

Sub-Contractor Policy 2020-2022

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Purpose

This policy outlines the requirements that must be adhered to by both Educ8 Training Group Ltd (**"Educ8"**), as lead provider, and the Sub-Contracting provider in the delivery of any programme funded by Welsh Government. It should be used and understood in conjunction with the Sub-Contractor Agreement.

Scope

This policy applies to all provision sub-contracted from the lead provider Educ8.

Policy aims and objectives

The policy intends to provide guidance on the requirements of holding a Sub-Contracting Agreement with Educ8.

As a lead provider, it is the responsibility of Educ8 to ensure full understanding and compliance of all policies and directives, both internal and external, relating to the delivery of Apprenticeships in the WBL sector, using Welsh Government funding.

It is the main priority of this and associated policies to ensure that all learners accessing Apprenticeship funding receive the same 'world class training' and experience across all Sub-Contractors.

Due Diligence

Educ8 will undertake a comprehensive due diligence check prior to commencing any work with a Sub-Contractor. All actions will be required to be completed before delivery begins, or within a specified and agreed time-scale. Educ8 withhold the right to delay the Sub-Contracting arrangement until all areas of due diligence are fully met.

The Sub-Contractor may make use of the policies of Educ8 but must ensure their relevance to the individual organisation.

Annual checks will take place on the due diligence of the Sub-Contractor to ensure their continued validity and relevance.

Sub-Contracting Fees

Educ8 will charge a management fee, to be deducted from the total funding drawn down from Welsh Government and paid to the Sub-Contractor. Management fee rates will range from 10% to 35%. This fee will be calculated based upon both the anticipated and historical risk of the Sub-Contractor and the level of support required.

The fee will include, as a minimum service provided by Educ8:

- Annual due-diligence and policy review
- Single point of contact
- Timely invoicing and payments
- Monthly contract and quality support meetings
- Initial and ongoing training and support on operational, compliance and quality requirements
- Access to Educ8 Group CPD, best practice, sector and standardisation events
- Access to sector resources via Moodle digital learning platform
- Smart Assessor, WEST, Maytas, LRS licences, as appropriate

Fees will be adjusted based on support required for, but not limited to, the following:

- Processing of Welsh Government paperwork
- Awarding Organisation registration and certification / ACW claims
- Delivery of any part of the Framework
- Internal Quality Assurance activity

All Sub-Contractors will be risk assessed prior to agreeing the Sub-Contracting Agreement. Risk will be decided using the following factors and may be adjusted should the anticipated or evidenced risk move due to in year variances or required interventions.

- Historical performance and length of operational activity in WBL sector
- Contract performance
- Operational performance including LOR and timely achievement
- Issues concerning business practice; financial, ethical or values
- Issues of mal-practice, mal-administration, non-compliant DBS and EWC processes
- Sanctions from external bodies including Awarding Organisations and Welsh Government audit teams
- Persistent failure to meet required operational practices or improvements in performance, compliance audit outcomes or quality KPIs.

In the event of the Sub-Contractor being unable to fulfil their contract, Educ8 will ensure that Learners are unaffected and apply contingencies to the remaining delivery of their Apprenticeship programme, which could include direct delivery of the programme. There may be additional charges applied to this to cover, for example, awarding body fees or administrative processes. Changes to management fees, risk bandings or additional costs will be discussed and applied with 4 weeks' notice to the Sub-Contractor.

Audit and Compliance

The Sub-Contractor is required to undertake internal checks on the validity and compliance of all Welsh Government paperwork completed and submitted to the lead provider.

The Sub-Contractor will be subject to cyclical auditing processes by Educ8. All actions and improvements must be implemented within the requested timescales.

The Sub-Contractor must submit any requested documentation, within the requested timescales, for scrutiny by any external audit body including but not limited to Welsh Government PAGS, ESF, Estyn and Awarding Bodies.

Training and support will be offered as identified and required by Educ8 and monitored for improvement.

Support

All Sub-Contractors will be fully inducted prior to commencing delivery, to ensure the requirements and expectations of the relationship are understood and agreed.

Sub-Contractors will be supported by an Educ8 Partnership Manager, who will be their main point of contact and support.

All Sub-Contractors will be required to submit a monthly return detailing key areas of activity and action.

Educ8 will provide ongoing support to the Sub-Contractor through:

- Monthly support meetings, to include contract, performance and quality reviews,
- Inclusion of the Sub-Contractor in the audit and quality cycle,
- Inclusion of the Sub-Contractor in training/CPD delivered by Educ8,
- Communication of information, including any changes to programme requirements or new policy directives from the Welsh Ministers relevant to WBL delivery,
- Capturing Sub-Contractor opinion and feeding this up to the relevant body.

Where support is provided by Educ8 for delivery of Framework elements, including Essential Skills Qualifications, the quality of this provision will be reviewed. It is the expectation of Educ8 that skills development is contextually embedded in the vocational delivery to the level identified at initial assessment and to meet learner needs.

Educ8 expect all Sub-Contractors to be familiar with relevant publications, reviews and strategies by external bodies. Support will be offered to ensure understanding, business planning and compliance with these. This includes but is not limited to:

- Welsh Government: Aligning the apprenticeship model to the needs of the Welsh Economy,
- Welsh Government: Apprenticeship Skills Policy Plan,
- Welsh Government: Inclusive Apprenticeships 2018-2021,
- Wellbeing of future generations (Wales) Act,
- Cymraeg 2050: A million Welsh Speakers,
- Digital 2030: digital framework,
- Estyn Common Inspection Framework.

