

Policy Name:

Supply Chain Policy for the Education and Skills Funding Agency Adult Learning

Date of Issue

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Contact:

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30th October 2022



**Education & Skills
Funding Agency**



European Union
European
Social Fund

**Children and Young People's Services
Directorate**

1. Purpose and scope

- 1.1. [The 2021/22 Education and Skills Funding Agency \(ESFA\) Funding and Performance Management Rules](#) require all providers who subcontract provision to publish a supply chain and charges policy in the interests of transparency and openness, along with a rationale for subcontracting provision. The intention of this policy is to set out how Suffolk County Council (SCC) meets ESFA funding rules and fulfils the ESFA contract for the Adult Education Budget (AEB) through its subcontracting arrangements.

2. Introduction & Background

- 2.1. The aims of the Adult Education Budget (AEB) are to engage adults and provide the skills and learning they need to equip them for work, an apprenticeship or other learning i.e. basic skills in English and Mathematics and employability skills. In addition, it enables more flexible tailored programmes of learning to be made available, which may or may not require a qualification, to help eligible learners engage in learning, build confidence, and/or enhance their wellbeing i.e. community and family learning, including provision for adults with mental health conditions.
- 2.2. The Council wholly sub-contracted Realise Futures CIC (RF) to deliver Adult Education and Community Learning across Suffolk following their divestment in November 2012. In line with the Suffolk Adult Learning Strategy (2015-2020), the Council also sought to engage with additional community and voluntary organisations to deliver learning that increased the breadth and depth of provision. This was achieved through a second-tier sub-contracting arrangement through RF who procured and managed a series of small second tier subcontractors (mainly from VCS) on behalf of SCC.
- 2.3. In June 2017, the ESFA confirmed their Funding and Performance Rules for 2017-18. Point 104 of the new rules removed the facility to subcontract at a second level and specified that all delivery subcontractors must be contracted directly by the Council (the Prime contractor).
- 2.4. As a short-term measure, in 2017-18 SCC took immediate action to implement an interim arrangement of directly subcontracting 11 existing providers to deliver the Council's adult learning offer across the county. These providers were already engaged in delivering provision in 2016-17 and were in effect, handed over to SCC from August 17 from RF.
- 2.5. In 2018-19, SCC directly subcontracted with 8 providers to deliver the Council's adult learning offer across the county. These providers were already engaged in delivering provision for SCC in 2017-18 under the interim subcontracting arrangement.
- 2.6. In 2019-20, SCC is directly subcontracting with 8 providers to deliver the Council's adult learning offer across the county.
- 2.7. In 2020-21, SCC is directly subcontracting with 6 providers to deliver the Council's adult learning offer across the county.
- 2.8. In 2021-22, SCC is directly subcontracting with 6 providers to deliver the Council's adult learning offer across the county.

3. Rationale for Subcontracting

3.1. SCC does not deliver learning directly but is a strong commissioner of high-quality provision and subcontracts delivery to:

- strengthen links with local community organisations for the benefit of adult learners
- promote more effective collaboration with other adult learning providers to reduce perceived or actual competition and minimise duplication of offer across the county
- diversify the capacity to deliver niche provision in marginalised communities, offered through sub contractual arrangements
- other critical considerations in engaging a sub-contractor is that they will add value to the service and that the contract represents value for money.

3.2. SCC does not commission providers who are located outside of the county of Suffolk and deliver training outside of this area.

4. Improving the Quality of Teaching and Learning

4.1. SCC expects high quality provision to be delivered to the residents of Suffolk and is committed to setting high expectations for learners' conduct and achievement.

