


Reference Number: P23

# 2024-2025 SUBCONTRACTING FEES & CHARGES POLICY

Yeovil College  
University  
Centre



| Policy Review   |                                  |   |                    |                             |                             |
|-----------------|----------------------------------|---|--------------------|-----------------------------|-----------------------------|
| Author/Owner    | Position                         | Approved by:  | Approval Date      | Review Cycle<br>Review Date | Published on<br>Website Y/N |
| C Redfearn-Ward | Partnership<br>Contracts Manager | SMT<br>Corporation :<br> | 21/6/24<br>11/7/24 | Annually<br>June            | Y                           |

## Document Control – Revision History

| Author                               | Summary of Changes  | Date     | Version | Recommend to<br>SED (Y/N) |
|--------------------------------------|---|----------|---------|---------------------------|
| Mark Bolton                          | Significant amendments to reflect changes in SFA funding rules to ensure robust subcontracting management framework   | 30.06.16 |         | Yes                       |
| Charlotte Redfearn-Ward              | Significant amendments to reflect changes in SFA/ESFA funding rules, addition of detailed rationale, selection and QA and inclusion of Apprenticeship Reform.                                       | 13.06.17 |         | Yes                       |
| Mary Payne / Charlotte Redfearn-Ward | Significant amendments to reflect continued changes in ESFA funding rules and including changes to guidance used, update on management fee criteria, delivery costs and revised Risk Rating matrix. | 08.06.18 |         | Yes                       |
| Mary Payne                           | Amendments to link the policy to College Strategic Aims and update in line with current ESFA funding / audit rules and Ofsted guidance.   | 03.06.19 |         | Yes                       |
| Charlotte Redfearn-Ward              | Significant amendments to reflect additional Subcontracting Funding Rules changes and guidance during 2019/2020. Removal of Risk Rating Matrix.   | 29.05.20 |         | Yes                       |
| Charlotte Redfearn-Ward              | Clarification of Costing and Financial Approval and Review of Funding Types included in Subcontracting.   | 17.11.20 |         | Yes                       |
| Charlotte Redfearn-Ward              | Review against new funding rules and additional ESFA publications. Clarification rationale and reasons for Subcontracting.  | 22.06.21 |         | Yes                       |
| Charlotte Redfearn-Ward              | Review against additional funding rules from July 2021 and additional ESFA publications.  | 18.10.21 |         | Yes                       |
| Charlotte Redfearn-Ward              | Review against additional funding rules up to June 2022 and additional ESFA publications including new Subcontracting Standard.   | 16.06.22 | V1      | Yes                       |
| Charlotte Redfearn-Ward              | Fees and Charges Policy revised due to additional subcon funding rules and changes to how we calculate management fee.  | 23.09.22 | V2      | Yes                       |
| Charlotte Redfearn-Ward              | Reviewed on release of Funding Rules for 2023-24 with minor amendments to Job Titles and some content.  | 18.05.23 | V3      | Yes                       |
| Charlotte Redfearn-Ward              | Reviewed as part of meeting with RSM, Emma Cox, James Pill-Waring and Charlotte Redfearn-Ward on 13/7/23 to include explicit reference to SRO and update the paragraph on audit.                    | 13/07/23 | V3.1    |                           |
| Charlotte Redfearn-Ward              | Annual review against Apprenticeship Funding Rules 2024-25  | 14/06/24 | V3.2    |                           |

| Initial Equality Impact Screening  |   |                              |                               |
|--|---|------------------------------|-------------------------------|
| Has anyone else been consulted on this policy and/or procedure? No                           |   |                              |                               |
| What evidence has been used for this impact screening (e.g. related policies, publications)? |   |                              |                               |
| Declaration (please tick one statement and indicate any negative impacts)                    |   |                              |                               |
| <input checked="" type="checkbox"/>  | I am satisfied that an initial screening has been carried out on this Policy and/or Procedure and a full Equality Impact Assessment is not required. There are no specific negative impacts on any of the Protected Characteristics groups. |                              |                               |
| <input type="checkbox"/>   | I recommend that an Equality Impact Assessment is required by the Equality and Diversity group, as possible negative impacts have been identified for one or more of the Protected Characteristics groups as follows:                       |                              |                               |
|  | <input type="checkbox"/>  | Age                          |                               |
|  | <input type="checkbox"/>  | Disability                   |                               |
|  | <input type="checkbox"/>  | Gender Reassignment          |                               |
|  | <input type="checkbox"/>  | Race                         |                               |
|  | <input type="checkbox"/>  | Religion or belief           |                               |
|  | <input type="checkbox"/>  | Sex                          |                               |
|  | <input type="checkbox"/>  | Sexual orientation           |                               |
|  | <input type="checkbox"/>  | Marriage & civil partnership |                               |
|  | <input type="checkbox"/>  | Pregnancy & maternity        |                               |
| Completed by:  | Charlotte Redfearn-Ward   | Position:                    | Partnership Contracts Manager |
|  |   | Date:                        | 22/07/2024                    |
| Reviewed by Equality & Diversity Group: YES/NO   |   | If Yes: Date:                |                               |
| I confirm that any recommended amendments have been made                                     |   |                              |                               |
| Summary of Comments including Recommendations from Equality & Diversity Group Review:        |   |                              |                               |
|  |   |                              |                               |
| Amended by Author:   |   | Position:                    |                               |
|  |   | Date:                        |                               |

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## **PURPOSE OF THE POLICY**

The policy is a mandatory requirement that must be in place prior to participating 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 for Apprenticeships and Adult Skills Fund (ASF), Using Subcontractors in the Delivery of Apprenticeships (July 2022), Subcontracting Standard (August 2022), Assurance Reviews of the Subcontracting Standard for Post-16 Providers (August 2022), the Ofsted Education Inspection Framework (EIF) and other relevant Funding Rules (See also 10: Related Policies, Procedures & Documents).

