



Newbury College

Policy number:	F172	Originator:	WBL Contracts Manager
SharePoint:	Policies and Procedures: Finance		
EIA Meeting Date:	14 Oct 2016	EIA Required:	YES
Approved by:	SMT	Date:	21 October 2016
Review Frequency:	Annually		
Review Date:	September 2017		
External Web Site appropriate:	YES		
Linked policies/College documents:			
Summary available:	NO		

Monitoring of Sub Contractors Policy

This document can be made available in other formats,
on request

1 Due Diligence

The first stage in the process of setting up a new arrangement between a sub-contractor / partner and Newbury College is Due Diligence. After an initial meeting the sub-contractor will be asked to provide the documents stated in the due diligence letter (Appendix A).

A report is produced on the results of the due diligence process (Appendix B) and sent to the sub-contractor, either with actions to address or an invitation to attend a further meeting to discuss the contract proposal.

2 Contract

A draft contract will be written following a successful due diligence process. The draft contract will be seen and agreed by both parties and agreed by SMT. If the contract value with any one party exceeds £100,000, the contract will need to be agreed by SMT and Newbury College Corporation will be notified at their next scheduled meeting. No learners will be enrolled until the contract has been signed by both parties.

3 Initial Advice and Guidance

The sub-contractor / partner is responsible for ensuring that all learners have been given the correct initial advice and guidance relating to their programme of study. All potential partners/contractors must hold Matrix accreditation, if they are unable to prove this as part of the due diligence process they will be contracted to achieve Matrix accreditation within 6 months of contracting. They must be satisfied that the learner is eligible for the course and that they are capable of completing the programme successfully. Learners must also be informed of their link to Newbury College and the services that they are able to access from us.

4 Skill Scans

For Apprenticeship and Traineeship programmes potential learners must all undergo an initial assessment which identifies their needs. They must carry out a skills check that identifies their current level of literacy and numeracy. The assessment tool used must be up to date and based on the national literacy and numeracy standards. Newbury College will check the assessment method used and verify the results against the level of course the learner enrolls onto.

5 Eligibility

Sub-contractors / partners must ensure that the eligibility of all learners has been checked against the current year's Eligibility and Contribution Rules before they are enrolled on a programme of study. Newbury Colleges requires all learners to complete the eligibility form. For Apprenticeship and Traineeship programmes the ILR, declaration of eligibility and employer agreement must also be completed. A member of Newbury College staff checks that the information and evidence on the eligibility form matches the information provided on the enrolment form, Individual Learning Record (ILR) and Individual Learning Plan (ILP). If not the learner will not be enrolled onto the system and the sub-contractor will be asked to resolve the issue.

6 Learner Contracts

Learners on Apprenticeship programmes are required to sign an agreement with their employer. The sub-contractor / partner is required to check that both the learner and employer are fully aware of their responsibilities in relation to this contract. Newbury College checks that this is completed before the learner is enrolled.

7 Fees

It is the responsibility of the sub-contractor / partner to collect any required employer contribution in accordance with the Newbury College fee structure. Sub-contractors/ partners are required to submit data to Newbury College when requested regarding the fees collected for the annual employer contribution collection report to the funding agency.

8 Enrolling Learners

The following documents are required by Newbury College to enrol learners onto their programme:

- Fully completed and correctly coded ILR signed by the learner and provider (Apprenticeship and Traineeship)
- Fully completed Newbury College Enrolment Form signed by the learner and provider (Apprenticeship and Traineeship)
- Evidence of benefits or supporting evidence to validate claims for full funding
- Fully completed eligibility document signed by the learner, provider and employer (Apprenticeship and Traineeship)
- Results of the Skill Scan (Apprenticeship and Traineeship)
- Employer Contract signed by the learner, provider and employer (Apprenticeship programmes)
- Individual Learning Plan with evidence of the learner's skill scan and any requirements for additional learning support signed by the learner, provider and employer
- Proof of the start of learning – either recorded on the ILP, register evidence or evidence of an assessor visit.
- Workplace Health and Safety form – showing that the workplace/ place of learning is safe (Apprenticeship and Traineeship) – NOTE: If there are actions on this document the learner will not be enrolled until the actions are completed.

The documents must be checked by the sub-contractor / partner before being sent to Newbury College and fields such as the qualification reference number and delivery location postcodes must agree with those stated in the contract.

Newbury College checks the quality of all of these documents before the learner is enrolled onto the system and sub-contractors / partners will be issued with any actions from the quality audit.

