery, Adult Education Budget funded provisions (including Classroom based / Community Learning) to ensure the highest quality delivery is made available, demonstrating value for money and a positive impact on learner lives.
- c. The funding that is retained by the CIC, will be related to the costs of the services provided by the CIC in managing sub-contracted and grant funded provisions. These services, and the levels of funding being retained for them, will be clearly documented and agreed by all parties. The rates of such retained funding will be commercially viable for both sides and will be negotiated and agreed in a fair and transparent manner. They will be proportionate to the actual services being provided.
- d. The CIC, in conjunction with the Community Learning Partnership will advertise, administer and manage an annual bidding round specific to Community Learning grant funded projects in Somerset.

- e. Where disputes between supply chain partners cannot be resolved through mutually agreed internal resolution procedures, the CIC management team will engage their Board of Directors to act as an independent body. Contract documents will require both parties to agree that the achievements of supply chains are attained through adherence to the letter and spirit of contracts or partnerships. Signatories therefore commit that all discussions, communications, negotiations and actions undertaken to build, maintain and develop supply chains will be conducted in good faith.

Quality Improvement

Somerset Skills & Learning CIC encourages a relationship with its sub-contractors and community partners, that extends beyond the definitions of the contract to one which operates in a spirit of support, guidance, co-working, transparency and challenge, where necessary, in order to drive improvements and to ensure the best possible outcomes for learners.

All learners who are provided with education and training under a sub-contract arrangement or via a Community Learning Partnership (CLP) grant based provision remain the responsibility of the CIC.

Sub-contracted activity is recognised as a fundamental part of the CIC's provision. The quality of the provision will be monitored and managed through the existing CIC Quality Assurance processes and procedures in order to fully encompass all sub-contracted and CLP activity. All Sub-contractors and Community Partners will work with our experienced Curriculum Management and Quality Improvement Team to ensure that any delivery (teaching, learning and assessment) in our name meets our robust requirements for a high quality learning experience and learner achievement.

This Policy positions sub-contracted provision as a core part of CIC's activity, to enable continuous improvements in the quality of teaching, learning and assessment for both the CIC and its sub-contractor's / community partners. This will be achieved through the sharing of effective practice across the supply chain and CLP, for example through the Self- Assessment Report process.

The CIC will robustly manage and regularly monitor all sub-contractors and CLP grant funded provisions to ensure that high quality delivery is taking place and also ensure that it meets the specific funding requirements of the provision.

The CIC will ensure all current and potential sub-contractors have sight of this policy and any other relevant documents, specifically our formal Sub-contracting Agreement and detailed / comprehensive Due Diligence process.

Sub-contractor / CLP grant funded provisions are subject to internal as well as external audit and performance monitoring, including Ofsted and relevant funding agencies. Co-operation with these processes are explicit within the contracting agreement.

Supply Chain Fees and Charges 2018/19 – Apprenticeships and Classroom Based Provision

The CIC will retain 20% of all funding drawn down against the provision to be delivered. This figure represents the total cost that the CIC incurs in managing these sub-contracted provisions. This includes quality assurance / improvement activities, performance monitoring processes that the CIC undertakes and reflects any retained roles as part of the learner journey / funding body requirements. For apprenticeships, this also includes the delivery of agreed learning objectives and account management activities. The CIC also reserves the right to add additional costs to the standard management fee, which are identified during the due diligence process, they could include additional support / additional retained duties that the CIC deems necessary to ensure the quality of teaching, learning and the success rates of any sub-contracted provision.

The precise additional support / duties given to each sub-contractor will be negotiated with that sub-contractor, but will be based on a 'risk approach' and may include:

- Additional site visits
- Additional lesson observations
- Additional tutor / management support
- More rigorous verification

The CIC may also retain further funding to cover the cost of any activity that it might undertake on behalf of the sub-contractor, for example:

- Awarding Organisation fees and charges
- Hiring of facilities/equipment within/from the CIC
- Internal Verification

Additional costs are unusual and sub-contractors will be informed of an increase in the retained funding during the due diligence process and again as contracts are signed. All contracting is done on an annual basis and agreements will be recalculated and negotiated each year at contract renewal. On occasions and only in very specific situations to ensure contractual continuity for sub-contractors during a lengthy due diligence process the CIC may issue a Short Term contract, associated to carry over learners only, this ensures that sub-contractors have a contract for payment and extends the terms of the previous SLA. The issue of a short term contract must be sanctioned by the Director – Curriculum & Business Development and may last for the maximum of two months post the contractual year end. A short term contract, must only cover payment for on programme payments and outcomes associated to carryover learners and not new starts which must be funded via a new funding arrangement / contract for the contract year.

Supply Chain Fees and Charges 2017/18 – Community Learning

Somerset Skills & Learning CIC does not apply a retain funding formula to Community Learning subcontracts and Community Learning Partnership (CLP) grant based provisions, as the management of these contracts is an integral part of the support package for Community Learning Partnership provisions and the development of Adult & Community Learning in the wider community.

Payment of Sub Contractors

Payments to sub-contractors will be made following satisfactory validation of Individual Learner Record (ILR) information and essential paperwork. Payment to subcontractors will be made within 30 days from an invoice being received, subject to the verification of all necessary paperwork and records. All payments to individual sub-contractors will be made in line with the specific contents of the Financial Appendix A, agreed as part of the annual contract. All sub-contracted and CLP grant provision is subject to a full contractual / legal agreement with Somerset Skills & Learning CIC and failure to meet robust quality requirements may result in the withdrawal of all funding, as a termination of the contract may be necessary.

Payment of Community Learning Partnership (CLP) grant funded provisions

After a contract is awarded via the Community Learning Partnership (CLP) bidding / responsive allocation process and when it has been signed and returned by the CLP partner an initial allocation of 10% of the agreed project value is paid to allow / assist in the development of the grant funded activity.

The remainder of the payments will be spread across the contract year and will be paid on a regular monthly basis upon the successful submission and checking of learner paperwork. Projects will continue to work towards a mid-term target and will report on progress made on the mid-term date as per their contract.

A final payment, is made at the end of the project, pending verification of essential learner paperwork and confirmation that learners have achieved their key objectives. Final learner numbers for the project are confirmed and a final payment is made in line with the SLA financial annex.

Communication

This Policy will be reviewed and updated annually. It will be published on the CIC web site at the start of the contract year in which it will be applied. Potential sub-contractors will be directed to it as the starting point in any relationship and current sub-contractors are referred to the contents / changes of our policy annually.

Publication of Information relating to sub-contracting

In compliance with Education and Skills Funding Agency and other agency funding rules that apply, the CIC will publish its sub-contracting / fees and charges policy (**Sub-Contracting / Community Learning Partnership (CLP) Grant Funding Policy 2018/19**) on the CIC website.

Actual end-of-year sub-contracting fees and charges for the previous contract year (2017/18) will also be published on the website, early in 2018/19. This will in the first instance relate to apprenticeship delivery, classroom / employer responsive provisions and Community Learning Sub-Contracts. Details of grants made available to support Community Learning will also be published, in addition this will be published separately in an annual Community Learning Partnership (CLP) report.

This policy is approved by:

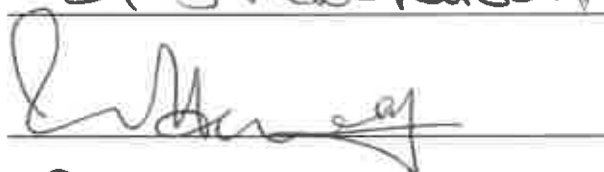
SS&L CIC, Chief Executive -



Name



SS&L CIC, Chairman of the Board-



Name

