



Brighton & Hove City Council

Adult and Community Learning Supply Chain and Charges Policy 2018-19

Introduction

The intention of this policy is to set out how Brighton & Hove City Council (BHCC) meets Education and Skills Funding Agency (ESFA) funding rules and fulfils the ESFA contract for the Adult Education Budget (AEB) through its sub-contracting arrangements.

This policy outlines the management charges and fees for those Providers who are sub-contracted by the council to deliver Community Learning (Family English, Maths and Language, Wider Family Learning, First steps to Employability skills, Functional skills,) or accredited programmes funded by the Adult Education Budget.

BHCC encourages a relationship with its providers from one that extends beyond the definitions of the contract to one which operates in a spirit of support, guidance, co-working, transparency and challenge, where necessary, in order to drive improvements and to ensure the best possible service delivery to learners.

BHCC has supply-chain fees and charges with sub-contractors depending on the type and size of contract. These are agreed with the sub-contractor in the negotiation stage of the contract and are subject to due-diligence and a risk assessment. They are also dependent on agreed success rates and volume measures.

Appendix A details sub-contractors and contract values for 2017-18.

BHCC reasoning for sub-contracting

BHCC engages in sub-contracting to:

- be more responsive to meet the needs of learners in the city
- strengthen links with local community organisations for the benefit of adult learners
- promote more effective collaboration with other adult learning providers
- diversify the capacity to deliver

The two critical considerations in engaging a sub-contractor is that they will add value to Brighton & Hove's economy, and that the contract represents value for money.

Training courses are reviewed on annual basis at governance meetings and curriculum plan agreed.

Quality Assurance processes

The service works closely with sub-contractors and partners to ensure high quality learning and a consistent approach. All providers have an excellent understanding of the robust evidence we are required to collect for both the ESFA and OFSTED. The tutors both, BHCC staff and those employed by the provider, will be experienced, appropriately qualified and have current DBS checks.

BHCC will:

- Appoint a named Adult Education Manager as first point of contact who will respond promptly to any queries and monitor the performance against contract throughout the year.
- Hold regular contact, dialogue and professional support with key sub-contractor contacts through contract monitoring meetings and governance meetings. Regular contract monitoring meetings will monitor provider performance against contract and the quality of delivery against the Quality Framework are discussed and action plans for improvement agreed.
- Monitor sub-contractors to ensure that they comply with their obligations in respect of

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processing personal data under the sub-contract and complying with associated legislation.

- Information, advice, guidance and support to ensure delivery is compliant with ESFA Funding Rules.
- Quality Assurance and Improvement support, as detailed in the Quality Assurance Framework and “Improving the quality of teaching and learning” section below.
- Processing of ILR returns, data validation and reporting.
- Business support processing of paperwork, invoices, regular finance payments and inputting of data.
- Document completion and submission via e-sourcing platforms
- Review, scrutinise and provide constructive feedback on reports, plans and analysis provided by sub-contractors, including:
 - Self-Assessment Report (SAR) & Quality Improvement Plan (QIP)
 - Safeguarding log
 - Staff database
 - Complaints log
 - KPI & performance reports, including delivery information and observation findings.
- Review the annual Self-Assessment Review (SAR). This document will involve all staff within the service, learners and appropriate partners, employers and stakeholders. The SAR will review performance in line with the Common Inspection Framework and include reference to national benchmarks, trends and minimum standards. The SAR will be updated through the year, as and when necessary (e.g. in response to outcomes).
- Review the Quality Improvement Plan (QIP) that is developed alongside the SAR and details key improvements to be made within year, the people, the improvements involved and the deadline for the improvement. The QIP will be reviewed and formally updated at least termly.
- Undertake direct observations of learning, teaching and assessment as appropriate.
- Participate in sub-contractors’ course monitoring and RARPA review activity. Sample course folders to ensure they meet the agreed quality requirements
- Spot check venues being used to deliver BHCC funded learning opportunities to ensure compliance with requirements.
- Scrutinise sub-contractor ILR data. This would include undertaking compliance checks on information included in the ILR in relation to the ESFA Funding Rules, such as:
 - Learner eligibility checks (as per ESFA Funding Rules)
 - Learner file audits
- Benchmark performance, as a minimum with other Local Authorities with similarities to BHCC, to ensure ‘best value’.
- Undertake audits and consultation activity with learners, non-learners and key stakeholders / partners to inform provision and practice.
- Commission external representatives to undertake impartial quality assurance of BHCC practice and sub-contractor practice.

BHCC ‘s typical percentage range of fees retained to manage subcontractors, and how this range is calculated

BHCC’s policy adopted for the ESFA contract 2018-19 academic year is to retain a management fee of 8% from the main sub-contractor.



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Sub-contractors will be paid at regular intervals three times a year and in line with funding contract and related agreements.

How and when the policy is communicated to and discussed with current and potential sub-contractors

The policy is communicated through termly governance meeting meetings with the current sub-contractor and at contract award with potential sub-contractor(s).

Policy Review:

This policy is reviewed annually and updated accordingly.

The Policy may be reviewed if significant changes in the ESFA Rules occur. Any changes to this policy that occur mid-contract will be discussed with sub-contractor/s.

In addition, BHCC, as part of the sub-contractual agreements, undertake a “performance and delivery review” quarterly, to enable re-profiling of payments, as where delivery volumes or quality of service have fallen below agreed levels. This review is encompassed within the contract management meeting timetable.

Where the policy is published on the council’s website at: www.brighton-hove.gov.uk



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Appendix A

UKPRN	Provider	Contract value	Management fee	Contract Payable
100 2578	Friends Centre	£140K	8%	£120K + £20K Performance related payment

Type of provision (for example, classroom learning, workplace learning)

Adult Skills Budget

Community Learning

Funding the Education Skills Funding Agency has paid to BHCC for provision delivered by the sub-contractors for that academic year commencing September 2018 to August 2019

£320,661

Funding BHCC has retained in relation to each subcontractor for that academic year commencing September 2018 to August 2019

£20,000