## **SCOPE**

The policy applies to all subcontracted and supply chain activity where funds are supported by the Education and Skills Funding Agency, or any successor organisations, including Non-Levy Apprenticeship Funding and Levy Funded activity paid by Employers through the Apprenticeship Service, Adult Skills Fund (ASF) Funded activity and ESFA Funded Young Peoples Provision.

## **RESPONSIBILITY AND AUTHORITY**

In compliance with Yeovil College's ESFA Contract and other agency funding rules, the College will publish its Subcontracting Fees and Charges Policy, which herein explains our rationale and approach to subcontracting, on its website and will also publish actual end-of-year subcontracting fees and charges, including retained fees, and submit to the ESFA on request. This will include subcontractors who deliver on any Apprenticeship Frameworks or Standards, those funded through AE and through Funding for Young People.

The Assistant Principal for Employer Engagement is the Senior Responsible Officer (SRO) for subcontracting decision-making including initial assessment of new subcontracting opportunities and continuation of existing partnerships. However, final agreement and approval for subcontracting partnerships, charges, contract values and changes will lie with the Senior Management Team, including the CEO & Principal, and the Governing Body. The Assistant Principal for Employer Engagement is the budget holder for ASF Funded Subcontracting while Apprenticeship Subcontracted funding and subcontracting costs sit within the relevant curriculum area. Key personnel involved in subcontracting processes and policies include, but are not limited to: Partnership Contracts Manager, Vice Principal Finance and Resources, Head of Finance, Curriculum Area Managers, Human Resources, Management Information Systems and Head of Pedagogy.

## 1. RATIONALE FOR SUBCONTRACTING

- 1.1 Yeovil College is proactively engaging with stakeholders to identify the skills needs within its local community, with a particular focus on high value / priority sectors that drive the economy forward including Advanced Manufacturing, Aerospace, Health, Science, Construction, Digital (& Design), Electrical (& Cell) Technology.
- 1.2 The College is designing and implementing a curriculum for the local, regional and national skills needs, meeting the future workforce priorities based on local labour market intelligence, employer forums and stakeholder engagement. Yeovil College are working to create and grow high quality employer partnerships, which provide opportunities for our learners and deliver the skilled workforce needed in our business community.
- 1.3 Our intent is to support our business community to prosper. Their prosperity is to the benefit of our community and our vision is to be at the centre of bringing this together and ensure that the Yeovil College subcontracting aligns to its corporate and operational strategy. The College has constructed a five year strategic plan for subcontracting that focuses on local, demand-led and employer informed provision that meets our subcontracting values [Yeovil College Subcontracting Strategic Plan](#)
- 1.4 Yeovil College Behaviours:
  - a. Aspirational: Learning and growth will be at the heart of our College.
  - b. Collaborative: We will share and collaborate.
  - c. Exceptional: We will grow responsibly and responsively.
  - d. Team YC: Our great people do amazing things.
- 1.5 Subcontracting Values:
  - a. Creating a learner-centred environment;
  - b. Having uncompromising ambition for our learners;
  - c. Valuing, respecting and providing opportunities for all;
  - d. Proactively and positively collaborating with our local community and employers;
  - e. Being flexible, innovative and forward-thinking.
- 1.6 Yeovil College will continue to use its ESFA funding allocations and Apprenticeship Levy funding to meet its strategic aims, enhance the quality of its learner offer and support local learners, employers, and communities through a combination of direct and subcontracted delivery. Subcontracting will be profiled, budgeted, and agreed as part of a holistic and long-term financial plan.

- 1.7 The College will continue to strategically review all subcontracting arrangements, alongside the Subcontracting Business Case and overarching Subcontracting Strategy, in relation to its strategic aims, funding allocations and performance, throughout the year thereby reducing the exposure to the risk of poor performance by other organisations.
- 1.8 The College recognises the benefits that effective subcontracting can bring in extending the range and accessibility of provision for learners and employers. The College will only subcontract where it is established that the provision is of high quality and low risk, which will be agreed by the Governing Body and, for Apprenticeships, where the College can deliver a substantial element of the programme in line with the ESFA funding rules.
- 1.9 Where appropriate, the College will consider subcontracting a proportion of its ESFA allocation to a range of training providers and employers in order to meet its strategic aims and enhance the quality of its offer to learners in the following circumstances:
- 1.9.1 To enhance opportunities available to learners, especially where existing employers or learners require additional provision which is beyond our existing scope or capacity;
  - 1.9.2 To fill gaps in niche or expert provision, or provide better access to training facilities, which the College would not otherwise be able to adequately resource;
  - 1.9.3 To support better geographical access for learners;
  - 1.9.4 To support an entry point for disadvantaged groups and individuals who share protected characteristics, where there might otherwise be gaps;
  - 1.9.5 Where an existing or new employer has requested to work with us as their single Main Provider, with the expectation that the provider will need to subcontract to ensure coverage by level, sector, specialism, and region;
  - 1.9.6 Where subcontracting will allow us to build capacity in new sectors providing the potential for future direct delivery;
  - 1.9.7 At the request of a Levy paying employer.

## **2 OVERARCHING PRINCIPLES**

- 2.1 The college will only use Subcontractors to optimise the impact and effectiveness of service delivery, in line with its Strategic Aims, enhance opportunities available to learners and to maximise the proportion of funding being spent directly on training and development. Yeovil College will therefore ensure that:

