



Subcontracted Delivery Policy

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| Date of Publication | November 2017 |
| Date of Review | November 2019 |

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| Main points of policy | <ol style="list-style-type: none">1. Background to the policy2. Scope of the Policy3. Policy Statement4. Reasons for subcontracting5. BCA contribution to improving own and subcontractor's quality of teaching and learning6. Fees and charges7. Contract8. Payment terms between BCA and subcontractors9. Transparency10. Timing for policy review11. Dissemination12. Disclaimer |
| List of procedures for implementation | <ol style="list-style-type: none">1. Subcontractor Procurement, Risk Assessment and Due Diligence2. Procedures linked to the Activate Enterprise Quality Assurance Plan3. Subcontractor Contingency Plan |
| Related policies, documents and strategies | All policies potentially linked as subcontractors deliver to BCA students |

Equality and diversity statement

It is the policy of BCA to recognise and encourage the valuable and enriching contribution from all who work and learn here and the rights of all individuals who come into contact with BCA such as prospective students and job applicants.

We believe that people from a range of backgrounds and experiences can enhance the life and development of the institution and that all individuals should be treated on the basis of individual merit and without prejudice. BCA will, therefore aim to provide an education service which actively promotes equality of opportunity and freedom from discrimination on grounds of age, cultural background, economic status, disability, ethnicity, gender, religion/belief, marriage/civil partnership or sexual orientation in both education and employment. We will strive vigorously to remove conditions which place people at a disadvantage and will actively combat bigotry and discrimination. BCA expects all employees, students, and associated partner organisations to adopt this policy.

BCA are committed to carrying out Equality Impact Assessments on our policies and procedures in order that some measurement is made of the contribution that the policy/procedure makes towards equality and diversity objectives.

1. Background to the policy

BCA recognises that we hold full accountability for the delivery of the contract and this cannot be assigned to sub-contractors. Both BCA and their Subcontractors comply with the Skills Funding Agency Funding Rules documents and any future updates in all matters regarding the delivery of the provision.

The management of subcontractor performance is based on level of approval and risk status. BCA will monitor, review and evaluate in order to inform corrective, preventative and improvement actions and manage risk through contingency planning. Where underperformance is identified it will be addressed through measured and targeted action plans backed by support and development from BCA.

In partnership with subcontractors, BCA operate in the spirit of support, co working and transparency. BCA endeavour to learn from subcontractors, recognise and share their good practice where appropriate.

2. Scope of the Policy

The policy is designed to inform key stakeholders (Subcontractor partners, potential partners, Governors, BCA staff, funding bodies) of our intentions with regards to subcontracted provision.

3. Policy Statement

BCA are committed to:

- Ensuring that our subcontracted arrangements are delivered within a robust framework which is transparent, legal and in the best interests of the parties involved
- Ensuring that subcontracted provision is fit for purpose and of high quality
- Ensuring our students receive the best service possible
- Ensuring that subcontracted arrangements adhere to BCA core quality procedures, and in line with other policies such as Equality and Diversity and Safeguarding

4. Reasons for subcontracting

Indicative reasons for BCA to maintain and develop the subcontracted provision are:

- Delivery of niche provision
- To widen the range and scope of provision offered by BCA in terms of engagement, retention and progression opportunities
- To contract expert teaching and resources in a cost effective manner
- To support delivery of Skills Funding Agency Contract
- To increase referrals in terms of learner and employer engagement between the organisations
- To deliver provision which engages hard-to-reach learners (e.g. Not in Employment , Education or Training - NEETs) with the ultimate aim of progression into mainstream provision and ultimately positive destinations
- To respond to meet customer demands (students, employers and community)
- To capacity build both organisations in order to respond to new projects and priorities
- To develop and support small local training providers

5. BCA's contribution to improving own and subcontractor's quality of teaching and learning

Subcontractors are supported by BCA to maintain the same high quality standards expected across all aspects of BCA

BCA's approach to ensuring the quality of subcontracted provision is set out in the following three steps:

1. Requesting the complete quality assurance policies, processes and procedures that the subcontractor implements to ensure the quality of their provision.
2. Collecting and examining the output from the above measures – this may include internal and external quality assurance reports, lesson observations, Learner and Employer feedback, programme reviews and improvement plans, staff CPD records, etc.
3. Validating the quality data received by implementing quality checks and procedures across the subcontracted provision, including our own lesson observations and quality check visits carried out by subject specialist staff, employer and learner feedback surveys, interviews with subcontractor staff, etc.

