

Adult and Community Learning Subcontracting Fees and Charges Policy 2023-2024

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| Date of last review/update | April 2023 |
| Review Frequency | Annual |
| Reviewer(s): | Paul Whitehead |

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1.0 Scope

This policy covers the contract management fees charged on subcontracting Learning Providers delivering Adult and Community Learning on behalf of Hampshire County Council.

2.0 Introduction

Hampshire County Council's Adult and Community Learning (ACL) programme is managed by Hampshire Achieves (HA) which is based within the Children's Services Department. HA promotes and delivers a wide range of area-based learning opportunities which support learning, skills, and personal development for adults to meet the needs of employers, communities, and individuals, both now and in the future. HA is committed to achieving goals established by both the County Council and central government.

HA aims to assist learners to make more informed choices, providing options which allow them to develop the skills they need to function in society; progress into vocational learning and employment; and to contribute more effectively in work and within the community. The innovative learning opportunities are targeted to support the attainment and life chances of adults who are disadvantaged, whilst continuing to address the needs of the wider community, including older people and those learning for personal development, and providing opportunities to improve health, well being and social inclusion.

Community Learning funding will be allocated to Hampshire districts on a 'targeted' basis using the Office for National Statistics (ONS) Index of Multiple Deprivation. On-line delivery funding will be restricted to learners' resident in Hampshire and a limited flexibility to support those in the immediate surrounding area.

Within the overarching principles of universal access to adult and community learning provision, our aim is to concentrate the majority of our funding on those who need help most, such as those who did not have positive experiences at school, those who exhibit skills or learning difficulties, and those who would not be able to afford the cost of a course.

HA will continue to develop its plans to secure quality learning provision and forge partnerships with learning providers across the county to develop and deliver adult learning provision in various locations as well as on-line. These could include schools, libraries and museums, community venues, arts centres and through voluntary and community organisations.

A new ACL procurement framework of sub-contracted providers was established in February 2021. Providers on the framework are invited to participate in an annual call-off for delivery of objectives specified in the Strategic Commissioning Plan for Adult and Community Learning 2023-24.

3.0 Rationale for Subcontracting

The Strategic Commissioning Plan for Adult and Community Learning 2023-24 seeks to subcontract part of the Council's ACL funding to:

- Enhance the opportunities available to learners;
- Support better geographical access for learners;
- Support an entry point for disadvantaged groups.

4.0 Use of Funding Received

The subcontracted provision is part of the Community Learning strand of the Adult Education Budget (AEB) funding from the Education and Skills Funding Agency (ESFA) which has a contract value of approximately £1.8m. Community learning courses are delivered and reported on the ILR under the following 7 delivery strands which link to the Community Learning objectives (see Annex A).

These are:

- Engaging and/or building confidence;
- Preparation for further learning;
- Preparation for employment;
- Improving essential skills (English, including ESOL, maths and digital provision);
- Equipping parents/carers to support children's learning;
- Health and well-being;
- Developing stronger communities.

The offer should be responsive to the needs of the local community, involve partnership working, achieve outcomes and meet the policy requirements of each element.

All provision delivered under this contract is subject to the ESFA Funding Rules which can be found at [AEB Funding Rules 2023-24](#)

A proportion of the Community Learning funding received from the Education and Skills Funding Agency is retained to cover the central costs associated with administering and quality assuring the provision. Hampshire County Council retains 15% of the Government funded value of the provision delivered by the subcontractor, this is referred to as the management fee. The level of management fee has been arrived at by a detailed assessment of the costs involved in managing an external delivery partner. This amount ensures that our subcontracting arrangement is a viable delivery option whilst remaining fair to the subcontracted partner.

To ensure the high level of quality expected by the County Council and Office for Standards in Education, Children's Services and Skills (Ofsted), each subcontractor will receive the same package of support as each of our direct delivery centres. As a provider rated good by Ofsted, there is clear evidence in place that this process is successful in maintaining an effective quality improvement framework and is delivering high quality learning with excellent learner outcomes, results and experiences.

Overarching management fee allocation

| | % Contribution to fees & charges |
|---------------------------------|---|
| Contract/Performance Management | 25% |
| Quality | 25% |
| Contract preparation | 20% |
| MIS | 15% |
| SMT | 8% |
| Finance | 7% |
| | 100% |

Contract/Performance Management - 25%

Performance management of partners is against set expectations of the County Council, the ESFA, and Ofsted.