- 2.2 Subcontractor approval shall be undertaken in a fair and transparent manner, conducting robust Due Diligence procedures on potential and existing subcontractors to ensure the highest quality of learning delivery whilst achieving value for money.
- 2.3 Due Diligence will include Financial Checks such as Credit Checks and review of Accounts, completed by a qualified and experienced member of the Finance Team, and will include assurance that subcontractors are not inadvertently funding extremist organisations.
- 2.4 The college will comply with current and relevant procurement regulations including the Public Contracts Regulations 2015. Subcontractors will be selected fairly, transparently and without discrimination and will be assessed for sufficient capacity, quality and business standing to deliver provision.
- 2.5 The College will not agree the use of any subcontractor where this would require subcontracting delivery, training or on-programme assessment to a second level.
- 2.6 The College will maintain the relationship with each employer at all times. The College will also maintain the direct relationship with the End Point Assessment Organisation where relevant.
- 2.7 Attention to detail regarding risk assessment, health and safety, safeguarding and prevent duty in relation to learners' safety will be paramount whilst ensuring the highest quality of learning delivery.
- 2.8 The funding that is retained by the College for Delivery, Quality Assurance and Contract Management will be reasonable and proportionate and directly related to the costs of the services provided. These services, and the levels of funding being retained for them, will be clearly calculated, documented, and agreed by all parties.
- 2.9 The fee rates of such retained funding will be commercially viable for both sides and will be negotiated and agreed in a fair and transparent manner. For apprenticeship provision they will only include eligible costs as detailed by the ESFA Funding Rules. (See also: 7. Costs and Charges and Appendix A & B).
- 2.10 Where disputes with subcontractors cannot be resolved through mutually agreed internal resolution procedures, the College will submit to independent outside arbitration or mediation and abide by its findings. 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 supply chains will be conducted in good faith in accordance with the Overarching Principle.

### **3 SELECTION, PROCUREMENT AND APPOINTMENT OF SUBCONTRACTORS**

3.1 Subcontractors will only be used to complement Yeovil College delivery in line with ESFA funding rules, specific to the type of provision and the relevant funding and will all be required to satisfy due diligence processes and sign a legally binding contract in advance of delivery commencing. Procurement will comply with the Public Contracts Regulations (2015) and Subcontractors will be selected fairly, transparently and without discrimination while ensuring they have sufficient capacity, quality and business standing to deliver the provision.

3.2 In selecting our partner providers, we will consider the following:

- a. Reputation – including referral from other providers or employers and checks of conflicts of interest;
- b. Specialism – particularly in niche provision areas;
- c. Geographic Location – with specific support to local partners and employers;
- d. Quality Measures – including previous recruitment, retention and success rates, Ofsted rating etc;
- e. Finance – with reference to Credit Checks and provision of accounts for review.

3.3 All Apprenticeship Subcontractors must be on the ESFA Apprentice and Provider Register (APAR) as either a Main Provider, Employer Provider or Supporting Provider. The College will only contract with Apprenticeship Subcontractors who are confirmed as being on the Register. Adult Skills (ASF) funded Training Providers will be assessed for suitability through the procurement process.

### **4 RULES AND GUIDANCE**

4.1 We will operate our Subcontracting Fees and Charges Policy in line with previous and current ESFA funding rules and recommendations as below:

- a. The College Governing Body and Senior Management Team will be satisfied that all our delivery subcontracting meets the College's strategic aims and enhances the quality of our learner offer and will evidence this through minutes of meetings and written sign-off;



- b. The College Governing Body and Senior Management Team will approve subcontractors determined to be of high quality and low risk, and will evidence this through minutes of meetings and written sign-off;
- c. The College will not subcontract to meet short-term funding objectives;
  - i. The College will ensure we have, and maintain, up-to-date knowledge, skills and experience of contracting with, and managing, delivery subcontractors;
  - ii. The College will have robust procedures in place to ensure we do not inadvertently fund extremist organisations through the subcontracting of apprenticeship training and/or on-programme assessment;
- d. The College acknowledges that it is responsible for all the actions of our delivery subcontractors connected to, or arising out of, the delivery of the services, which we subcontract;
- e. The College will only use delivery subcontractors that are on the published Register of Apprenticeship Training Providers, or other relevant ESFA registers;
- f. The College will consider the use delivery subcontractors to complement our own delivery when requested by an employer;
- g. The College will not agree with an employer the use of a delivery subcontractor that we assess as being unsuitable, or whose quality of delivery is demonstrably inadequate, even where the employer decides not to work with us as a consequence;
- h. The College will not agree the use of any delivery subcontractor where this would require us to subcontract apprenticeship training and/or on-programme assessment to a second level;
- i. The College will maintain the relationship with each employer at all times. We will not allow a delivery subcontractor to lead that relationship;
- j. The College will carry out their own due diligence checks on potential delivery subcontractors including taking account of any relevant Ofsted reports. The process and results will be available, and we will not use a potential delivery subcontractor's presence on the Register of Apprenticeship Training Providers, or any other public register or database, as an indicator that they are suitable to deliver to our, or the employer's, specific requirements;

- k. The College will apply the circumstances and criteria from the Funding Higher Risk Organisations and Subcontractors Policy (September 2020), ensuring eligibility and financial ability to comply with subcontracting requirements.

## **5 QUALITY ASSURANCE AND MONITORING**

- 5.1 As the Main Provider, Yeovil College 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. The College will be responsible for ensuring that the learner receives continuity of learning in the instance that a Subcontractor is no longer able to, for whatever reason.
- 5.2 The quality of subcontracting provision will be coordinated by the Partnership Contracts Manager and monitored and managed by occupationally and/or educationally competent curriculum staff and the Quality Team. Regular and substantial checks of Quality Assurance will include existing, and additional, College quality processes and procedures such as: CEIAG, Teaching and Assessment Observations, Announced and Short-Notice Visits, Desktop Audits, Existence and Eligibility Checks, File Audits, and processing of data into the ILR. Safeguarding will be rigorously policed and learners will receive input around topics including: Safeguarding, Extremism, British Values and Online Safety.
- 5.3 Quality Assurance will facilitate continuous improvements in the quality of teaching and learning for both College staff and its Subcontractor Associates. This will be achieved through the sharing of effective practice across the supply chain for example through subcontractors attending / undertaking College CPD and training and through the Self-Assessment Report (SAR) process.

## **6 MANAGEMENT FEES, CONTRACT PERFORMANCE INDICATORS AND CONTRACT MANAGEMENT SUPPORT**

- 6.1 The management fee charged by Yeovil College as a Main Provider for legitimate management overheads for quality and contractual compliance will be calculated in line with the funding rules. As an additional consideration, this management fee will not exceed 20% of the Total Negotiated Price or Funded Value for any funded programme unless costed to be so and approval sought from the ESFA. This figure represents the maximum cost that the

College should incur in effectively identifying, selecting and managing all subcontracted provision.

