



Dove Nest Group

Subcontractor Management Policy

Document Control

Document Reference	Subcontractor Management Policy v1.0 2022
Title of document	Subcontractor Management Policy (Apprenticeships)
Supersedes	New
Approved by	Jenny Jones
Date of approval	19/10/2022
Publication/issue date	20/10/2022
Review date	Annually
Distribution	BrightHR

AUTHORISATION

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Signed: _____

Managing Director

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20/10/2022

1. Introduction

The aim of the policy is to provide accurate, transparent and comprehensive information to external agencies on the policy that Dove Nest Group will adopt when subcontracting its provision. This policy is published in line with the Education Skills Funding Agency requirements as stated in the funding rules 2021/2022. Dove Nest Group is committed to achieving outstanding teaching, learning and assessment, and this is demonstrated within this policy by ensuring all potential partners are able to achieve the desired expectations. The policy is a mandatory requirement that must be in place to participate in any subcontracted, supply chain activity. The content of this policy has been developed in line with the current Education and Skills Funding Agency (ESFA) Funding Rules and the Ofsted Education Inspection Framework (EIF)

2. Scope

The policy applies to all subcontracted provisions / supply chain activity where funds are supported by the Education and Skills Funding Agency, delivered on behalf of Dove Nest Group. In compliance with the ESFA and other agency funding rules, this policy will be published on our website, which explains our approach to subcontracting and will submit actual end-of-year subcontracting fees and charges to the ESFA on request. This policy will be reviewed annually and made available on the company website.

Final agreement and approval for subcontracting partnerships, charges / fees, contract values and changes are the responsibility of the Operations Director and Dove Nest Group Board of Directors.

3. Objectives

Dove Nest Group subcontracts to other delivery partners with the intention of:

- widening participation to allow a greater number of learners access to provision to meet their individual needs.
- introducing new curriculum to our portfolio where demand exists, and Dove Nest Group is not best placed to deliver.
- providing good development opportunities for both Dove Nest Group and our delivery partners, share good practice and new ways of working

4. Policy statement

Dove Nest Group intends to/works with a small number of delivery partners and assumes an understanding of shared values that puts the learner at the centre of the provision. As part of our partnership working Dove Nest Group operate the following approach in determining the appropriate management fee for each individual partner.

Dove Nest Group subcontractor partnerships are formed to benefit all parties to provide enhanced opportunities for people to access a wider provision of learning subjects in areas of popularity and high demand. The partnerships work in collaboration to enhance learner content on combined topics and provide stretch and challenge in areas requiring additional provisions for learning opportunities to support the amplification of the identified topical areas such as leadership and management and wellbeing. The partnerships may directly or indirectly support the learning of those on programme through shared resources, modified content, shared staff training and development days on topics of mutual interest and enhancement such as safeguarding, functional skills, wellbeing, curriculum and external audit support. In selecting our partner providers we will consider the following:

- Reputation
- Geographical location and available provisions
- Specialism
- Quality Measures
- Finance

To ensure we encompass all we commit to within our subcontracting provision we do not exclude providers based on a geographical location allowing us to maximise our offering to support a wider range of learners. Therefore, to ensure any distance subcontracting arrangements are appropriately managed, we aim to conduct regular monthly monitoring visits covering compliance and quality of teaching and learning across the

programme delivery. Visits are a combination of desktop review activities – via Teams, onsite activities (where possible) and checks, planned and unplanned inspections conducted to ensure Ofsted and ESFA rules are demonstrated and adhered to.

Dove Nest Group review subcontracting arrangements and the rationale for subcontracting yearly (or earlier, if required) considering any changes, to ensure it is valid and current in line with our own policy / external governing regulators. The Policy also ensures that allocation of provision remains within 25% of the overall allocation of funds.

Dove Nest Group will only subcontract where it is established that the provision is of high quality and low risk. All providers / subcontracting partners are subject to a comprehensive due diligence process prior to a contract being awarded. This risk-based approach takes into consideration a variety of aspects including previous track record, financial standing – via a financial assessment, company status and professional standing, a review of essential policies, staff / personnel and process linked to teaching learning and assessment, learner numbers and provisions, an assessment of the subcontracting partners ability to deliver a high quality provision (including previous success rates / Ofsted grade) and the experience of delivering planned provisions.

All Subcontractors must be on / applying to the ESFA Register of Apprenticeship Training Providers (RoATP) and Register of Training Organisations (RoTo) or subsequent registers.

Dove Nest Group will continue to strategically review all subcontracting arrangements, in relation to its strategic aims, funding allocations and performance throughout the year, thereby reducing the exposure to risk of poor performance by other organisations.

5. Management Fee

The management fee varies in percentage and is dependent on risk rating of the provider following the due diligence assessment process. The management fee charged by Dove Nest Group is linked directly to the costs for effectively identifying, selecting and managing all subcontracted provision. This includes the expected amount of auditing, monitoring contractual performance and compliance, and will ensure quality assurance criteria are met in line with the individual subcontractors' agreement.

