# POLICY/PROCEDURE: SUBCONTRACTING POLICY

Approval required by: SMT Y Governing Body N

SMT Lead: Vice Principal Funding, Data and Compliance

Responsible Manager: Vice Principal Funding, Data and Compliance

Date approved: September 2017

Date to be reviewed: September 2018

Relevant to: Students N Staff Y

 Visitors N

Relevant to: All students N

 16-18 Vocational N Sixth Form Y

 Higher Education N Adults N

Apprenticeships N 14-16 N

Other N …………………………..

Relevant to: All staff Y

 Board Y SPH Y

Managers Y

 Teaching staff Y Support staff Y

Accessible to Students N Staff Y

Friendly version Students N Staff Y

EQIA required N

Significant changes to policy

No significant changes.

Impact of changes

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# SCOPE AND PURPOSE

To outline the college’s approval to subcontracting and set a framework within which relationships with subcontracting partners can be developed.

# BACKGROUND

## Rationale

Barnsley College will only subcontract provision in the following circumstances:

* Where the provision is in a vocational area that the college does not offer.
* Where the provision is aimed at engaging hard to reach or NEET learners.
* As a result of a collaborative bid where Barnsley College has been named as the lead provider.
* Establishing Strategic Partnerships enabling growth opportunities.

The college will not subcontract provision outside of the area unless requested to do so under the terms of a national contract.

All sub-contractors undertake a due diligence process that allows Barnsley College to review policies and procedures, delivery, quality and performance before entering into any contract arrangement.

Barnsley College will only award contracts for delivering funded provision to legal entities. If the legal entity is a registered company, it must be recorded as ‘Active’ on the Companies House database.

The college will not award a contract to a legal entity if:

* It has an above average risk warning from a credit agency;
* It has passed a resolution (or the court has made an order) to wind up or liquidate the company, or administrators have been appointed; or
* Its statutory accounts are overdue.

## Quality

As an outstanding provider the college will work with partners to ensure that all provision is outstanding. The college will offer to its partners:

* A contract mirroring funding body requirement.
* Professional training and development for partner staff.
* Access to learning resources and materials.
* Participation in the college Observation of Teaching and Learning process.
* Participation in the college self-assessment process.
* Access to the range of in-house training delivered by the college eg Teachers Fair.
* Monitoring of initial guidance, assessment and delivery of learning programs.

Learners enrolled at subcontracted providers will be able to:

* Access college IT systems.
* Access IAG services pre, on course and exit.
* Utilise college libraries and use self-organised learning environments.
* Pay any course fess at the level as a college learner.
* Use college support services such as Enterprise, job search clubs and the Wellbeing Centre.

## Fees

Barnsley College’s standard Management fee is 15%.

Further additional services may be mutually agreed between Barnsley College and the Sub-contractor. Additional services may be charged as a one off fee or as a percentage of contract value.

The fees charged reflect the cost of the procurement process and the management of the contracts. It also covers the cost of partners’ delivery staff attending college training events on Safeguarding and Prevent which are mandatory.

## Termination

The college will terminate the contract early in the following circumstances:

* When the partner ceases trading
* When the partner is delivering provision outside the scope of the contract
* Where the college has reasonable grounds to believe that the partner is promoting activities that run counter to the PREVENT and safeguarding agenda.

## Payment Terms

The exact form and amount paid will clearly vary from contract to contract. However, the following principles used apply:

* On programme funding will be paid on a monthly basis after the learner has become fundable
* Requests for payment must be accompanied by relevant evidence
* Achievement funding will be paid within 30 days of the college receiving the funding amount.

# EQUALITY AND DIVERSITY

An EqIA is not required for this policy.

# LINKED POLICIES AND PROCEDURES

None.

# LOCATION AND ACCESS TO THIS POLICY

This policy is available on the college’s intranet.