- 6.2 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.
- 6.3 The management fee includes regular, planned, Contract and Compliance Meetings throughout the year and quality assurance including, but not limited to: CEIAG, Teaching and Assessment Observations, Announced and Short-Notice Visits, Desktop Audits, Existence and Eligibility Checks, File Audit, and processing of data into the ILR. It also includes standard CPD and Training opportunities for subcontractor staff (including Safeguarding and Prevent), and use of college QA paperwork, policies and procedures as is detailed in Appendix A.
- 6.4 The Management Fee structure is clearly calculated for 2024-25 and available in Appendix B. Fixed and variable costs are inclusive of, but not limited to, detailed descriptions of: Due Diligence, contracting, costing, curriculum planning, financial profiling and monitoring, quality assurance, MIS, exams and EPA support, and electronic portfolio support. The Management Fee structure clearly identifies fixed and variable costs for inclusion and calculates the management fee specific to the Subcontractor based on the programme, number of learners and overall number of subcontractors in relation to staff and resources required.
- 6.5 The College may choose to take a lower management fee than calculated, for business reasons, which will be negotiated and agreed with the Assistant Principal Employer Engagement and Vice Principal Finance and Resources, as part of the Senior Management Team.

## **7 COSTS AND CHARGES (APPRENTICESHIP SUBCONTRACTING ONLY)**

- 7.1 In line with the ESFA Funding Rules, the College will ensure that all delivery is detailed in the Written Agreement with the employer at the start of the programme, specifying who will be responsible for each element of the programme including mandatory qualifications, non-mandatory qualifications, and any subcontracted delivery. Charges, per learner, will be reasonable and proportionate and individually itemised to describe how they contribute to high quality training and will factor into the costings the expense of funded activity that the

College and the Subcontractor undertake on behalf of the Employer including, but not limited to:

- a. Direct delivery and/or assessment by the College or Subcontractor on each apprentices' programme in line with the Funding Rules requirements;
- b. Materials and consumables;
- c. Awarding Organisation Registration and Certification charges for Mandatory Qualifications;
- d. End Point Assessment Organisation Fees;
- e. E-Portfolio Costs;
- f. Contract Management and Quality Assurance Costs.

7.2 Programme Costs will be calculated by the Subcontractor and Curriculum Area Manager with support from the Partnership Contracts Manager before being checked and approved by the Head of Finance. Overall Contract Values will be calculated by the Partnership Contracts Manager and approved at SMT then reported to SMT and Governors throughout the contract year.

7.3 The cost claimed by a subcontractor will be transparently calculated at the start of each delivery programme. It will also be reviewed and revised on an annual basis, even if to confirm that there will be no change to costs. The College will determine that the subcontractor costs are reasonable and proportionate, and contribute to delivering high quality learning, through examination of the costings with suitably qualified members of the Finance Team and with relevant Curriculum colleagues and with an oversight of the total costs being claimed in relation to the delivery plan and scheme of work.

7.4 Payments to subcontractors will be made in accordance with the agreed payments schedule in the Delivery Subcontract and are paid against actual funding received in the Provider Funding Report (PFR) based on the Individualised Learner Record (ILR). These payments will be reconciled on a monthly basis.

## **8 EXTERNAL ASSURANCE OF SUBCONTRACTING AND REPORTING**

8.1 In compliance with the funding rules, Yeovil College will publish its Subcontracting Fees and Charges Policy on its website by 31<sup>st</sup> October every year and publish actual end-of-year subcontracting fees and charges for the preceding year. This will include all subcontractors who deliver full or part-apprenticeship frameworks or standards, ASF funded training providers and 16-19 provision.

- 8.2 The details will include the name and UKPRN of the subcontractor, the contract start and end dates, the type of provision, the funding received from the agency to the College, the funding paid to the subcontractor, the funding retained by the College and any funding paid by the subcontractor to the college for support or services.
- 8.3 The College will issue all approved subcontractors with a copy of this policy and a draft subcontract each year. The payment terms between the college and subcontractors for timing of payments in relation to delivering provision and timescale for paying invoices and claims for funding received are included in the subcontract.
- 8.4 The College will submit a fully complete Subcontractor Declaration at least twice a year, on request by the ESFA, and will update the Subcontractor Declaration during the year if subcontracting arrangements change.
- 8.5 An external auditor will be appointed to complete an audit against the Self-Assessment dictated within the Subcontracting Standard which reviews the management and control of subcontracting. The auditor will supply a RAG rated report, set specifically against the subcontracting standard, which will be sent, including any management actions, to the ESFA via the Document Exchange. This will be completed at the frequency dictated by the ESFA.

## **9 REVIEW AND PUBLISHING OF THIS POLICY**

- 9.1 This Subcontracting Fees and Charges Policy will be reviewed annually in conjunction with the most current available versions of the Funding Rules from the Education and Skills Funding Agency or any successor organisations. This Policy will be approved by the Governing Body and published on the Yeovil College Website by 31<sup>st</sup> October 2024<sup>1</sup>

## **10 RELATED POLICIES, PROCEDURES & DOCUMENTS**

- 10.1 Apprenticeship Funding Rules. August 2024 to July 2025. Version 1. May 2024.<sup>2</sup>
- 10.2 Adult Skills Fund: Funding Rules 2024 to 2025. Updated 17 April 2024.<sup>3</sup>
- 10.3 Funding Guidance for Young People 2023 to 2024: Funding Regulations. Version 1.01  
Published March 2023.<sup>4</sup>

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<sup>1</sup> [www.yeovil.ac.uk](http://www.yeovil.ac.uk)

<sup>2</sup> [Apprenticeship funding rules 2024 to 2025 \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

<sup>3</sup> [Adult skills fund: funding rules 2024 to 2025 - GOV.UK \(www.gov.uk\)](https://www.gov.uk)

