

## Subcontracting Policy



**The purpose of this policy is to ensure that all subcontracting provision managed by the College is of an excellent standard and meets all statutory requirements.**

### Who does this policy apply to?

This policy applies to all supply chain activity funded by the Education and Skills Funding Agency (ESFA), or any successor organisations.

Where a different partnership or collaboration is formed, these arrangements should not be confused with subcontracting and they do not fall within the scope of this policy.

### Policy Statement

When working through a subcontractor, we commit to the optimising the impact and effectiveness of service delivery to the students by:

- Aligning our processes with ESFA Guidance
- Undertaking fair and transparent procurement activities
- Conducting robust due diligence procedures
- Maintaining and publishing a Fees and Charges Policy that relates the Management Fee (i.e. the retained funding) to the costs of the services provided
- Clearly documenting and agreeing with all parties, the Fees and Charges applied to each subcontract
- Submitting any disputes that cannot be resolved between supply chain partners to independent outside arbitration or mediation and to abide by its findings

### Why do we need this policy / background information?

Bournemouth and Poole College is committed to the highest quality delivery of courses to meet community and local employer needs. The College may introduce subcontracted provision to meet the needs of the local community and employers. This policy will ensure that the subcontracted provision is suitably monitored and quality assured to maintain high standards in terms of delivery and achievement.

### Roles and responsibilities

#### Chief Operating Officer

- Strategic Lead for Subcontracted provision
- Sign off initial checklist prior to approval
- Participate in the subcontracting review panel before approval
- Review funding and financial records
- Contract management

#### Vice Principal Curriculum

- Strategic Curriculum Lead for subcontracted provision
- Participate in the subcontracting review panel before approval

### Quality Department

- Lead on due diligence activities
- Carry out a thorough Quality Cycle of the subcontracted provision
- Maintain central up to date records
- Participate in the subcontracting review panel before approval
- Support intervention as required
- Reserve the right to end a contact if and when required
- Monitor risk and intervene where required

### Director of Learning / Apprenticeships, Learning Managers and Apprenticeship Managers

- Complete business case prior to approval
- Management of enrolment and induction
- Ongoing management of provision
- Complete site visit
- Hold bi-monthly contract visits on site
- Risk reporting
- Participate in the Quality Cycle as required

### Director of Student Experience

- Carry out a safeguarding and prevent review as part of the due diligence process

### Head of Management Information and Funding

- Support the Chief Operating Officer with contracts, funding and reporting
- Maintain and publish a Fees and Charges Policy that relates to the management fee (i.e. the retained funding) to the costs of the services provided

### **Links to College values and other College policies**

This policy is in line with the College values of;

- A passion for learning and success
- Supportive and caring
- Respectful and considerate
- A champion for equality through learning
- Ambitious and tenacious

This policy should be used in conjunction with the following policies and procedures:

- Safeguarding Policy
- Equality, Diversity and Inclusion Statement
- Health and Safety Policy
- Student Anti-Bullying and Harassment Policy
- E-Safety Policy
- Managing Student Behaviour Policy
- Bournemouth and Poole College Mission, Vision and Values
- Freedom of Speech and Expression Policy (Including Visiting Speakers and Events)
- Data Protection Policy