9 Health and Safety

All workplaces and places of learning (other than distance learning programmes) for learners must have been assessed for Health and Safety before learners commence their programme of learning. Evidence of this must be submitted to Newbury College with the enrolment paperwork.

10 Registering Learners with Awarding Bodies

It must be agreed prior to the contract whose responsibility it will be to register the learners with the relevant awarding body. Evidence of registration must be kept in the learner's file and, if the sub-contractor / partner has registered the learners, a copy of the evidence must be sent to Newbury College. The learner's registration number must be recorded in their ILP. This is audited by Newbury College during the termly Quality Audits.

11 Quality Monitoring

A sample of learners from each sub-contractor / partner will be telephoned within 6 weeks of enrolment to check that they exist and that the information that they have provided on the paperwork is correct.

As part of the contract, a schedule of quality audits is agreed with the sub-contractor / partner. These are set once a term and may be in the form of auditing learner files, paperwork audits or visiting learners for their feedback on the programme. A representative from the sub-contracting / partner organisation is required to be in attendance at these quality visits. At least one of these audits will be an announced visit to the sub-contractor / partner's premises.

A paperwork audit may check the following:

- ILR information matching the ILP and eligibility documents
- For Apprenticeships - 'off the job training' evidenced with log book or register and 'on the job training' evidenced via the log book. The evidence must show that the learner is in learning for every month that they are recorded on programme.
- Apprentices must have evidence of the completion of Employee Rights and Responsibilities (ERR) and Personal Learning and Thinking Skills (PLTS) in accordance with the framework guidance. Progress of this will be checked.
- Evidence of learner reviews for Apprenticeships at 10 – 12 week intervals or 6 – 8 weeks for those with additional learning needs must be available in the learner files and the quality of the reviews will be assessed.

If supporting information is held on an e-portfolio system the audit will be conducted from the evidence held in the e-portfolio.

The sub-contractor / partner will be provided with the result of the audit and all actions will be monitored for a timely resolution.

In addition to the announced visits, there may be at least one unannounced visit in the contract year, in addition to telephone contact with employers and learners, to assess the quality of the programme.

During the visits joint observations of teaching and learning may be conducted to standardise the process. Lesson observations of tutors and assessors must be carried out by all contracted partners and submitted to Newbury College. Any tutor/ assessor who is graded 3 or below must be mentored and re-observed by the sub-contractor / partner with the new observation form submitted to Newbury College before the end of the funding year.

A representative from the sub-contractor / partner organisation is required to attend meetings at Newbury College during which learner progress is discussed and action plans set for learners who may be falling behind with their programme of study. In cases where there are a few learners finishing their programme this meeting may be by telephone with documents e-mailed to Newbury College.

Newbury College must be informed of all planned EV visits relating to the contracted provision and copies of EV reports must be sent to Newbury College as soon as they are received. These are CRAG rated and actions set are monitored by Newbury College.

12 Unfunded Learners

Any learners who have not completed before their planned end date must have an action plan agreed with Newbury College to ensure achievement as soon as possible after this date. Sub-contractors / providers are contracted to achieve an agreed timely success rate for each cohort of learners and, if this is not achieved, a financial penalty will be imposed

13 Withdrawn Learners

Newbury College must be notified within 1 month of a learner withdrawing from their programme of study. In addition to this evidence of the last date in learning, reason for withdrawal and all of the learner's original paperwork including reviews, ILP etc must be sent to the College. Late notified withdrawals will result in a financial penalty being imposed.

Date: September 2011

Audit Committee: 03 October 2011

Corporation: 12 December 2011

Reviewed: September 2013 (no change), Sept 2014 (minor change), Sept 2015 (minor change), Sept 2016 (minor changes throughout)

Next Review: September 2017

Appendix A. Due Diligence Letter



Dear

Re: Partnership Agreement for delivery of Apprenticeships / ALR/Traineeships

The first stage in the process of setting up a new arrangement between **COMPANY** and Newbury College is our Due Diligence process. Please could you provide the following information relating to **COMPANY** and return it to us as soon as possible.