<sup>4</sup> [DfE master statutory guidance template \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

- 10.4 Ofsted Guidance. Education Inspection Framework. Updated 11 July 2022.<sup>5</sup>
- 10.5 Using subcontractors in the delivery of apprenticeships: Policy background and examples. July 2022.<sup>6</sup>
- 10.6 Funding higher risk organisations and subcontractors policy. Updated 20 June 2022.<sup>7</sup>
- 10.7 ESFA's Approach to Assessing the Financial Health of Organisations. Updated 23 November 2022.<sup>8</sup>
- 10.8 ESFA Subcontracting Standard. Updated 17 August 2022.<sup>9</sup>
- 10.9 Providing External Assurance on Subcontracting Controls. Updated 12 April 2022. <sup>10</sup>
- 10.10 Subcontracting Funding Rules for ESFA Funded Post-16 Funding (Excluding Apprenticeships): 2022 to 2023. Updated 9 January 2023. <sup>11</sup>
- 10.11 Governance for Subcontracting in Post-16 Education and Training. Published 6 September 2023.

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<sup>5</sup> [Education inspection framework - GOV.UK \(www.gov.uk\)](https://www.gov.uk)

<sup>6</sup> [Apprenticeship subcon guidance.pdf \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

<sup>7</sup> [Funding higher risk organisations and subcontractors policy - GOV.UK \(www.gov.uk\)](https://www.gov.uk)

<sup>8</sup> [ESFA's approach to assessing the financial health of organisations - GOV.UK \(www.gov.uk\)](https://www.gov.uk)

<sup>9</sup> [ESFA subcontracting standard - GOV.UK \(www.gov.uk\)](https://www.gov.uk)

<sup>10</sup> [Providing external assurance on subcontracting controls - GOV.UK \(www.gov.uk\)](https://www.gov.uk)

<sup>11</sup> [Subcontracting funding rules for ESFA funded post-16 funding \(excluding apprenticeships\) 2022 to 2023 - GOV.UK \(www.gov.uk\)](https://www.gov.uk)