Factors that influence the management fee charged include, but are not limited to:

- The type of provision / experience in the delivery to be contracted
- Historical quality performance
- Previous contract delivery
- Site of provision
- Experience of the provider / outcomes of external Quality Assurance e.g., Ofsted
- Financial Status

All of the above impact on the amount of support and development needed and the frequency of visits / support. Any new subcontract partners will be informed of their initial risk rating. Management fees will be deducted at source and Dove Nest Group will make regular payments to providers based on the current submission of data and supporting evidence to validate learning delivery. All funding claims must comply with the current Education Skills Funding Agency Funding Rules and the terms of the agreement between Dove Nest Group and the delivery partner (subcontractor).

Illustrated fee breakdown of 20% management fee: ILR, administration and system support 5%, Quality assurance and delivery support 6%, Contract management 9%.

Where funding claims cannot be substantiated, Dove Nest Group will adjust or reclaim any funds from the sub-contractor, and where required make an appropriate repayment to the Education Skills Funding Agency.

6. Support and Capacity Building

Dove Nest Group has a responsibility to support all delivery partners (subcontractors) to develop and deliver a high-quality provision that meets the needs of learners and exceeds the expectation of employers where applicable. The management fee deducted from allocated funds is used directly to provide a comprehensive

programme of support and compliance measures to ensure that public funds are protected and used effectively, and partners are supported to develop their provision and extend their business.

The exact mix of support will vary dependent on the needs to individual delivery partner (subcontractors), but all organisations can expect to benefit from the following;

- Designated Contact
- Contract review and performance monitoring support
- Curriculum development and delivery support
- Funding, MIS, audit and submission of data return
- Existence and Eligibility Checks
- Preparation for External Inspection
- Quality Assurance and Enhancement Support
- Safeguarding support
- Access to staff development activities
- Self-Assessment & Quality Improvement Support Teaching and Learning Observations

As the Prime Provider, Dove Nest Group retains clear and transparent accountability for the quality of training provision and will ensure high-quality provision by ensuring appropriate controls are in place to manage the learner experience and attain value for funded money.

Quality assurance will ensure continuous improvements in the quality of teaching and learning. This will be achieved through the sharing of effective practice across the supply chain for example through subcontractors attending / undertaking CPD and training and through the Self-Assessment Report (SAR) process.

7. Prevent duties

The prevent duty applies to subcontracted provision. It requires providers to have due regard to the need to prevent people from being drawn into terrorism. All further education providers must comply with relevant legislation and any statutory responsibilities associated with the delivery of education and safeguarding of students, and this includes students receiving provision under a subcontracting arrangement.

Dove Nest Group will assess subcontractors to ensure any funds issued do not lead to inadvertently funding extremist organisations. The subcontractor must contact Dove Nest if they have concerns that any funds have been used incorrectly.

If Dove Nest Group identifies a risk we will notify the specified authorities, including the relevant Prevent Co-ordinator, and the contract will be suspended pending an investigation.

The contract will not be renewed without assurance from the relevant authorities that there is no risk that activity is funding any extremist organisations.

In order to receive funding, all subcontractors must ensure that all staff have received appropriate training in Prevent and that they have an appropriate strategy and action plan in place.

8. Payment Terms

Dove Nest Group makes payment to sub-contractors following successful data upload via the ILR return to the Education Skills Funding Agency. Payment is subject to the correct evidence and data being provided to Dove Nest Group by the agreed monthly deadline. Payments to subcontractors will be made in accordance with the agreed payments schedule in the contract.

These payments will be reconciled against actual funding amounts calculated from the Provider Funding Report which is directly created from the ILR. Dove Nest Group will notify partners of any required changes to these deadlines. Full details of payment arrangements for each delivery partner are included in each individual contract. Any amendments will be based on guidance by the current version of the ESFA Funding Rules.

9. Complaints

Concerns and complaints will be referred to the Operations Director. Where disputes with subcontractors cannot be resolved through mutually agreed internal resolution procedures, the Board of Directors will provide a further level of arbitration. Contract documents will require both parties to agree that the achievements of supply chains are attained through adherence to both the letter and spirit of contracts or partnerships.

Signatories, therefore, commit that all discussions, communications, negotiations, and actions undertaken to build, maintain and develop an effective delivery partnership.

10. Review and Publication

This Subcontracting Management Policy will be reviewed annually in conjunction with the newest version of the Funding Rules from the Education and Skills Funding Agency or any successor organisations. This Policy will be approved by the Board of Directors and published on the Dove Nest Group Website by the ESFA deadline (31st October annually).

11. Supporting documentation

ESFA Adult Education Budget (AEB) - Funding and management rules (2021-2022)

ESFA Apprenticeship funding and performance management rules (2021 - 2022)

ESFA Funding guidance for young people (2021 – 2022)

ESFA Funding guidance for young people – Subcontracting controls (2020 – 2021)

ESFA Subcontracting controls guide for (2019 - 2020)

Subcontracting funding rules for ESFA funded post-16 funding (excluding apprenticeships) 2021 to 2022
Published 15 June 2021

Subcontracting funding rules for ESFA funded post-16 funding (excluding apprenticeships) 2021 to 2022 -
GOV.UK (www.gov.uk)

LSIS Supply Chain Management – Good practice guide for post 16 skills sector (2013)

AOC/AELP Common Accord. Guidance

Subcontracting ESFA post-16 education and training for the first time -Published 16 June 2021

Ofsted Education inspection framework - GOV.UK (www.gov.uk)

Best Practice Guidance for a Relationship between a Prime Provider and a Subcontractor (AELP et al,
March 2018)