- The legal name address and status of the **COMPANY** (Sole Trader, LLP, etc)
- Company registration number and UKPRN
- Evidence of registration on the most recent Register of Training Organisations.
- Details of any direct contracts held with the SFA/EFA or any contracts in progress with other partners and the financial value of these contracts, for the previous and current funding years. In the case of terminated contracts please provide the reason for the termination.
- 3 years of Financial Statements relating to **COMPANY**
- Names of all Directors (Trustees) and Senior Managers of the **COMPANY** and details of their previous appointments. Any potential conflicts of interest must be disclosed.
- Disclose any past or present county court judgements or action in the civil or criminal courts relating to the **COMPANY** or its Directors.
- Details of any quality marks held – including evidence of Matrix Accreditation
- Audit reports relating to delivery of SFA/EFA funded provision
- A reference from a partner you have worked with (this should include success rates if applicable and a description of the relationship between yourselves and the referee)
- Copies of your insurance certificates for Professional Indemnity and Public Liability
- The latest OFSTED report if applicable
- Copies of awarding body centre approval certificates to deliver qualifications funded through the proposed agreement
- Copy of latest Self-Assessment Report
- Latest External Verifier reports for those qualifications proposed as part of the agreement
- Copies of teaching, Assessor and Verifier qualifications for all staff involved in the delivery of provision funded through the proposed agreement
- Evidence of DBS checks for all staff involved in the delivery of provision funded through the proposed agreement
- Evidence of training (or plans to deliver training) for all staff relating to Safeguarding and Equality & Diversity
- Evidence of data protection and security systems for the exchange of personal data and compliance with data protection legislation
- Evidence of systems required for compliance of SFA data collection and record keeping

- Copies of the following policies and procedures: Health and Safety; Quality Assurance policy; Learner appeals; learner discipline (including action regarding bullying/ harassment); Plagiarism/malpractice (learner); Staff malpractice/code of conduct; Complaints procedure; Safeguarding; Data protection and security systems; Environmental and Sustainability Policy.
- Declare any reportable injuries, diseases and dangerous occurrences covered by the RIDDOR regulations together with actions taken to prevent reoccurrences.
- Evidence of how the **COMPANY** meets the 'Prevent Agenda' including policies and procedures relating to avoiding and dealing with extremism
- If the 'Prevent Policy' does not state that the **COMPANY or Directors** do not have any links to extremist organisations. Please supply a statement to this effect or provide detail on the organisational links
- Equality and Diversity / Single Equality Duty policy and evidence of how the **COMPANY** is actioning reducing achievement gaps
- Evidence of compliance with employment legislation and immigration rules
- Evidence of learner support arrangements
- Evidence of learner tracking procedures and regular communication with learners
- Evidence that the **COMPANY** has the capacity to deliver all contractual requirements without the need to subcontract any part to another provider
- Newbury College reserve the right to carry out a credit check on **Company**

If you have any queries concerning any of the above, please let me know.

Yours sincerely

Jo Houghton
Work Based Learning Contracts Manager

Appendix B. Due Diligence Report

Due Diligence Report

Date:

Company Name:

Registered Address:

Legal Status:

Companies House Registration:

Is Company Active on Companies House Database? Yes No

Any Evidence to Show that it has Passed a Resolution (or the court has made an order) to Wind Up or Liquidate the Company or that Administrators have been Appointed?

Yes No

UKPRN Number:

Registration on the Register of Training Providers: Yes No

Matrix Accreditation Yes No

ESF Plaque evidence Yes No

Names of Directors, Trustees and Senior Managers (Including previous appointments)

Declaration of Conflicts of Interest of any Directors, Trustees or Employees

Financial Statements

Are Statutory Accounts Overdue? Yes No

Result of Credit Check

Evidence of CCJ or other Court Proceedings

Evidence of Contracts held with the Skills Funding Agency and Education Funding Agency including reasons for the termination of the agreements and Other Funding Contracts and Values (Previous and Current Funding year)

References

Copies of Insurance Certificates for Professional Indemnity and Public Liability

OFSTED/Quality Reports

Audit Reports

Awarding body centre approval certificates

External Verifier reports –

DBS checks for all staff involved in the delivery of provision

Evidence of appropriately qualified and trained staff for delivery

Evidence of training (or plans to deliver training) for all staff relating to Safeguarding and Equality & Diversity

YES

NO

Evidence of systems to ensure compliance with the Skills Funding Agency's requirements for data collection and the keeping of records

Policies & Procedures:

Equal Opportunities

Health and Safety

Quality Assurance policy

Learner appeals

Learner discipline

Plagiarism/malpractice (learner)

Staff malpractice/code of conduct

- Complaints procedure
- Safeguarding
- Sustainability
- Data protection and security systems
- Whistleblowing
- Compliance with employment legislation and immigration rules
- Prevent Agenda
- Business Continuity and Disaster Plan

Evidence of RIDDOR Actions:

Evidence of Learner Support Arrangements:

Does the contractor have the capacity to deliver all contractual requirements?

Contracts Manager Comments:

Finance Director Comments:

Progress to SMT: Yes No

SMT Comments:

Corporation/SMT Approval: Yes No