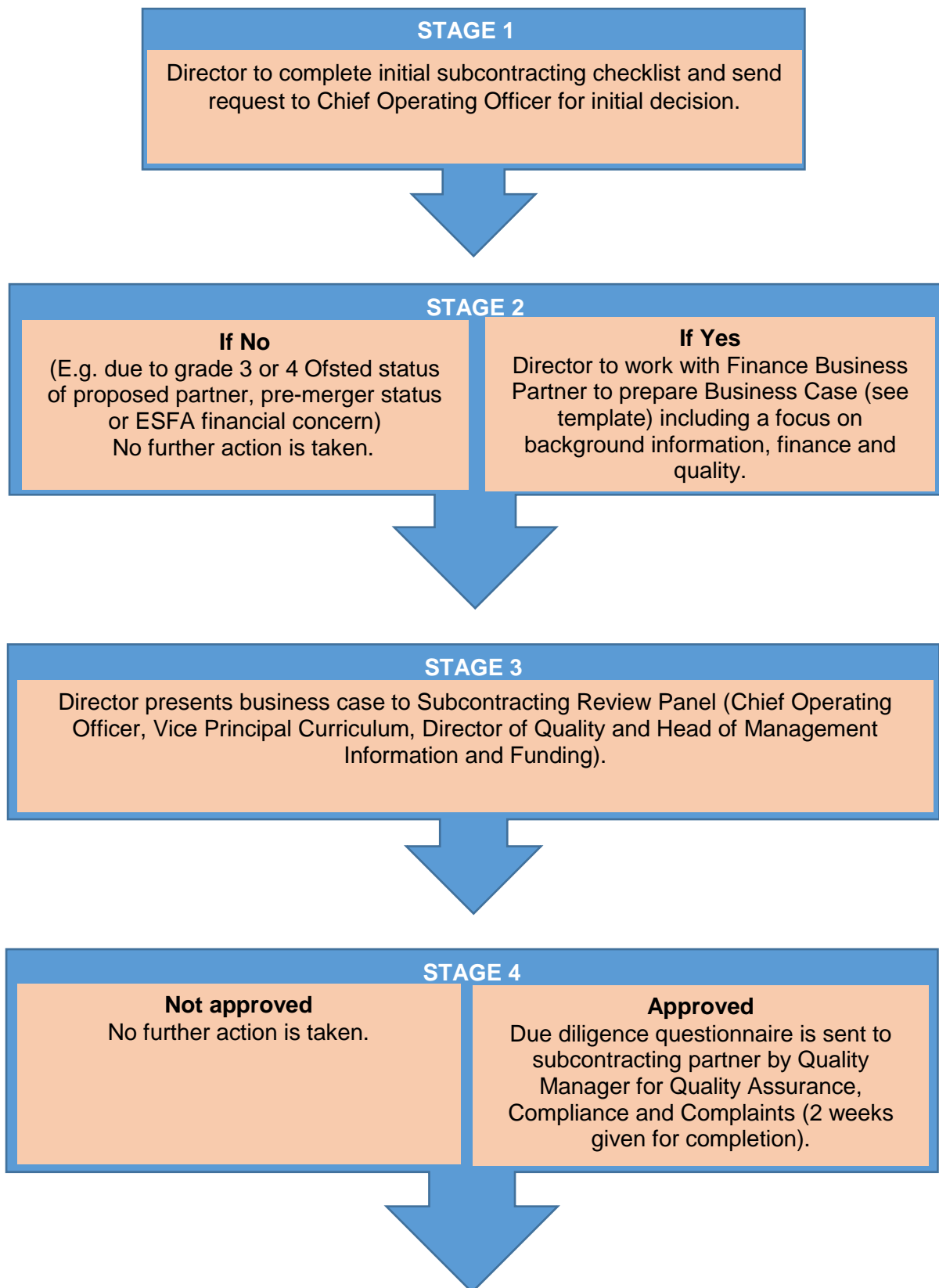
- Staff Grievance Procedure

**Who needs to understand this policy and how will they know about it?**

The following training and awareness will be put in place:

<b>Who?</b>	<b>How?</b>
Students	Policy available on the college website, reference made to it in the Student Handbook and support given when required
College managers	Include in College wide communication, copies of the policy available on mybpc.
All teaching staff	Briefing by Directors copies of the policy available on mybpc and circulated via team brief.
Business Support staff, including reception staff who interact with students	Briefing by line managers; copies of the policy available on mybpc.
Employers	Policy available on college website
Subcontracting Partner	Policy available on college website, copy provided when partnership is devised

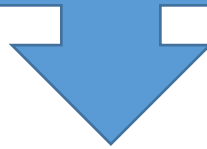
## PROCESS / PROCEDURE



### STAGE 5

Response sent to Quality Manager for Quality Assurance, Compliance and Complaints for circulation to Quality, Chief Operating Officer and Director of Student Experience. (1 week given for internal review)

Any questions raised sent to partner by Quality Manager for further action.  
Follow up due diligence completed if required.



### STAGE 6

Once approved Director to complete site visit (see template) and return to Quality Manager for Quality Assurance, Compliance and Complaints.



### STAGE 7

Final approval confirmed and contract raised by Chief Operating Officer with input from Director and WESS MIF.  
Contract raised by WESS.



### STAGE 8

Enrolment actioned by Director or Apprenticeship Manager.



### STAGE 9

Bi-monthly contract meetings held with subcontracting partner on site by Director or Apprenticeship manager (see template). These must include unannounced visits.



#### **Quality Monitoring:**

- **Student surveys**
- **Teaching and Learning observations**
- **Performance Review updates**
- **Central record of all documentation including record of contract review meetings, schedules and evidence**
- **Further intervention if high risk status.**

### Finance, fees and funding:

The fee charged by Bournemouth and Poole College shall be agreed in the contract between the parties and shall be determined by the following:

- A standard portion of the funding earned will be included in the Fee Structure as a standard management fee; normally 20%. This will be in support of the agreed minimum level of service provided by the College in support of the delivery.
- The College will have the option to increase or decrease the management fee in proportion to the risk, content, nature and distribution of the subcontracted delivery, determined by the College.
- The fee structure shall enable the College to increase the management fee in relation to any failure by the sub-contractor to hit agreed standards and targets.
- In order to provide continuous improvement of standards in the sub-contracted provision, the fee structure will allow the College to provide any additional, non-specific services deemed necessary, over and above the agreed minimum level of service.
- Any sub-contractor will be able to purchase additional services from the College, deemed necessary and above and beyond the agreed minimum level of service.

Payment terms will be set out in the contract between the sub-contractor and the College.

### Publication of information relating to Subcontracting:

This policy is made available to all sub-contacting organisations as part of the contracting process undertaken by the College with all potential partners prior to entering into a sub-contract partnership.

**This policy has been examined for equality impact i.e. the impact that this policy will have on different groups of current or potential learners, service users and staff taking into account the protected characteristics of the Equality Act 2010 (age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sexual orientation)**

**1. If equality impact analysis is not relevant to this function give reasons and proceed to section 5 below**

n/a

**2. In which ways could this function have a negative impact on any of the groups above? What actions have been taken to eliminate these?**

The due diligence process ensures that no discrimination takes place and that there is no negative impact on groups of students

**3. In which ways could this function have a positive impact on any of the groups above? How will this function be used to eliminate discrimination, advance equality of opportunity and foster good relations between different groups? Are there plans for the future which will further advance equality?**

This policy ensures a fair and transparent process is undertaken for all parties included, and Equality and Diversity and Inclusion Group is in place in order to strive to continuous improvement

**4. What evidence supports your judgements? E.g. Consultations, observations, expert opinions, quantitative or qualitative surveys? If the evidence is in the form of an additional document, where is it stored?**

See due diligence for copies for all policies

**5. Name and job title of manager responsible**

Michael Johnson – Chief Operating Officer

Policy approved by:

SLT

Date: 22.07.20