

**Education & Skills Funding Agency (ESFA) provision – University of
Wolverhampton Subcontracting Policy to cover the period 1st August 2023 to
31st July 2024**

1. Introduction and purpose

The purpose of this policy is to provide accurate and comprehensive information to external agencies on how the University procures its subcontracted services and the pricing framework used.

The University of Wolverhampton currently works with one subcontractor (see below) as part of the apprenticeship programme. This is an area of delivery the University is not currently delivering and requires the expertise of others to deliver.

Subcontractor	Contract Value	Delivering
Serco Ltd (trading as Serco Education)	Up to £100,000	Functional Skills in English Level 2 Functional Skills in Math's Level 2

This policy will publish contract values for all subcontractors.

2. Scope and Context

This policy applies to all subcontracted provision supported with the funds supplied by the ESFA. The Subcontracting Policy is a mandatory requirement for subcontracting activity. The policy's content has been developed to comply with the ESFA subcontracting standard guidance and the policy document; Using Subcontractors in the delivery of apprenticeships, and to comply with any future updates to the funding rules to cover the period of this policy.

3. Fairness in Procurement

The University will always undertake fair and transparent procurement activities. Should the need to increase the number of subcontractors be identified, future opportunities will be advertised and procured in accordance with the University's Procurement Policy and Public Contracts Regulations 2015. Where appropriate, before appointing subcontractors the University may seek its own legal advice about the impact of Public Contracts Regulations 2015 on the recruitment of delivery subcontractors. This would only occur where the expertise does not already exist within the Procurement team or University Legal department.

The University will inform the Chief Executive of the ESFA in writing, about any circumstances which might lead to an actual or perceived conflict of interest.

4. Due diligence

The University will undertake a robust process of due diligence when selecting potential subcontractors to ensure the highest quality of delivery is made available which demonstrates value for money and has a positive impact on the experience of both Employers and Learners. Initial information is gathered through the 'Apprenticeship Subcontracting Due Diligence Form' and then processed through relevant University departments for assessing. The full process is outlined in full in point 6

The University will not procure the service of subcontractors who are not registered on the Register of Apprenticeship Training Providers (RoATP) to deliver services to levy paying employers. It is a requirement for the subcontractor to provide up to date data for continued RoATP accreditation.

5. Contracting arrangements

Successful partners will be issued with a legally binding contract eligible for the period from when the contract commences and ends which may be determined as part of a procurement process. It will be signed and witnessed by the subcontractor and the University. Terms and conditions will be agreed and included in the contract. The University and the ESFA are granted full permission and rights to monitor the quality of training being provided and visit the subcontractor at their premises, training sites or employer's premises from which they operate.

The subcontractor will reflect completely and accurately the ESFA Apprenticeship Funding and Performance Management Rules for Training Providers; 1st August 2023 to 31st July 2024 and will comply with any future updates to the funding rules to cover the period of this policy.

6. Quality processes – Subcontracting

University of Wolverhampton is committed to improving the quality of Teaching, Learning and Assessment throughout our Subcontracted provision

The University is committed to a policy of continual improvement in the quality of Teaching, learning and assessment. This is demonstrated through the following quality processes by ensuring, that all subcontractors:

- Are selected through a tender process that is aligned to the Universities strategic objectives for local delivery reflecting local community needs, high quality teaching and assessment, and priority sector provision.
- Are subject to a robust due diligence process that requires demonstrable evidence of the delivery of high-quality teaching and assessment

- Attend a validation panel interview to gain course approval.
- Attend regular performance monitoring and review meetings, tracking individual learner performance with the contract manager.
- Take part in lesson and assessor observations to ensure excellent Teaching, learning and assessment is evidenced across the supply chain, this also includes dual observations.
- Comply with any administrative paperwork such as registers, learning agreements, etc. to ensure compliance with funding and audit regulations.
- Conduct comprehensive Initial Advice and Guidance sessions and Initial Assessments processes to demonstrate learners are on the right courses and any prior attainment is recorded correctly.
- Comply with the Universities Teaching, Learning and Assessment policy.
- Provide good quality outcomes and destinations for students on completion of any learning.
- Provide staff development opportunities for staff to help support teaching and learning assessment including access to online training modules.

All subcontractors are required to undertake a self-assessment process in accordance with the Education Inspection Framework and produce a Self-Assessment Report (SAR). The University of Wolverhampton will support partners in this process and in the setting of clear targets for improvement.

7. Educational Rationale

The University of Wolverhampton currently subcontracts the teaching and delivery of English and Math's functional skills as this is an area of delivery the University is not currently delivering and requires the expertise of others to deliver. By offering the subcontracting delivery for Functional skills we are ensuring that we are providing learners the maximum opportunity to complete their Apprenticeship where English and/or Math's Level 2 has not been achieved prior to joining the programme. The University works closely with its subcontractor to monitor performance and progression of learners and to ensure adequate support is in place for the attainment of these qualifications.

8. Internal policies

Subcontractors are required to have robust internal policies to ensure compliance with legislative undertakings and general good practice and make certain that policies are regularly updated and effectively implemented, the requirements of which are identified in the contract.

9. Fees and charges

The University makes a charge of 2% of the full contracted value as a management fee for its standard sub-contracted provision for English and Math. The costs cover the provision of:

- administration
- quality assurance and compliance
- MIS function relating to the submission of funding claims to the ESFA
- provision of management meetings
- provision of a dedicated account manager

The costs to the University in relation to the above provision would total more than the 2% charge, however the University has taken the decision not to charge above 2% on the basis that it does not wish to make a profit from the sub-contracting provision. The University's overall aim is that learners engaged with the sub-contractor achieve the maximum benefit from the provision.

The subcontractor will be responsible for meeting the costs associated with the registration of candidates with awarding bodies and examination fees.

Non-standard charges may be applied to other subcontracting agreements in the future where costs savings can be mutually identified and agreed between the subcontractor and the University.

10. Payment

Payment to subcontractors will be made within 30 days of the invoice been received, subject to all necessary paperwork and records having been submitted within the required time scale. A checklist of key dates and deadlines for the paperwork to be received for inclusion in the return to the Education Skills Funding Agency will be provided. Payment details are also included in the contract schedules issued to subcontractors at the start of the new contract year.

11. Reporting the use of delivery subcontractors

The University will provide a fully completed delivery subcontractor declaration by the dates given by the ESFA. This will be submitted on at least two occasions between 1 April to 31 March each year. The University will update the subcontractor declaration if subcontracting arrangements change during the year.

12. Policy review and communication

The University will review this policy annually. Any changes to the policy will be communicated to existing subcontractors at the contract management meetings. The policy will be discussed with new subcontractors prior to their engagement. An up-to-date copy of this policy will be posted on the University's website and paper copies will be made available upon request.

13. Duties within the University of Wolverhampton

Nominated members of staff with strategic lead responsibility for subcontracting:

- Director of Apprenticeships and Lifelong Learning
- Director of Registry Services.

Nominated member of staff with responsibility for performance management of subcontractors:

- Head of Apprenticeship Operations.

Policy Approval:

- The University's Academic Board.

Policy sign-off:

Author (role)	Director of Apprenticeships and Lifelong Learning	Date of approval	June 2023
Approving committee	Academic Board	Review date	June 2024