## APPENDIX A: MANAGEMENT FEE DESCRIPTORS

| Subcontracted Activity  | Owner                         | Fixed/Flex (by Contract or by Learner) | Frequency    | Manage or Quality Monitor? | Contribution to High Quality Training, Reasonable and Proportionate   |
|---|-------------------------------|--|--------------|----------------------------|---|
| <p><b>P182 You must clearly describe to each employer and potential subcontractor, before each subcontracting relationship is agreed, the reason for subcontracting and all services you will provide and the associated costs when doing so. This must include a list of specific costs for managing the subcontractor; specific costs for quality monitoring activities and specific costs for any other support activities offered by you to the subcontractor. All of these costs must be individually itemised and describe how each cost contributes to delivering high quality training. You must also explain how such costs are reasonable and proportionate to delivery of the subcontracted apprenticeship training.</b></p> |                               |  |              |                            |   |
| Start Enrolment Paperwork inc. Initial Assessment, Eligibility etc  | Apprenticeship Coordinator    | Flex                                   | By Learner   | Administration             | YC Apprenticeship Coordinators administrate enrolment paperwork and evidence in relation to sign up including ensuring all paperwork is signed, EPAD is chosen and OTJT hours are known.  |
| Registry Processes - Signup, ILR  | MIS                           | Flex                                   | By Learner   | Administration             | YC MIS team process all enrolment paperwork and evidence in relation to Funding Claims.   |
| Delivery Template (Curriculum)  | Curriculum                    | Fixed                                  | Annual       | Administration             | Curriculum Area Manager/Programme Manager from YC creates the Delivery Template and provides support and suggestions to the Subcontractor. They complete the information on what Delivery YC will provide, add hours for costing, and ensure that the Programme meets programme requirements.   |
| Delivery Costing (Contracts)  | Partnership Contracts Manager | Fixed                                  | Annual       | Administration             | The Head of Finance reviews and completes additional costing information on all Delivery Templates for each Programme. This ensures that cost are accurately reflected for both Subcontractor and YC. It includes ensuring costs are added for QA and Management of Contract and to reflect on TNP in relation to Maximum Funding Band.   |
| Scheme of Work/Programme Delivery   | Curriculum                    | Fixed                                  | Annual       | Administration             | Curriculum Area Manager/Programme Manager from YC reviews the Scheme of Work and Lesson Plans and provides support and suggestions. They complete the information on what Delivery YC will provide, add hours for costing, and ensure that the Programme meets requirements of the Awarding Body, EPA, ESFA Funding Rules and YC. This directly ensures that the Learner is receiving a full programme with required elements and includes detail on EPA and EPAD. This is completed every year.  |
| Check and Coordinate Functional Skills  | Partnership Contracts Manager | Flex                                   | Ongoing      | Administration             | Functional Skills are an essential element of an apprenticeship programme. Many Learners are not aware of the requirements and therefore the collation of existing exemptions and organising of F/S delivery are essential to the ultimate completion of EPA and the Apprenticeship programme. This also includes oversight of the F/S delivery quality, ensuring Learners are successfully submitted and resubmitted for exams until appropriate Pass requirements are met. The cost is included in the Partnership Contracts Manager salary, equally divided by Subcontractor.  |
| Check and Coordinate EPA  | Partnership Contracts Manager | Flex                                   | Ongoing      | Administration             | End Point Assessment is the final essential element of the apprenticeship programme. Coordinating Subcontractor, Learner, Employer and YC Exams team ensures requirements are known, met and actioned smoothly for all involved. The cost is included in the Partnership Contracts Manager salary, equally divided by Subcontractor.  |
| EPA Set-up/Activity   | Exams                         | Flex                                   | By Learner   | Administration             | YC Exams team, in conjunction with the Subcontractor and Partnership Contracts Manager, arrange and action all EPA and EPAD administration and processing.  |
| Programme IQA   | Curriculum                    | Flex                                   | 2 x per Year | Quality & Monitoring       | IQA of learner progress and submitted work alongside that of the Subcontractor adds a layer of control and monitoring at individual learner level and ensures consistency across teams where subcontractors have more than one member of staff delivering or assessing on programme.  |
| Arrange and Run Subcontractor Learner Forums/Feedback   | Partnership Contracts Manager | Fixed                                  | Biannual     | Quality & Monitoring       | Learner Forums are an essential way of ensuring that subcontracted Learners are given opportunity to feed back on positive and negative aspects of their programme. This includes comment on YC Delivery, F/S Delivery, EPA, OTJT and being an Apprentice but also includes the chance to comment on Subcontractor Delivery/Assessment training quality and management - even where this is their Employer - in an open forum. The cost is included in the Partnership Contracts Manager salary, equally divided by Subcontractor.  |
| Observation of Delivery/Assessment/IAG  | Quality                       | Fixed                                  | 3 x per Year | Quality & Monitoring       | Direct Observation, or Observation via Remote Methods such as Teams where necessary, provides scope for Quality Assurance, Monitoring of Delivery/Assessment/IAG and allows the College to provide feedback and suggestions for improvement as well as guide additional CPD opportunities to support and stretch Subcontractor Staff.   |
| Additional Unannounced Visits   | Quality                       | Fixed                                  | 2 x per Year | Quality & Monitoring       | Where appropriate, or where areas of concern are raised, additional observations or visits ensure that monitoring is regular and improvements can be monitored and reported with confidence.  |
| Support Completion of SAR by Subcon   | Quality                       | Fixed                                  | Annual       | Quality & Monitoring       | The Self-Assessment Reporting process at YC includes Subcontracting, as such the process is supported to ensure that Subcontracted Partners and Learners feedback and targets are embedded with the YC only Apprentices. Support is provided through YC Quality and Improvement staff.  |
| Smart Assessor Training and Support   | MIS                           | Fixed                                  | Annual       | Quality & Monitoring       | Smart Assessor provides a Quality Assurance tool for recording, monitoring and reporting on all aspects of Subcontracted Learner programme and progress. Training and support are offered through YC to give Learner/Employer/Subcontractor/YC full transparency.   |
| Data Collation for C&C Meetings   | Partnership Contracts Manager | Fixed                                  | 3 x per Year | Quality & Monitoring       | Collection of Data for C&C Meetings ensures that Subcontractors are provided with regular updates on cohort and overall achievement and progress. It sets targets that encourage the Subcontractor to aim higher for the Learners, inherently discouraging Withdrawals and ensuring the best commitment from Subcontractor to Learner. The cost is included in the Partnership Contracts Manager salary, equally divided by Subcontractor.  |
| Prepare Updates and Approvals for Governors Meetings  | Partnership Contracts Manager | Fixed                                  | 3 x per Year | Quality & Monitoring       | The Partnership Contract Manager prepares reports, policies and updates for Corporation Meetings for the Director of Employer Engagement to present Subcontracting Policies and Papers for approval. Updates are provided on each Subcontractor including Quality Assurance outcomes and Performance against Targets. Subcontracting and Subcontracted Learners are highlighted and considered at the highest levels of strategic management. The cost is included in the Partnership Contracts manager salary, equally divided by Subcontractor.   |
| Attend Governors Meetings for Updates and Approvals   | Director Employer Engagement  | Fixed                                  | 3 x per Year | Quality & Monitoring       | The Director of Employer Engagement attends Corporation Meetings to present Subcontracting Policies and Papers for approval. Updates are provided on each Subcontractor including Quality Assurance outcomes and Performance against Targets. There is a Lead Governor for Subcontracting who attends all meetings, even where Subcontracting is not a main Agenda item. Subcontracting and Subcontracted Learners are highlighted and considered at the highest levels of strategic management.  |
| Review and Amend Subcontractor Fees and Charges Policy  | Partnership Contracts Manager | Fixed                                  | Annual       | Contract Management        | YC has to have a full, detailed and transparent Statement regarding Subcontracting Policy. This details our strategic aims where subcontracting is concerned, our risk management, due diligence processes and quality assurance monitoring. It ultimately holds YC to account and ensures that YC is compliant with the ESFA Funding Rules. As such it also informs Subcontractors of our policy and procedures to ensure clear direction, strategy, partnership working and the high standards expected of our partners and learners. The cost is included in the Partnership Contracts Manager salary, equally divided by Subcontractor. |
| Create, Send Out, Chase and Check the Due Diligence Documentation   | Partnership Contracts Manager | Fixed                                  | Annual       | Contract Management        | YC are required to ensure full Due Diligence checks are completed on all Subcontracting Partners. This ensures High Quality Training Providers/Partners are selected and that the Risk associated with Partnership working is Low. The cost is included in the Partnership Contracts Manager salary, equally divided by Subcontractor.  |