To ensure the continued growth, compliance, and success of Adult & Community Learning (ACL) and to manage the day-to-day risks presented by subcontracting, each subcontracted partner will be allocated a contract manager and receive a full programme of support throughout the period of the contract.

This cost contributes to high quality learning by monitoring overall performance and compliance. Contract support will consist of, but not limited to:

- annual contract initiation meeting followed by quarterly reviews;
- confirmation of allocation and payment process;
- compliance and performance monitoring against profile including sign up, withdrawals, success rates;
- policies and procedures guidance including health and safety support;
- advice on Government policy;
- full suite of course management paperwork and support and training for tutors and managers to ensure accurate completion;
- learner support – including access to additional funding for individuals with learning difficulties and disabilities;
- performance management support;
- accreditation support including registration, certification, and quality assurance costs and feedback.

Quality - 25%

To ensure robust compliance with the County Council and Ofsted expectations through; Hampshire Achieves Quality Assurance Framework; the Education Inspection Framework and any subsequent updates; and the quality requirements of relevant Awarding Organisations across all aspects of teaching and learning, including adherence to best practice.

This cost contributes to high quality learning by monitoring the quality of learning and learner experience.

Each subcontracted partner will receive a full programme of support throughout the period of the contract. This will include regular quality compliance monitoring as part of contract management meetings.

Quality support will consist of but not limited to:

- observations of teaching, learning and assessment;
- provider systems/paperwork compliance audit, feedback and support;
- self-assessment reporting (SAR) and quality improvement monitoring and support;
- staff/tutor compliance including Safeguarding, Prevent and Health and Safety;
- CPD and training.

Contract Preparation - 20%

To ensure accurate learner data and compliance with ESFA funding rules, the Individualised Learner Record (ILR), GDPR and evidence required to support both internal and external quality monitoring, audits, and inspections.

This cost contributes to high quality learning by ensuring accurate claims are made to the ESFA to access funding.

Contract support will consist of, but not limited to:

- data entry, validation and ILR preparation including audit;
- data return to ESFA including ILR return requirements;
- data required for any inspections and SAR.

Management Information System (MIS) management and support - 15%

To ensure accurate data is submitted to the ESFA via the ILR and provide performance management data through reporting.

This cost contributes to high quality learning by providing the resources to monitor and support accurately.

MIS support will consist of, but not limited to:

- Management Information (MIS) System management and support;
- reporting and tracking through on-line systems;
- staff training and support/helpline;
- learner support – including access to specialist advice and specific support service for individuals with learning difficulties and disabilities;
- access to Management Information System including electronic registers;
- performance management support - including access to a Business Intelligence Dashboard;
- training and support on all relevant County Council systems

Senior Management Team - 8%

To ensure the learning delivered by subcontractors has a positive impact on all learners including those with Special Educational Needs and Disability.

This cost contributes to high quality learning by providing performance management and scrutiny of internal teams identified above and of subcontracted partners against set expectations of the County Council, the Education and Skills Funding Agency (ESFA), and Ofsted.

Senior Management support will consist of, but not limited to:

- sign-off by senior leaderships team on key objectives and funding allocations;
- ensuring learners benefit from high quality learning that prepares them well for intended job, career or personal aim;
- governance - Performance Management Group (PMG) scrutinises progress against aims set in the annual Strategic Commission Plan and the Quality Improvement Plan to ensure continuous and sustainable improvement;
- reviewing performance against previous, local and national benchmarks where available;
- staff CPD and wellbeing;
- Safeguarding (Staff & Learners) & Prevent: Senior named person with specific responsibility for safeguarding and prevent issues, advice, guidance, action, and support.

Finance - 7%

To ensure funding payments are made for eligible subcontracted delivery and maintain an audit trail.

This cost contributes to high quality learning/contract management by ensuring accurate payments are made through sound financial management.

Finance support will consist of, but not limited to:

- payments issued by BACS as set out in the payment schedule detailed in this contract;
- acknowledging any queries relating to payments within 3 working days and seeking resolution within 7 working days (Please note this timeframe may be extended if the action required to resolve the query involves the subcontractor);
- providing specific financial advice in relation to County Council processes, Adult Education Budget funding rules and other ESFA finance policy.

5.0 Quality Assurance

HA will ensure the quality of teaching learning and assessment by; clarifying and making explicit the expectations of quality improvement for delivering quality adult and community learning across its sub-contracted providers; ensuring that learning provision meets learners' needs and enables progress and achievement of clearly defined goals; establishing challenging targets to help drive improvement in all aspects of the learners learning experience; establishing a culture where all staff, including staff in subcontracted provision, involved in the delivery of learning are actively involved; ensuring that provision across the sub contracted provider

network consistently achieves the high standards specified in the learning delivery process policy and procedure documentation.