When required, Sub-Contractors will be expected to produce relevant action plans or reports to support the delivery and capture of such strategies within their organisation.

All Sub-Contractors are expected to offer Learners an excellent level of teaching and learning through a blended approach. Providers should either already have in place, or plan to have, an e-portfolio system and a virtual learning environment, suitable to the learners' and employers' needs.

Contract support

Monthly contract reviews will take place between the Sub-Contractor and the Partnership Manager. These will analyse progress against set contractual and performance targets and identify any support requirements.

Educ8's Intervention Policy will be applied, as necessary, where:

- any Sub-Contractor poses a significant risk to the overall performance of the contract and performance outcomes,
- specific learners/ cohort of learners are at risk of disengaging.

Quality support

Monthly quality support meetings will take place between Sub-Contractor and Partnership Manager. The Educ8 Quality policy and Quality cycle details checks that will take place but will include:

- Planning, monitoring and review of observations of teaching and learning (both on and by the Provider),
- Planning, monitoring and review of learner and employer voice activity,
- Planning, monitoring and review of audit and compliance activity,
- Scrutiny of EQA reports and Quality Assurance activity and inclusion in standardisation activities,
- Information sharing and checks on the implementation of all cross-cutting themes and priorities including Safeguarding, Prevent, British Values, Welsh language and culture and skills development (including for those learners with ALN or considered MAT),
- Training and development activities.

Health and Safety

It is the responsibility of the Sub-Contractor to adhere to all Health and Safety requirements both under the Health and Safety at Work Act (1974), Welsh Government WBL contract and Health & Safety Code of Practice. The Educ8 Health and Safety policy, includes a policy statement, organisational responsibilities and arrangements which detail the specific requirements of the Sub-Contractor but will include:

- Reporting to Educ8 any accidents at work by their own staff that require RIDDOR reporting
- Reporting to Educ8 any accidents by Learners in the workplace that require time off work or require RIDDOR reporting
- Completion of an appraisal of employer's premises prior to any delivery commencing and subsequent monitoring according to sector risk bandings.

Safeguarding

It is the responsibility of the Sub-Contracting Provider to immediately notify Educ8 of any safeguarding issues that arise. These should be additionally noted on a monthly return, with details of action and prevention, as necessary.

The Sub-Contracting Provider must ensure adequate resources, information and teaching is in place to support Learners and Employers to understand safeguarding issues, including the PREVENT Agenda.

Welsh – Language and Culture

It is the responsibility of the Sub-Contracting Provider to ensure all Learners are given the opportunity to learn fully or bi-lingually through the medium of Welsh. All Providers must ensure that Learners and Employers are exposed to see, hear and learn about both Welsh language and culture. All Welsh language data should be recorded, tracked and reported, as required by Educ8 and the Welsh Government, in line with the Welsh Language action plan.

Assessing Learner needs and supporting Additional Learning Needs

It is the responsibility of the Sub-Contracting Provider to ensure that WEST assessments are undertaken at the start of the apprenticeship programme. Appropriate support for the development of literacy, numeracy and digital literacy should be put in place as part of the Individual Learning Plan.

Learners should be assessed for additional needs, both medically and self-assessed and request supporting documentation and evidence, as required for the fair access to assessment.

Learners with identified Additional Learning Needs should be recorded, supported and sign-posted to the appropriate internal and external services.

Complaints

It is the responsibility of Sub-Contractor to report any formal complaints raised within 5 working days of receiving them. These should be additionally noted on a monthly return, with details of action and prevention, as necessary.

Educ8 reserve the right to contact parties involved in the complaint, should it be necessary, which the Sub-Contractor will be made aware of.

Training

Educ8 will offer support and training to Sub-Contractor, as is identified and required, including the Educ8 Workforce Development Programme. It is expected that the Sub-Contractor will take part in training and development, as required, to improve performance and quality within the provision. Sub-Contractor are required to deliver mandatory training to their staff on, as a minimum:

- Equality and Diversity
- Health and Safety
- Safeguarding, Prevent and associated topics
- GDPR requirements.

Staffing

It is the responsibility of the Educ8 to check that all Sub-Contractor staff:

- Have undergone the relevant level of check through the Disclosure Barring Service (DBS) on commencement of employment and prior to contact with learners and are updated annually.
- Are, where required, registered with the Education Workforce Council (EWC) and are not prohibited to practice
- Are reported, if and when required, to the EWC. It is the responsibility of the Sub-Contractor to keep Educ8 informed of any issues, subsequent changes or exclusions to practice.

Educ8 will hold a list of all staff in the Sub-Contractor including details of their DBS check date and number, confirmation of EWC registration and their highest qualification.

Displacement of learners

In the event that the Sub-Contractor cannot commit to continue the delivery of the contract and/or an element of learning, Educ8 will ensure continuation of learning either internally or through the wider WBL network.

Communication

Educ8 will ensure that the policy is communicated to all staff involved in the management of Sub-Contractor

This policy is available bilingually and in large print, on request.

Monitoring and review processes

This policy will be reviewed on an annual basis and where there are changes to regulatory requirements or internal systems and procedures. Reviews will be validated by the SMT and Board.

Complaints:

All complaints will be taken seriously and dealt with in a timely and sensitive manner, in accordance with the Educ8 Complaints Policy and Procedure.