|  |                               |       |              |                     |   |
|--|-------------------------------|-------|--------------|---------------------|---|
| Check Financial Due Diligence  | Finance                       | Fixed | Annual       | Contract Management | YC are required to ensure full Financial Due Diligence checks are completed on all Subcontracting Partners. This ensures that the Risk associated with Partnership working is Low and programmes are less likely to be stopped before their planned end. The cost is calculated at 1 hour per Subcontractor per Year. This is a reasonable time to allocate to Credit Checks, Companies House Checks, Accounts Checks and internal record checks.   |
| Complete Risk Assessment/DBS Process Checks                                  | Partnership Contracts Manager | Fixed | As Required  | Contract Management | Partnership Contracts Manager complete Safeguarding Risk Assessments and, where required, then follow up with DBS Applications and ensure input onto the YC system for recording and to pull through in to Smart Assessor. This is an essential process in safeguarding our Learners.   |
| Complete Risk Assessment/DBS Process Checks                                  | HR                            | Fixed | As Required  | Contract Management | HR process Safeguarding Risk Assessments and, where required, then follow up with DBS Applications and ensure input onto the YC system for recording and to pull through in to Smart Assessor. This is an essential process in safeguarding our Learners. This has been calculated at 2.5 Hours per Subcontractor and allows for several RAs to be processed as well as DBS where required.   |
| Complete Safeguarding Risk Assessments for all New Subcon Delivery Staff     | Partnership Contracts Manager | Fixed | As Required  | Contract Management | Safeguarding Risk Assessments ensure that all Subcontracted Delivery/Assessment staff are known and checked for their ability, suitability, expertise and experience to delivery to YC apprentices. This ensures learners who are not on site at YC and also ensures that their Delivery/Assessment team have appropriate experience and qualifications to provide a High Quality programme. The cost is included in the Partnership Contracts Manager salary, equally divided by Subcontractor.  |
| Track and Collate all Safeguarding/Prevent etc CPD for Subcon Delivery Staff | Partnership Contracts Manager | Fixed | Annual       | Contract Management | Safeguarding Risk Assessments ensure that all Subcontracted Delivery/Assessment staff are known and checked for their ability, suitability, expertise and experience to delivery to YC apprentices. This includes notifying and/or arranging CPD for Subcontracted staff to ensure Training Provider relevant knowledge is regularly updated. This is an essential process in safeguarding our Learners. The cost is included in the Partnership Contracts Manager salary, equally divided by Subcontractor.  |
| Consolidate Costings/Profile/Carry In for MCV                                | Partnership Contracts Manager | Fixed | Annual       | Contract Management | Regular review of profiles, funding, Out of Funding Learners, upcoming EPA and Achievement Rates are all monitored and evaluated. This impacts the Learners by ensuring that their programme runs as planned, to high quality standards and with full completion of EPA all considered in the process. The cost is included in the Partnership Contracts Manager salary, equally divided by Subcontractor.  |
| Review and Amend Subcontract and Complete for each Subcon                    | Partnership Contracts Manager | Fixed | Annual       | Contract Management | In line with the Funding Rules, there must be a Subcontract in place that is legally binding. This is reviewed annually and then completed, including updating and specific reference to MCV, costs, delivery templates etc. The cost is included in the Partnership Contracts Manager salary, equally divided by Subcontractor (calculated at year start).   |
| Complete Conflict of Interest Forms  | Partnership Contracts Manager | Fixed | Annual       | Contract Management | In line with the Funding Rules, Conflicts of Interest must be declared and reviewed. This is done to ensure a fair and impartial Partnership which avoids any risk to the Learner or Programmes. The cost is included in the Partnership Contracts Manager salary, equally divided by Subcontractor (calculated at year start).   |
| Create and Amend Contingency/Continuity Plan                                 | Partnership Contracts Manager | Fixed | Annual       | Contract Management | Contingency/Continuity planning is essential to ensure that, should a Subcontractor experience difficulties, delivery and training will continue for the Learner via the best, pre-considered, solutions. The cost is included in the Partnership Contracts Manager salary, equally divided by Subcontractor.   |
| Monthly Learner Check against Profile inc. Calculate, Raise PO, Email Subcon | Partnership Contracts Manager | Fixed | Monthly      | Contract Management | A monthly internal YC review ensures that Learners who are on a Break in Learning are checked, Out of Funders are chased, paperwork is consolidated, the Funding Return (PFR) is checked and Invoice amounts are calculated and sent to Subcontractors. The cost is included in the Partnership Contracts Manager salary, equally divided by Subcontractor.   |
| Contract and Compliance Meetings (Contracts)                                 | Partnership Contracts Manager | Fixed | 3 x per Year | Contract Management | Termly review of learners on programme including Out of Funders and RAG rating all learners provides transparent view of outcomes. Checks are regularly made of Subcontractors Legal and Financial Status and ensures levels of compliance remain high and are monitored throughout the year. Observations are tracked and actions are followed up.   |
| Contract and Compliance Meetings (Curriculum)                                | Curriculum                    | Fixed | 3 x per Year | Contract Management | Termly review of learners on programme including Out of Funders and RAG rating all learners provides transparent view of outcomes. Checks are regularly made of Subcontractors Legal and Financial Status and ensures levels of compliance remain high and are monitored throughout the year. Observations are tracked and actions are followed up.   |
| Programme Management (Curriculum)  | Curriculum                    | Flex  | 1 x per Week | Contract Management | Each YC Curriculum Area with Subcontracting ensures that a member of staff is the Programme Manager. This may be the CAM or another suitably qualified and experienced member of staff. This person is the main point of contact for the Partnership Contracts Manager for internal queries, and is contactable by the Subcontractor for Curriculum (Delivery/Assessment) queries. Regular monitoring, including Subcontracted Learners in monitoring reports and meetings, and ensuring attendance at C&C meetings ensures this person is always up-to-date and able to provide quality and programme support. |
| Participate in External Audit of Subcontracting (Contracts)                  | Partnership Contracts Manager | Fixed | Annual       | Contract Management | In line with the Funding Rules, an Auditor must produce an annual report on Subcontracting at YC. This provides an External assurance of the YC procedures, policies and QA measures, thereby allowing opportunity to raise concerns and reduce any risk associated with Subcontracting on an annual basis. The cost is included in the Partnership Contracts Manager salary, equally divided by Subcontractor.   |
| Participate in External Audit of Subcontracting (SMT)                        | Director Employer Engagement  | Fixed | Annual       | Contract Management | In line with the Funding Rules, an Auditor must produce an annual report on Subcontracting at YC. This provides an External assurance of the YC procedures, policies and QA measures, thereby allowing opportunity to raise concerns and reduce any risk associated with Subcontracting on an annual basis. The cost is included in the Partnership Contracts Manager salary, equally divided by Subcontractor.   |
| Travel to Contract Compliance Meetings                                       | N/A                           | Flex  | 3 x per Year | External Resource   | Travel costs averaged throughout the year for Subcontractors that require travel for meetings. Consideration given to car sharing and use of College Car for the purpose of sustainability.   |
| Smart Assessor Platform Fee  | N/A                           | Flex  | Per Learner  | External Resource   | Smart Assessor provides a Quality Assurance tool for recording, monitoring and reporting on all aspects of Subcontracted Learner programme and progress to give Learner/Employer/Subcontractor/YC full transparency. Set fee per learner for registration and use of the Smart Assessor Platform.   |
| Subcontracting External Assurance Audit                                      | RSM                           | Fixed | Annual       | External Resource   | In line with the Funding Rules, an Auditor must produce an annual report on Subcontracting at YC. This provides an External assurance of the YC procedures, policies and QA measures, thereby allowing opportunity to raise concerns and reduce any risk associated with Subcontracting on an annual basis. The cost of the Auditor is divided between Subcontractors.  |
| Subcontract Legal Contract Template  | Eversheds                     | Fixed | Annual       | External Resource   | In line with the specific requirements of the ESFA around the Subcontract terms and conditions, and with regular annual changes and updates to the funding rules, a level of assurance and confidence is provided by instructing an external legal advisor to draft and revise the Subcontract template.  |
| Legal Advice inc. Public Contracts Regulations                               | Eversheds                     | Fixed | Annual       | External Resource   | In line with the specific requirements of the ESFA to seek legal advice on the College status in relation to the Public Contract Regulations (2015) a level of assurance and confidence is provided by instructing an external legal advisor to review the College's status and any implications, on a recurring basis as required.   |



