



# Sub-Contracting Rationale and Fees Structure 2022/23

This policy outlines our rationale for working with sub-contract Partners, how we will manage our relationship and how public funds will be distributed. It has been updated to reflect the **Sub-Contracting Funding Rules for ESFA Funded Post 16 Provision (2022-2023)**.

## 1) Rationale for Sub-Contracting of Provision

BCTG Group and its sister companies offer employers and individuals, **a one stop shop**, to access a comprehensive range of skills training including apprenticeships and vocational qualifications.

Over the last four years, BCTG has actively reduced the volume of traditional sub-contracted activity. We have achieved this by significantly increasing our own direct delivery and by ending relationships with poor performing Providers. So, from August 2022, the overall volume of sub-contracted delivery will be less than 15% of total contract value.

However, we recognise that for us to offer the best quality experience for every learner and employer, there will be some instances where we need to work with high quality delivery Partners. This may be at the request of the employer or individual, or to provide the relevant sector, geographic or specialist expertise. The overall purpose of this will be to enhance opportunities available for individual learners.

To achieve this, we may work with several Partners in a single employer, each delivering different elements of the agreed programme or a single specialism. Some Partner relations may be temporary to meet the needs of a specific learner, or longer term to allow us to support an employers' ongoing needs. But in every instance, we will have a direct contractual relationship with every employer and learner to quality assure and coordinate the training provision they require.

## **2) Executive Approval & Monitoring**

Sub-Contract or Partner delivery will only be used to meet one or more of the following.

- enhance the opportunities available to young people and adults
- fill gaps in niche or expert provision, or provide better access to training facilities
- support better geographical access
- offer an entry point for disadvantaged groups.

At the start of each academic year, we will review all existing and any new proposed sub-contracting relationships to ensure they meet one or more of these criteria.

### **Approval**

At the start of each academic year, the BCTG Advisory Board (or the Group CEO, acting as their representative) will, using the above rationale, consider and subsequently approve the role and contribution of each proposed sub-contract Partner.

In year, any new or revised provision, will require approval of the Senior Leadership Team prior to any activity taking place. Any changes to provision will be subject to ratification by the Advisory Board at their next meeting.

### **Monitoring**

Day to day responsibility for implementation of this policy will be delegated to the Head of Finance and Performance. The Contracts and Performance Manager will provide a full report on performance of each sub-contractor to the Senior Leadership Team at monthly Data meetings. This will include any actions or interventions necessary to ensure BCTG retains effective control of the provision.

## **3) Agreeing Costs with Employers & Individuals**

We will agree a total cost for the programme with the employer or individual in advance. As part of our Employer Agreement and Partner Agreements, we clearly indicate how any government funding, levy funding or employer contribution will be distributed between BCTG and any Partners.

## **4) Distribution of Funding**

### **Apprenticeship Programmes**

BCTG will use up to 20% of the negotiated Training Fee to meet the costs of the following core elements of each programme. This value is negotiated and agreed with each employer for every learner.

This income will meet the costs of the following elements.

- Quality assurance of direct delivered and sub-contractor learning – 40%
- Management and co-ordination of sub-contractor elements – 30%
- Provide Continuous Professional Development to Sub-Contracted staff to ensure high-quality of education – 30%
- Eligibility checks, compliance and administration of each programme - £100

### **Adult Education Budget Provision and 19+ Traineeships (including ESFA & WMCA).**

If AEB or Traineeship provision is sub-contracted, typically 20% of funding will be used by BCTG to meet the costs of any quality assurance, management of Sub-Contracted provision, CPD and administration of the programme. BCTG will agree in advance with each delivery Partner, the maximum cost of their contribution to the learners' programme.

### **16-18 Study Programme (up to 24 for LLDD) & 16-18 Traineeships**

BCTG delivers Study Programmes and 16-18 Traineeship Programmes. Where we sub-contract any elements of a programme, we will agree a funding rate with the Partner for their delivery based on overall Guided Learning Hours. As with other programmes, BCTG will retain a proportion of the funding to meet the costs of any quality assurance, management of Sub-Contracted provision, CPD and administration of the programme.

### **Other Provision**

Any other activity delivered by Partners will usually be subject to the standard management fee of 20%. However, dependant on the nature of the programme, the level of BCTG support required by the Provider, or funding available for the activity, this may be altered at the discretion of BCTG. Specific fees charged for other activity will be subject to negotiation between BCTG and the Provider at the time of contracting.

### **Due Diligence**

All Partners will undergo comprehensive Due Diligence checks prior to any contracting (see separate procedure). They will be selected on the basis of track record, specialism and location to ensure BCTG is able to effectively respond to learner and employer demand. If during the Due Diligence process, BCTG identify any circumstances that may lead to an actual or perceived conflict of interest, BCTG will, prior to any sub-contracted activity taking place, notify the relevant funding body.

### **General Principles**

Any Partner Fees will be deducted at source. Where required, the Employer Agreement will clearly state the cost of administering the programme, costs of learning delivery provided by BCTG and the costs of any training delivered by Partner Providers. Partner Providers will also agree these values prior to the programme start.

BCTG will make payments to Partners based on the correct submission of data and supporting evidence to validate their learning delivery. All funding claims must comply with the current Education & Skills Funding Agency (ESFA) or West Midlands Combined Authority (WMCA) Funding Rules and the terms of the agreement between BCTG Ltd and the individual Partner Provider. Where funding claims cannot be substantiated, BCTG will adjust or reclaim any funds from the Partner, and where required make an appropriate repayment to the ESFA/WMCA, employer or learner.

### **Partner Support and Capacity Building**

BCTG is committed to ensure all Partners develop and deliver high quality provision that meets the needs of learners and exceeds the expectation of employers. Retained funding is used to provide a comprehensive programme of quality support and compliance for Partners. This includes training and systems to ensure that public funds are used correctly.

The support provided varies dependant on the needs of the individual organisation, but will include some or all of the following.

- Management of End Point Assessment
- English & maths staff development
- Employer Engagement & Brokerage
- Employer Telemarketing Campaigns
- Sales & Consultative Selling Training
- Subsidised DBS Applications
- Designated Safeguarding Officer Training
- Employer Recruitment via The Apprenticeship Works
- Health & Safety Training and Consultant Support
- Learner Recruitment via The Apprenticeship Works
- Support to develop Learner Voice Strategies
- Preparation for External Inspection and/or External Audit
- Quality Consultant Support
- Safeguarding Training & Consultancy
- Self-Assessment & Quality Improvement Support
- Strategic Management Development
- Subject Learner Coach Support
- Subsidised English & maths Assessment materials
- Subsidised IAG Qualifications
- Subsidised Management Development Qualifications
- Subsidised TAQA Qualifications
- Staff development resulting from Teaching & Learning Observations (Inc. Paired Observations)

### **Payment Terms**

BCTG will make payment to Partners on the nearest working day to 23rd of each month. Payment is subject to the correct evidence and data being submitted to BCTG by the agreed monthly deadline. Any claims submitted after the deadline will not be processed and will be deferred to the following month.

Adjustments may be made to specific payments where evidence of eligibility, continued participation or achievement cannot be validated. Any amendments will be based on guidance provided by the current version of the ESFA/WMCA Funding Rules.

### **Policy Review & Publication**

The policy will be reviewed annually in July of each year. The policy will be published at [www.bctg.org.uk](http://www.bctg.org.uk)



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