

# **Community Learning**

## **Subcontracting Policy**

### **1. Introduction**

1.1 Staffordshire County Council (the Council) receives funding from the Education and Skills Funding Agency (ESFA) for Community Learning through the Adult Education Skills Budget to provide training and education to approx. 2,000 adult learners achieving 3,000 enrolments per year. The Council is responsible for the delivery of commissioned provision as the Lead Provider.

1.2 The policy provides transparency for all subcontractors, funding bodies and stakeholders regarding the rationale for subcontracting and the fees and charges applied to subcontracted provision under the Council's direct Contract with the ESFA.

### **2. Scope**

2.1 This policy relates to all subcontracted Community Learning provision as detailed in the Community Learning Specification which is funded by the ESFA.

2.2 The policy is published in line with the ESFA requirements stated in the:

- 2.2.1 ESFA Adult Education Budget: [funding and performance management rules](#) as published and amended from time to time,
- 2.2.2 [Subcontracting Funding Rules](#) for ESFA funded post-16 (excluding apprenticeships) as published and amended from time to time,
- 2.2.3 and the [ESFA Subcontracting Standard](#)

### **3. Rationale for Sub-contracting**

3.1 The Community Learning strategy provides the strategic context and local needs analysis for Staffordshire. The strategy informs the educational rationale for subcontracting and aligns to the overarching outcomes and priorities within the Council's strategic plan (2022-2026). Subcontracting Community Learning enables the Council to:

- 3.1.1 provide learning opportunities to our priority learners,
- 3.1.2 offer an entry point for disadvantaged groups, including those with protected characteristics,
- 3.1.3 maintain a balanced and high-quality curriculum offer that is accessible to all learners,
- 3.1.4 be responsive to local, regional and national priorities,
- 3.1.5 engage with local providers to deliver niche or expert provision with access to appropriate facilities,
- 3.1.6 and maximise the use of its funding for front-line delivery.

## 4. Management Fees

4.1 The funding the Council receives from the ESFA is a contribution to the overall costs, supporting resources in place to ensure Contract compliance and quality of delivery. The Council retains 15% of the funding from the ESFA. The funding retained contributes to:

### 4.1.1 Staffing

- Assistant Director, Skills & Employability: overall responsibility for all areas within the Skills & Employability Team. Gives approval and sign-off of key Community Learning policies and annual due diligence of subcontractors.
- Head of Adult Learning & Skills: overall daily responsibilities of managing Community Learning and the contracted Services. Ensures subcontracted provision adheres to Funder requirements and approves Contract allocations, variations, and changes within the Contract.
- Quality & Performance Manager: overall responsibility of all aspects relating to quality of provision and the reporting of performance. This includes, quality assurance of teaching, learning and assessment, staff development, monitoring performance data and ensuring Key Performance Indicators are met.
- Provider Relationship Manager: responsible for the daily monitoring and management of performance and the Contract. This includes identifying performance risks and issues and negotiating action plans and contract variations.
- Teaching & Learning Advisor: responsible for the daily monitoring and management of quality of provision as detailed within the Contract. This includes undertaking quality assurance visits and agreeing acting plans, mentoring, and supporting professional development of teaching staff.
- Data & Skills Officer: responsible for the Management Information System and the management of data entry and Individual Learner Record (ILR) submissions.
- Business Processes Officer: responsible for issuing financial payments and Contract variations.

### 4.1.2 Planning and procurement

- Annual local needs analysis and the development of the Community Learning strategy.
- Production of the Community Learning Specification informed by stakeholders, local and national priorities.
- Production and implementation of a quality and performance framework.
- Implementation of an open tender process in line with the Council's Procurement Regulations and the Public Contract Regulations to secure good value for money.
- Annual Call-off Contract process, negotiation and agreement, including a detailed contract management plan.
- Setting up and issuing Call-off Contracts.

- Undertaking an annual due diligence of subcontractors, including financial appraisals.

#### 4.1.3 Funding and data management

- Monitoring of ESFA compliance, funding rules and regulations.
- Development and production of documentation in accordance with ESFA requirements for evidence.
- Purchase and maintenance of specialist Management Information System.
- Collection and recording of data.
- Submission of accurate and timely ILR and funding returns to ESFA.
- Creation and provision of a performance dashboard and reports.
- Management of invoices and processes for Contract payments.
- Internal audits and recommendations for improvement.
- Access to and maintenance of the Community Learning SharePoint portal.
- Appointment and funding of external auditors to evidence compliance with the Subcontracting Standards.

#### 4.1.4 Contract management meetings

- Termly Contract and quality performance meetings.
- Monthly dialogue and reporting.
- Production of reports and action plans.
- Negotiation of Contract variations.

#### 4.1.5 Quality Assurance

- Undertaking unannounced class visits, recognising and recording progress and achievement (RARPA) audits, online evaluations to ensure the continual improvement of quality.
- Production of reports and action plans.
- Acting as lead for Ofsted inspections, including support and preparation for inspection.
- Management of the self-assessment process and production of an annual self-assessment report and quality improvement plan.
- Monitoring and reporting on progress on the quality improvement plan.
- Collection and collation of learner feedback to support the development of the service.
- Analysis of learner feedback and actual progression through learner satisfaction and destination surveys.
- Review and agree course proposals, schemes of work and lesson plans to provide ongoing support to develop provision and remedy any issues.

#### 4.1.6 Subcontractor Development

- Termly Safeguarding and Prevent update.
- Monthly Provider Updates to ensure providers are kept informed of developments and receive reminders for deadlines.
- Provider Network meetings providing service updates, sector developments and sharing of good practice.
- Teaching and Learning Blog to share best practice.
- Undertaking teaching and learning reviews.
- Organise and deliver tutor continual professional development.
- Organise and deliver annual tutor induction briefing sessions.
- Provide coaching and mentoring on teaching, learning and assessment as required.

#### 4.1.7 Promotion of Programmes

- Maintenance of the Council's Community Learning website and Course Directory.
- Upload courses to the National Careers Service.
- Social media promotion of courses.
- Production of the learner handbook.

### **5. Payment terms and conditions and additional charges**

5.1 Payment arrangements are detailed in the payment schedule of the Call-off contract.

There are no interim or upfront payments made in advance of learning taking place.

Payments are made in arrears, which minimises risk and the need for final reconciliation.

5.2 There is an additional charge of £80 per teaching and learning review undertaken by the Council on behalf of Providers who do not have qualified staff to observe and moderate and a 5% charge for data entry for those Providers who do not have access to a Management Information System to return timely Individual Learner Records.

### **6. Communication of the Policy**

6.1 The policy is reviewed on an annual basis and amended to reflect changes to funding guidance and the Council's priorities. The policy is reported to the Director for Economy, Infrastructure and Skills, the Director for Finance (Section 151 Officer) and the Assistant Director for Skills and Employability for approval and is published on the Council's website by 31<sup>st</sup> October each year.

6.2 The policy is further referenced within the Community Learning Specification and Community Learning strategy.

**Review Date:** December 2023

**Date published on the Council's website:** January 2023

**Next Planned Review Date:** July 2023