BCA will further contribute to quality assurance by:

- Ensuring that subcontractors are included in the BCA quality process.
- Providing subcontractors with a key contact at BCA for any issues relating to the contract delivery
- Holding regular contract review meetings with subcontractors to performance manage quality and to mitigate any risks related to the provision. The contract reviews will be followed by developmental action plans that build the capacity of the provider to offer the best services to Students
- Working with subcontractors to respond to the Employer and Student feedback to improve experience
- Identifying and sharing the best practise to improve Students' experience
- Sharing resources and providing learner access to BCA facilities, including online learning resources
- Providing staff development opportunities for subcontractor staff

6. Fees and charges

This management fee is deducted from the ESFA rate based on the funding income received.

The typical management fee percentage is between 15% and 30% and is dependent on:

- The level of additional support required by the subcontractor over and above the management, administration and quality obligations of BCA.
- Risk Rating on a particular subcontractor (Medium or High rating as a result of Risk Assessment will incur higher management fee)

If exceptional services are provided to the subcontractor, there will be a separate fee charged above core management fee based on usage (such as Internal Verification, access to externally provided resources (Guroo, Smart Assessor) etc).

The core fee is calculated to cover management of subcontracted delivery such as:

- Designated contact for subcontracted delivery
- Dealing with partner queries
- Advice and support related to national agencies and funding bodies
- Preparation of the contract agreement
- Collecting and updating due diligence
- Performance management and Contract review meetings
- Paperwork templates for student enrolments
- Paperwork checks and audit compliance
- Monitoring of student progress
- Quality and compliance monitoring
- Coordinating self-assessment processes
- Administration support to process the data
- Data submission via the BCA Individual Learner Record (ILR)

- Managing additional schemes related to provision (e.g., AGE grant)
- Management of funding, finances and reconciliation
- Preparation and processing of payments
- Monthly Payment information with transparent calculations to detail both the funding claimed by BCA and the payment passed to the subcontractor

The management fee will be reviewed and is open to negotiation with each subcontractor. The agreed value will be confirmed within the signed contract between both parties.

7. Contract

All subcontractors are required to agree and sign a contract prior to delivery of any provision.

The contract clearly defines the roles and responsibilities for BCA and the subcontractors from the outset of the partnership.

In agreement with both parties, variations to the contract may be issued during the contract period. The variation may relate to, for example:

- Changes in the management fee dependent on the level of support required
- Changes to the volumes of learners and funding
- Changes to the range and scope of provision delivered by the subcontractor

8. Payment terms between BCA and subcontractors

For any payments to be made to the Subcontractor, the Subcontractor must conform to the terms of the contract and provide the required paperwork, data and information for BCA to make a successful claim via its Individual Learner Record (ILR) to the relevant funding agency.

Subcontractors are paid by the end of the calendar month for the learning activity delivered the previous month subject to meeting contractual requirements. Alternative payment conditions may operate, following discussions with the subcontractor, depending on the contract delivery model and contract delivery time.

Subcontractors receive detailed monthly payment information, showing the management fee withheld and the funds that are being paid to subcontractor to ensure transparency.

All subcontractors are set up as Suppliers on BCA Finance system. The payment is made to the subcontractor via BACS.

9. Transparency

BCA will publish data on the actual level of funding paid and retained for each of the subcontractors in each contractual year. This data will be published within 30 days of the ILR closing.

As a minimum, the following will be included in the published supply-chain fees and charges:

- Name of the subcontractor
- UKPRN number of the subcontractor
- Contract start and end date.
- Type of provision (for example, 16-18 Apprenticeships, 19+ Apprenticeships, classroom learning, workplace learning)
- Funding received from the funding agencies to BCA for provision delivered by the subcontractor in that academic year
- Funding BCA have paid to the subcontractor for provision delivered in that academic year
- Funding BCA have retained in relation to each subcontractor for that academic year
- If appropriate, funding subcontractors have paid to BCA for services or support BCA have provided in connection with the subcontracted provision
- BCA will publish this information on fees and charges alongside the Subcontracting Policy to allow all supply-chain fees and charges information to be viewed in context.

10. Timing for policy review

This Policy is to be reviewed annually.

11. Dissemination

The Policy is available for current and potential subcontractors to view on BCA website www.BCA.ac.uk

Potential subcontractors are requested to read the Policy as part of due diligence for subcontracting arrangements with BCA.

12. Disclaimer

BCA reserve the right to amend the subcontracting arrangements at any time in accordance with the terms and conditions contained in the subcontract agreements.