

**Nottingham City Council
Family Learning Service**

**Subcontracting Supply Chain Fees and
Charges**

Policy 2022/23

Date completed	6 September 2022
Completed by	Sharon Mullen
Approved by	DDM Director / Portfolio Holder approval date September 2022

This Policy is available online at <http://www.nottinghamcity.gov.uk/familylearning> and can be made available in hard copy upon request. Please contact: Email: familylearning@nottinghamcity.gov.uk

Subcontracting Supply Chain Fees and Charges Policy

Nottingham City Council (NCC) Community & Family Learning Service has a long history of contracting out the delivery of its Education Skills Funding Agency (ESFA) Adult Education Budget (AEB) and is committed to utilising its AEB funding to widen participation amongst adults in learning. By working with key partners, NCC are able to support the community to access teaching and learning that we do not have the resources to provide directly. Working with subcontractors allows us to offer a wider choice of learning to our local community. The Service is interested in working with subcontracted partner organisations who are able to help extend the availability of Community Learning across the City's diverse adult population.

Any decision to subcontract with a partner organisation will be based on the availability of funding and an identified training need for learners. Most importantly, the potential partner organisation must be able to demonstrate the ability to deliver high quality training and education, and that they have a sound financial standing.

1 Scope

This policy applies to all supply chain activity to deliver community learning provision in Nottingham through the Community & Family Learning Service and supported with funds supplied by the ESFA or any successor organisations.

2 Context

The policy is now a mandatory requirement that applies to all sub-contracting activity from 1 August 2013. This policy will be reviewed annually by the City Councils Community & Family Learning Lead in conjunction with current sub-contractors as part of the commissioning process and published on the Nottingham City Council website.

Nottingham City Community Family Learning Service will at all times undertake fair and transparent procurement activities, conducting robust, comprehensive due diligence procedures on potential sub-contractors to secure the highest quality of learning delivery, value for money and a positive impact on learners and the community.

3 Reasons for sub-contracting

NCC Community & Family Learning Service is committed to maintaining and where possible growing and diversifying the range of courses it delivers to widen participation; engage and support the most disadvantaged residents; enter new and emerging markets and address regional and local economic development and social regeneration priorities. In order to achieve this NCC Community & Family Learning Service sub-contracts its provision to responsive partner organisations who can demonstrate high quality delivery in the community.

4 Improving the quality of teaching and learning

NCC Community & Family Learning Service is committed to driving continual improvement in the quality of teaching and learning. NCC will support all subcontracted partner organisations, and will develop and share good practice through quality reviews, operational meetings, observations of teaching and learning and learner and partner feedback. NCC will ensure that all partners are:

- Selected through a process that requires demonstrable evidence that they can deliver and sustain high quality teaching, learning and assessment for all learners in all venues.
- Managed through a process of regular performance monitoring and review including independent and paired teaching, learning and assessment observations.
- Supported through a comprehensive quality programme of staff development and training.

5 Management Fees

NCC Community & Family Learning Service will retain a maximum of 22% of the overall ESFA AEB funding, to manage its current sub-contractors. The management fee is deducted from the funding income received based on the ESFA rate and prior to the allocation of funds to sub-contractors.

The management fee represents the total cost that NCC incurs to undertake the procurement process, ongoing administration and management of the contracts.

The nature of the Community & Family Learning funding grant and the diverse nature of the programmes/groups within the community that may benefit from the activities of subcontractor organisations are such that not all subcontractors are paid the same fee per learning outcome. Differences in fees are dependent upon the profile of target learners; the length of the courses; the level of support required from the Community & Family Learning service; the experience of the subcontractor, their track record and the level of risk as determined by the due diligence process.

The resource input from NCC is funded through its ESFA core grant.

Subcontractors working with NCC do receive a high level of support and guidance and access to the Service's systems, including:

- Quality management systems including regular performance review meetings and termly quality meetings
- Management Information Services and data control advice
- Audit of subcontracting delivery
- Ensuring funding compliance and recording of all data in the ILR
- Delivery and observation of teaching, learning and assessment
- CPD opportunities and planned training and development
- Advice on national funding and policy guidance
- Support with Funding Rules compliance
- Training & support on administrative process, systems and paperwork to enable the submission of accurate and timely data
- Marketing and publicity support – sharing of course publicity information across NCC and its subcontractors websites and social media
- Evaluation and Impact reports
- Performance Improvement Action Planning & Support
- IAG interventions and tracking of learners progression

The main critical considerations in engaging a subcontractor is that they will add value to NCC Community & Family Learning offer in Nottingham, and that the contract represents highly quality provision and value for money.

6 Payment Agreements

Payments will only be made to the Subcontractor once NCC have received the funding from the ESFA (or its successor), and completed enrolment forms and associated documents have been received from the subcontractor and processed by the Service.

The subcontractor will invoice the Service for that amount in line with actual performance. The Service will normally pay the Subcontractor within 30 days of receiving the invoice.

The funding agreement outlines what information is required from each delivery partner to enable invoices to be paid promptly. Any anomalies in delivery / paperwork that arise following payment will be subject to reconciliation at a later invoicing date. Where a provider may experience cash flow problem with this timeline then alternative arrangements are negotiated on a case-by-case basis. The Service's Funding Agreement stipulates that reductions may be made where targets have not been met.

7 Support provided to Sub-Contractors

NCC Community & Family Learning recognises its responsibility to support all sub-contracted partners to develop, deliver and sustain high quality provision that meets the needs of the community and learners. The mix of support will vary depending on the needs and experience of the individual sub-contractor, but all partners can expect to benefit from the following:

- Curriculum Management cross partnership meetings to include regular national and local updates regarding funding, policy, quality and curriculum developments; and the opportunity to share good practice
- Comprehensive quality management systems; including bi-monthly monitoring of performance against clear measures of success
- Moderation of observations of teaching, learning and assessment together with paired observation
- Compilation and analysis of Learner Survey returns for all courses
- Continuing Professional Development opportunities, planned training and development, and support for tutors undertaking initial teacher training
- Support with Funding Rules and other relevant funding and legislative compliance
- Policy development
- Overarching policies for key areas impacting on learners: including Safeguarding, Health and Safety, Equality and Diversity, Learner Involvement
- Marketing and promotion of provision
- IAG interventions for learners including the tracking of progression
- Resources and access new developments in the curriculum to support the quality of delivery, including a bank of ILT resources

8 Monitoring and Evaluation

A member of the NCC Community & Family Learning will meet with the subcontractor minimum once each term (twice termly will be standard, especially if a new provider) to monitor and review progress against the contract targets and to agree any changes emerging from the review.

9 List of subcontractors

This list is provided to the ESFA via the "Subcontractor Declaration Form" in line with the agreed timelines and the aggregated Subcontracting Register is published on the ESFA website. Updates are provided as required.

10. Supplier Opportunities

The Service operates a due diligence process for all subcontractors including Provision and Service Subcontractors. All subcontractors of NCC must complete the due diligence process and have approval from the Service before they can undertake any form of subcontracting.

In addition, all existing subcontractors must refresh annually any time critical documentation that they had previously submitted such as Employers Public Liability Insurance, teaching staff employed and their relevant qualifications, and annual end of year accounts.

11 Review and publication of this policy

The policy will be reviewed on a regular basis and/or when significant changes to the Funding Rules and/or in sub-contracting arrangements occur. Potential subcontractors will be directed to the policy as a starting point in any relationship. The policy will be discussed with all current and future sub-contractors during contract negotiation meetings.

The policy will be published on the Nottingham City Council website <http://www.nottinghamcity.gov.uk/familylearning> and can be made available in hard copy upon request.