This policy applies to all subcontracted provision funded 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.

Clear Quality offers Higher Level apprenticeships to employers covering a range of subject areas. A national requirement for all apprenticeships is that prior to completion, apprentices must have complete relevant functional skills at a level defined by the ESFA in English and Maths or offer exemption to cover this.

Where the apprentice needs to complete Functional Skills English and math level 2 qualifications as part of the apprenticeship programme. Clear Quality will subcontract this out to:

QDOS Training

URN: 58397

Address: Byron House, Commercial Street, Mansfield, NG18 1EE

They will provide our apprentices with face-to-face and tutor-supported online learning for English and maths.

They are an Ofsted Good rated organisation, ESFA contract holder, and ROATP main provider offering apprenticeships, programmes for adult learners, and traineeships, as well as being a subcontractor to other providers.

Although Qdos’s engagement with Ofsted and the ESFA give us some assurance of their suitability, we have still undertaken our own due diligence on their ownership and operation, in accordance with our prevent duty, to **ensure they are not an extremist organisation**.

**Our commitments to ESFA will be maintained through subcontractor delivery** using back-to-back contractual terms. We have discussed these with Qdos and are satisfied they understand and will comply, based on their direct relationship with the ESFA.

**We will manage and monitor Qdos to ensure they deliver high quality training** by regularly observing their delivery, soliciting learner feedback, and analysing learning progress and outcomes.

**We will manage subcontracting agreements including capacity and capability risks** by holding regular meetings to discuss monitoring data, forecasts of new apprentice starts, and the other workload their business is carrying.

**We will assess Qdos’s financial health** on an annual rolling basis using their published accounts and adopting methods the ESFA uses to assess the financial health of non-college training organisations that it holds or may hold a contract with.

At least annually, Clear Quality will conduct a review of its due diligence checks on each subcontractor to ensure that the subcontracted provider continues to be able to deliver contracted services. We will also conduct further due diligence checks if there is any material change in the subcontracted provider that has the potential to impact on its ability to deliver subcontracted services. These include but are not limited to:

• Merger with another provider

• Change of ownership

• Change of key personnel (e.g. managers, directors, link person)

• Any issues that may raise concern about the subcontractor’s ability to deliver the programme (e.g. infrequent

updates, poor student progress, student or employer complaints). These will also trigger an immediate review meeting.

Successful partners will be issued with a legally binding SLA eligible for the period from when the contract commences. The requirements of this policy form part of that contractual agreement.

Ofsted and the ESFA are granted full permission and rights to monitor the quality of functional skills training being provided and visit the subcontractor at their premises, training sites or employer’s premises from which they operate.

The following processes will be used to monitor the quality of subcontracted provision and actively improve quality on an on-going basis:

• Regular contract review meetings with the subcontractors

• Regular planned and unplanned observation visits to check on the quality of teaching, learning, assessment and progress.

Clear Quality will take a risk management approach to subcontractor management to ensure that appropriate levels of contact monitoring and Quality Assurance are maintained. This approach will be based on the number of apprentices placed with a subcontractor.

In order to enable contract review meetings to be conducted effectively and efficiently, the subcontracted provider will be asked to provide the following information at least 3 weeks prior to the review meeting:

• Copies of learner progress records

• An RAG rating assessment of learner’s progress to identify those at risk of not completing on time

• A copy of the provider’s latest self-assessment report

• Records of delivery staff safeguarding and prevent training

Contract review meetings will be conducted with an agenda and recorded.

Where a subcontractor permanently changes delivery staff on a programme, they should inform the Clear Quality of this change immediately.

Where contract reviews or QA visits highlight areas of concern, an action plan will be drawn up by the subcontractor, and agreed by the Clear Quality to address the areas of concern. Additional meetings and QA visits will be scheduled as required by Clear Quality until the issues have been resolved. If the issues cannot be resolved within 8 weeks of the issue being identified Clear Quality reserves the right to reallocate apprentices to a new provider to ensure timely achievement of Functional Skills qualifications.

Clear Quality will also take into account feedback, both solicited and unsolicited, from apprentices in its quality assurance of a sub-contractor.

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, this includes:

• Data Protection (DGRP compliant)

• Health & Safety

• Equal Opportunity/Equality & Diversity

• Assessment & Internal Validation

• Safeguarding & Prevent

• Quality policy

• Insurance: Employers (compulsory) Liability Insurance & Public Liability Insurance Cover

Clear Quality will give the subcontractor 100% of the available funding for each learner fully completed.

The subcontractor will be responsible for meeting the costs associated with the registration of candidates with awarding bodies, examination and re-examination fees out of the funds agreed with Clear Quality.

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.

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.

Clear Quality 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 website and paper copies will be made available upon request.

In line with ESFA funding rules, Clear Quality will submit a subcontractor use declaration of ESFA atleast once each year summarising the value of any sub-contracted provision paid for in the previous period.

Nominated members of staff with strategic lead responsibility for subcontracting:

• Training and Certification Director

Nominated members of staff with responsibility for procurement of subcontractors:

• Chief Executive Officer

• Compliance Administration Manager

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

• Training and Certification Director

• Compliance Administration Manager

The subcontracted provider is required to notify Clear Quality immediately if there are and changes that may cause a risk to the contracted delivery. These include but are not limited to:

• The possibility of the provider ceasing to trade

• Poor Ofsted Inspection

• Poor ESFA audit

• Other significant changes that affect the ability of the subcontractor to deliver required programmes.

In these circumstances, Clear Quality will conduct an immediate contract review and reserves the right to seek alternative provision of services to ensure continuity for learners. The university may also conduct an immediate contract review and/or move learners to another provider if it is made aware of potential issues from other sources of circumstances that may affect timely delivery of the contracted provision.

**Document control**

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| --- | --- | --- | --- | --- |
| Document title  | Document owner  | Signature  | Version  | Review date  |
| Sub-contracting policy – Functional Skills | Bethan Rhodes   | A picture containing athletic game  Description automatically generated  | Jan22 v.1  | Due Jan23  |
| Sub-contracting policy – Functional Skills – reviewed no changes 07/01/2023 | Bethan Rhodes  |   | Jan22 v.1 | Due Jan 24 |
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