4.2. SCC support subcontractors to deliver high quality teaching and learning by monitoring the provision:

- Planned/unannounced 'deep dives' which include formal observations and quality walkthroughs where a specific theme will be explored
- Short notice audits of a sample of learner documentation
- Moderation of RARPAP process (where applicable)
- Unannounced /short notice face to face interviews with staff and learners
- Evidence of own performance monitoring activity and relevant quality improvement plans
- Hold regular contact, dialogue, and professional support with key sub-contractor contacts through contract monitoring meetings and governance meetings.
- Hold regular contract meetings to monitor provider performance against contract requirements and the quality of delivery against national quality benchmarks.
- Monitor sub-contractors to ensure that they comply with their obligations in respect of processing personal data under the sub-contract and complying with associated legislation
- Process and submit to the ESFA of ILR returns, data validation and reporting.
- Process business support paperwork, invoices, regular finance payments and inputting of data
- Document completion and submissions via e-sourcing platforms.
- Review, scrutinise and provide constructive feedback on reports, plans and analysis provided by sub-contractors, including: - Self-Assessment Report (SAR) & Quality Improvement Plan (QIP) - Safeguarding log - Staff database -

Complaints log - KPI & performance reports, including delivery information and observation findings.

- Regularly evaluate the impact of our services on our strategic goals so that we can continually adapt to meet Suffolk's changing needs and build appropriate monitoring mechanisms.
- Write the annual Self-Assessment Review (SAR). This document will involve all staff within the service, learners and appropriate partners, employers, and stakeholders. The SAR will review performance in line with the Education Inspection Framework and include reference to national benchmarks, trends, and minimum standards.

4.3. Feedback from the monitoring will form part of the reporting cycle and Quality Improvement Planning.

5. Contracting Fees and charges

5.1. SCC's policy adopted for the ESFA contract 2021/22 is to retain a management fee of 10% from all subcontractors, so that the maximum amount possible is available for the delivery of learning. SCC'S allocation from the ESFA to deliver Adult and Community Education for 2021-2022 is £2,795,970. The total funding retained as a management fee is £279,597. (10%)

The funding has been calculated on the basis of salary costs of the Adult Learning Service Manager and the Service team responsible for the management support necessary to ensure proper contract management, quality monitoring, and ensure that data is collected and can be provided to the ESFA in a timely fashion, together with External Audit and MIS database costs . Section 7 provides details of services supplied to the subcontractor. It should also be noted that additional strategic and operational support is offered by Suffolk County Council staff:

- Head of Skills
- Finance staff
- Procurement staff
- Communications and Press office

The management fee is reviewed regularly to ensure that it is a reasonable and proportionate fee to the delivery of the sub-contracted provision. Each cost contributes to continuous development of the service and the delivery of high-quality learning to the county. The Adult Learning Service Manager post will ensure a high-quality service is delivered to national standards, benchmarks and regulatory frameworks such including Ofsted.

5.2. Subcontractors are paid monthly, in line with the ESFA payment profile and within 30 working days of receipt of invoice.

5.3. Fees retained from the subcontractors are used to fund the following support services:

5.3.1. Commissioning and procurement process

- 5.3.2. ILR Data Management
- 5.3.3. Overarching management of Quality
- 5.3.4. Safeguarding management of the service
- 5.3.5. Support with the monitoring of Teaching and Learning
- 5.3.6. Contract and Compliance management
- 5.3.7. Ofsted Nominee and inspection preparation

6. Policy Review

- 6.1. This policy is reviewed annually and updated accordingly.
- 6.2. The Policy may be reviewed if significant changes in the ESFA Rules occur. Any changes to this policy that occur mid-contract will be discussed with subcontractor/s.
- 6.3. In addition, SCC, as part of the sub contractual agreements, undertake a "performance and delivery review" quarterly, to enable re-profiling of payments, as where delivery volumes or quality of service have fallen below agreed levels. This review is encompassed within the contract management meeting timetable.

7. Support provided to the Subcontractor

- 7.1. Conditions of funding require SCC to have sufficient knowledge, skills, capacity, and experience to successfully contract with and manage subcontractors. This includes the Council commissioning procurement and conducting a series of robust due diligence checks on subcontractors and the requirement to carry out a regular and substantial programme of quality assurance checks on the education and training provided by subcontractors, including visits at short notice and face to face interviews with staff and learners. In addition, it must also involve direct observation of initial guidance, assessment, and the delivery of learning programmes.
- 7.2. SCC provides a dedicated contract manager and additional senior management support within the Skills team, part of Children and Young People's Services Directorate to ensure the terms of the contract are met and the quality of the provision remains or exceeds good.
- 7.3. SCC undertakes regular performance management, including monthly reporting (in line with the EIF (Education Inspection Framework), contract meetings and quality walk throughs.
- 7.4. SCC provides opportunities for subcontractors to access CPD, information and funding from additional sources.
- 7.5. SCC will lead on the preparation of the Self-Assessment Report and the Quality Improvement plan.