The quality processes designed to help achieve the objectives detailed in the guidance document include; adherence to all policies and procedures; a programme of observations of teaching, learning & assessment; qualification / accreditation management including the regulation and improvement of assessment; contract reviews; performance data analysis; learner feedback analysis; production of an overall HA self-assessment report and quality improvement plan (including input from subcontracted providers self-assessment); and RARPA (Recognising And Recording learners Progress and Achievement).

The Learning Provider shall ensure that at all times adequate and effective quality assurance procedures are maintained to ensure that the standards set out in the guidance document are met.

The learning provider must meet the requirements of Ofsted's [Education Inspection framework](#) and, where appropriate, the quality requirements of relevant Awarding Organisations.

The learning provider must also meet legislation and statutory regulations as mentioned in the terms and conditions especially regulations in respect of Health and Safety; Equality and Diversity; Safeguarding; Prevent Duty; Data Protection and Employment Law.

The learning provider must provide good management and leadership of the learning process.

All new tutors who are contracted to deliver adult community learning programme for, or on behalf of, Hampshire Achieves and those who entered the profession after September 2007 are encouraged to work towards QTLS by undertaking the relevant qualifications i.e. Level 3 Award in Education and Training (QCF) 12 credits, Level 4 Certificate in Education and Training (QCF) 36 credits, Level 5 Diploma in Education and Training (QCF) 120 credits, as appropriate to their situation.

All tutors are expected to be appropriately qualified/experienced in their subject area. Tutors delivering Family Language, Literacy and Numeracy (FLLN) programmes will be expected to have or be working towards a minimum Level 5 qualification in their subject specialism.

Accredited provision must be available to learners, where possible. The provider recognises the benefits of rewarding learner achievement through the award of credit for the achievement of units and qualifications. The [Regulations and Qualifications Framework](#) provides a framework that gives individuals the opportunity to work towards qualifications in a flexible way through credit accumulation. For targeted learning provision, priority for funding will be given to providers who can ensure that learners have opportunities to gain appropriate qualifications and/or certificates of achievement. The provider is able to support NCFE accreditation activity

through HA, or providers may accredit learners through other Awarding Organisations.

The learning provider has the responsibility to promote wellbeing, provide a safe, healthy, and supportive learning environment which meets the needs of learners, and ensure that learners adopt safe working practices. Learning providers should note the following requirements:

- Safeguarding and Prevent Policy and effective systems for monitoring its implementation
- Senior named person with specific responsibility for safeguarding and prevent issues
- Single Central Record for all staff involved with the delivery of Adult and Community Learning.

The learning provider must have due regard to equality and diversity and has the responsibility to offer equality of access to learning opportunities and to close equality gaps in learning and outcomes. Policy and practice should support social inclusion and reach out to other equality target groups to complement the legal requirements. The learning provider must ensure that learning opportunities meet the needs of learners and include planned progression routes where appropriate.

All learners must be fully supported to meet the learning outcomes and their agreed personal goals which should be recorded and reviewed on learning plans and progress records.

The learning provider must take reasonable steps to minimise drop-out rates, deliver high completion, achievement and success rates and appropriate progression.

The learning provider must take reasonable steps to ensure the Service is accessible to all learners and, where appropriate, provide standard financial learner support for individual learners, e.g. assistance towards childcare or transport costs. Discretionary learner support funding is available on an individual learner basis.

Learners' needs for additional support, for example because of a learning difficulty or because of literacy, numeracy, or language support needs, should be identified and recorded through initial and ongoing assessment. Appropriate learning support to meet a learner's identified needs should be delivered: for example, this may involve the use specialist equipment or a learning support assistant within the classroom. Funding to support reasonable requests for learning support is available on an individual learner basis and evidence of the assessment of the need should be kept. Continuing need should be reviewed, and the outcomes of assessment recorded. Funding for whole cohort support is not available and if required should be costed within the course funding.

The learning provider must be aware that funding may be withheld at any point in the contract if quality requirements have not been fulfilled.

6.0 Performance Monitoring

An initial contract meeting with the learning provider will take place during the autumn term and on-going monitoring of the contract will be undertaken by HA.