## APPENDIX B: MANAGEMENT FEE BREAKDOWN

| Subcontracted Activity 2022-23   | % of Total  | Owner                         | % Overall (Typical Values) | Category             |
|--|-------------|-------------------------------|----------------------------|----------------------|
| Start Enrolment Paperwork inc. Initial Assessment, Eligibility etc           | 4.3%        | Apprenticeship Coordinator    | 21%                        | Administration       |
| Registry Processes - Signup, ILR   | 2.6%        | MIS                           |                            |                      |
| Delivery Template (Curriculum)   | 0.9%        | Curriculum                    |                            |                      |
| Delivery Costing (Contracts)   | 0.9%        | Partnership Contracts Manager |                            |                      |
| Scheme of Work/Programme Delivery  | 2.9%        | Curriculum                    |                            |                      |
| Check and Coordinate Functional Skills                                       | 3.2%        | Partnership Contracts Manager |                            |                      |
| Check and Coordinate EPA   | 3.2%        | Partnership Contracts Manager |                            |                      |
| EPA Set-up/Activity  | 3.4%        | Exams                         |                            |                      |
| Programme IQA  | 1.2%        | Curriculum                    | 16%                        | Quality & Monitoring |
| Arrange and Run Subcontractor Learner Forums/Feedback                        | 0.9%        | Partnership Contracts Manager |                            |                      |
| Observation of Delivery/Assessment/IAG                                       | 1.1%        | Quality                       |                            |                      |
| Additional Unannounced Visits  | 0.7%        | Quality                       |                            |                      |
| Support Completion of SAR by Subcon  | 0.4%        | Quality                       |                            |                      |
| Smart Assessor Training and Support  | 3.1%        | MIS                           |                            |                      |
| Data Collation for C&C Meetings  | 1.9%        | Partnership Contracts Manager |                            |                      |
| Prepare Updates and Approvals for Governors Meetings                         | 3.8%        | Partnership Contracts Manager |                            |                      |
| Attend Governors Meetings for Updates and Approvals                          | 3.1%        | Director Employer Engagement  | 40%                        | Contract Management  |
| Review and Amend Subcontractor Fees and Charges Policy                       | 3.8%        | Partnership Contracts Manager |                            |                      |
| Create, Send Out, Chase and Check the Due Diligence Documentation            | 1.3%        | Partnership Contracts Manager |                            |                      |
| Check Financial Due Diligence  | 0.9%        | Finance                       |                            |                      |
| Complete Risk Assessment/DBS Process Checks                                  | 0.9%        | Partnership Contracts Manager |                            |                      |
| Complete Risk Assessment/DBS Process Checks                                  | 0.8%        | HR                            |                            |                      |
| Complete Safeguarding Risk Assessments for all New Subcon Delivery Staff     | 0.6%        | Partnership Contracts Manager |                            |                      |
| Track and Collate all Safeguarding/Prevent etc CPD for Subcon Delivery Staff | 0.6%        | Partnership Contracts Manager |                            |                      |
| Consolidate Costings/Profile/Carry In for MCV                                | 1.9%        | Partnership Contracts Manager |                            |                      |
| Review and Amend Subcontract and Complete for each Subcon                    | 1.9%        | Partnership Contracts Manager |                            |                      |
| Complete Conflict of Interest Forms  | 0.9%        | Partnership Contracts Manager |                            |                      |
| Create and Amend Contingency/Continuity Plan                                 | 0.6%        | Partnership Contracts Manager |                            |                      |
| Monthly Learner Check against Profile inc. Calculate, Raise PO, Email Subcon | 8.8%        | Partnership Contracts Manager |                            |                      |
| Contract and Compliance Meetings (Contracts)                                 | 1.4%        | Partnership Contracts Manager |                            |                      |
| Contract and Compliance Meetings (Curriculum)                                | 1.9%        | Curriculum                    |                            |                      |
| Programme Management (Curriculum)  | 2.5%        | Curriculum                    |                            |                      |
| Participate in External Audit of Subcontracting (Contracts)                  | 9.5%        | Partnership Contracts Manager |                            |                      |
| Participate in External Audit of Subcontracting (SMT)                        | 2.1%        | Director Employer Engagement  |                            |                      |
| Travel to Contract Compliance Meetings                                       | 1.0%        |                               | 22%                        | External Resource    |
| Smart Assessor Platform Fee  | 4.5%        |                               |                            |                      |
| Subcontracting External Assurance Audit                                      | 10.1%       | RSM                           |                            |                      |
| Subcontract Legal Contract Template  | 2.9%        | Eversheds                     |                            |                      |
| Legal Advice inc. Public Contracts Regulations                               | 3.6%        | Eversheds                     |                            |                      |
| <b>TOTAL</b>   | <b>100%</b> |                               | <b>100%</b>                |                      |