8. Contingency Plan

All learners who are provided with education and training under a subcontracting agreement remain the responsibility of the Service. The Service will follow robust pre-contracting processes and procedures to ensure the quality and stability of potential subcontracting organisations.

The Service mitigates risks by:

- Commissioning local providers
- Commissioning provision for local needs
- Setting a funding maximum for subcontracted provision

In the event of the following the Service will be responsible for making alternative arrangements for the delivery of education and training:

- The Service needs to withdraw or terminate a subcontract arrangement, or
- A subcontractor withdraws from the arrangement, or
- A subcontractor goes into liquidation or administration

The Service will explore a range of options, to organise the continuation of education and training including:

- Taking on the provision from the sub-contractor for the remainder of the contract period where resources and capacity permits
- Using other existing sub-contractors where provision matches
- Using other local providers.

Continuity of learning and minimum disruption to learners is of paramount importance, the Service will try its best endeavours to re-locate current learners in comparable local provision, in order to ensure that the learners are not disadvantaged, are safeguarded and receive good value for money.

9. **Policy Dissemination**

9.1. This policy will be disseminated to the current Subcontractor via email and a website link.

10. **Policy Communication**

10.1 The Policy is available on-line at:

[LearnSuffolk.org About Us Our Vision Supply Chain Policy](http://LearnSuffolk.org>About%20Us/Our%20Vision/Supply%20Chain%20Policy) The policy is communicated through termly governance/contract meetings with the subcontractors and at the contract award meeting with subcontractors.

11. **Publishing Funding Data**

11.1. Data regarding the actual level of funding paid by SCC to the subcontractors will be published annually in this document.

12. **Relevant documents:**

ESFA Funding and Performance Management Rules 2021/22
EIF Education Inspection Framework

13. Subcontractor information - 2021-2022

UKPRN	Provider	Contract Value	Management Fee of 10%	Contract Payable
10042122	Green Light Trust	£97,000	£9,700	£87,300
10010326	Inspire Suffolk Ltd.	£50,000	£5,000	£45,000
10057039	Ipswich Community Media C.I.C	£60,000	£6,000	£54,000
10053300	Out Loud Music C.I.C.	£50,000	£5,000	£45,000
10036580	Realise Futures	£2,479,610	£247,961	£2,231,649
10061543	Sentinel Leisure Trust	£60,000	£6,000	£54,000
	TOTAL	£2,796,610	£279,661	£2,516,949

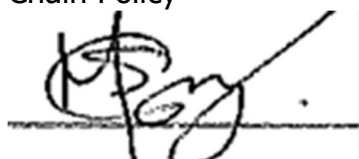
Subcontractor information – 2020-2021

UKPRN	Provider	Contract Value	Management Fee of 10%	Contract Payable
10042122	Green Light Trust	£100,000	£10,000	£90,000
10010326	Inspire Suffolk Ltd.	£68,358	£6,835	£61,522
10057039	Ipswich Community Media C.I.C	£57,000	£5,700	£51,300
10053300	Out Loud Music C.I.C.	£50,000	£5,000	£45,000
10036580	Realise Futures	£2,479,610	£247,961	£2,231,649
10061543	Sentinel Leisure Trust	£40,000	£4,000	£36,000
10085684	West Suffolk Council/ West Stow Country Park	£40,000	£4,000	£36,000
	TOTAL	£2,834,968	£283,496	£2,551,472

All subcontracts begin on 1st August 2021 until 31st July 2022

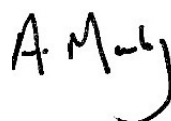
2021/22 Suffolk County Council Supply Chain Policy Approval:-

I hereby confirm approval of the revised 2021/22 Suffolk County Council Supply Chain Policy



Michael Gray
Head of Skills

Date: 06/09/2021



Andy Mawby
Into Work and Adult Learning
Service Manager

Date: 06/09/2021