On-going contract monitoring is carried out throughout the academic year and this will include: assessment of learner performance; financial and data management; ensuring that requirements outlined in the Hampshire Achieves' Quality Assurance Framework and OFSTED's Education Inspection Framework are followed; and all statutory and legislative requirements. Further meetings may be required in cases where issues and concerns are raised by either HA or the learning provider.

The Council and the relevant regulatory bodies (like the Education & Skills Funding Agency) reserve the right to visit all or any site(s) and view operations relating to the provision and to inspect relevant documents and interview learners and staff during these visits. Learning Providers must permit access at any reasonable time and provide copies of any relevant documents required.

The following key performance indicators will be used to monitor the learning provider:

- attendance & punctuality data (91% baseline target);
- learner achievement rates (91% target) – based on ILP goals achieved, evaluations, attendance, and early progression;
- 100% of graded OTLAs (including timely report completion) with amount and 50/50 split, or as agreed with HA;
- 100% attendance at mandatory CPD events or evidence of provider's own CPD calendar agreed with HA and staff attendance confirmed;
- performance against learner number targets;
- policies and procedures in place;
- compliance with data collection deadlines;
- return of complete SAR and complete QIP by due date;
- quality documentation in place including: tutor file, course info sheet, ILPs, RARPA, SOW, and session plans, with samples available on request for Quality Assurance monitoring;
- sound financial management;
- resolution of actions by due date (meetings, IQA, EQA, QIP etc.);
- evidence of learner progression.

7.0 Payment and Invoicing

Payment

Subcontractors shall receive 20% of the funding stated on the order issued at the start of the academic year once all initial contract information has been received. Unless otherwise agreed, subcontractors will receive payments throughout the year based on performance against learner numbers targets and where the provision meets data and quality

requirements and the outcomes and criteria set out in Hampshire County Council's commissioning plan for Adult and Community Learning 2023-24.

Invoicing

Any submitted invoice must **include the following information:**

- Name, address, and telephone number of the Recipient
- Date of invoice
- Invoice number
- Contract number
- Details of the Service provided in the invoice period
- A breakdown of the costs in respect of the Services where appropriate
- Any other agreed costs
- Total cost of invoice (excluding VAT)
- Purchase Order Number

The exact layout and format of information required on the invoice is to be agreed with HA before the commencement of the contract. HA will pay all invoices submitted within thirty (30) days of the invoice date provided the invoice is accurate and all data and quality requirements have been met. Failure to transmit complete and accurate data to HA may result in funding being withheld or recovered.

Invoices must be addressed to:
Integrated Business Centre
E11 East
The Castle
WINCHESTER
SO23 8UB

Alternatively, invoices can be emailed as individual PDFs to vimenquiries@hants.gov.uk or uploaded via Supplier Self-Service.

HA will return to the Learning Provider, unpaid, any incorrect invoice for correction and resubmission. In such cases, the payment terms will take effect from the resubmission date and not the original date where the invoices were first submitted incorrectly.

8.0 Policy Review

This policy will be reviewed annually and posted on the HA website. Any significant changes are discussed with subcontractors either at the annual ACL Provider briefings or at Contract Review meetings.

9.0 Annex A: Community learning objectives

- Focus public funding on people who are disadvantaged and least likely to participate, including in rural areas and people on low incomes with low skills.
- Collect fee income from people who can afford to pay and use where possible to extend provision to those who cannot.
- Widen participation and transform people's destinies by supporting progression relevant to personal circumstances, including:
 - improved confidence and willingness to engage in learning;
 - acquisition of skills preparing people for training, employment or self-employment;
 - improved digital, financial literacy and/or communication skills;
 - parents/carers better equipped to support and encourage their children's learning;
 - improved/maintained health and/or social well-being.
- Develop stronger communities, with more self-sufficient, connected, and pro-active citizens, leading to:
 - increased volunteering, civic engagement and social integration;
 - reduced costs on welfare, health and anti-social behaviour;
 - increased online learning and self-organised learning;
 - the lives of our most troubled families being turned around.
- Commission, deliver and support learning in ways that contribute directly to these objectives, including:
 - bringing together people from backgrounds, cultures and income groups, including people who can/cannot afford to pay;
 - using effective local partnerships to bring together key providers and relevant local agencies and services;
 - devolving planning and accountability to neighbourhood/parish level, with local people involved in decisions about the learning offer;
 - involving volunteers and voluntary and community sector groups, shifting long term, 'blocked' classes into learning clubs, growing self-organised learning groups, and encouraging employers to support informal learning in the workplace;
 - supporting the wide use of online information and learning resources;
 - minimising overheads, bureaucracy, and administration.