

## Essex Partnership University NHS foundation Trust: Apprenticeship Policy CP71 (Sub-contracting Appendix 15) in relation to Education and Skills Funding Agency (ESFA) Funded programmes

### **Introduction, Rationale and Purpose**

Essex Partnership University NHS foundation Trust (EPUT) offers apprenticeships to employers covering a range of Healthcare subjects. Prior to completion of apprenticeships it is required that all apprentices hold or attain a relevant qualification in English and Maths at a level defined by the ESFA. EPUT is a widening participation Trust and as such, it is possible that some apprentices will not hold these qualifications prior to enrolment onto a programme. Where this is the case, the Trust will subcontract the delivery of Functional Skills English and Math qualifications as part of the apprenticeship programme.

The rationale is to ensure that, Functional skills English and Maths qualifications within the apprenticeships, are delivered by experts in this area, this supports better learner outcomes in this aspect of the apprenticeship

The purpose of this Appendix to the Apprenticeship Policy ( ) is to provide accurate and comprehensive information to external agencies and potential sub-contractors on how EPUT procures its subcontracted services and how quality will be managed and monitored.

### **Scope and Context**

This appendix applies to all subcontracted provision funded by the ESFA. The Subcontracting appendix to the Apprenticeship Policy (CP71) is a mandatory requirement for subcontracting activity. The appendix content has been developed to comply with the ESFA Apprenticeship and Performance Management Rules for Main Providers.

### **Fairness and transparent Procurement**

EPUT will at all times, undertake fair and transparent procurement activities. Selection and procurement of subcontractors will be carried out in accordance with EPUT procurement guidelines and in line with the Trust's Standing Financial Instructions. Any circumstances which might lead to an actual or perceived conflict of interest, will be reported to the ESFA in writing.

### **Due diligence**

To ensure that EPUT can demonstrate value for money and this translates to a positive impact for both the employer and learner, the Trust will undertake a robust process of due diligence when selecting potential subcontractors to ensure the highest quality of learning delivery is made available.

As part of its due diligence, EPUT will seek to ensure it adheres to ESFA Guidance, by only procuring the service of subcontractors who are registered on the Register of Apprenticeship Training Providers (RoATP).

EPUT will monitor and review annually each subcontractor to ensure that the subcontracted provider continues to be able to deliver contracted services and remain registered on RoATP. EPUT will also conduct further due diligence checks if there is any material change in the subcontracted provider that has the potential to impact on its ability to deliver subcontracted services. Any issues that may raise concern about the subcontractor's ability to deliver the programme (e.g. infrequent updates, poor student progress, student or employer complaints). These will also trigger an immediate review meeting.

### **Subcontracting arrangements**

Subcontractors will be enter into a Service Level Agreement (SLA) eligible for the period identified in the SLA. In line with the Trust's Standing Financial Instructions.

### **Internal policies**

Subcontractors are required to have robust internal policies to ensure compliance with legislative undertakings and general good practice and make certain that policies are regularly updated and effectively implemented. As a minimum any subcontractor will be expected to have a policy or policies covering the following topics approved at an appropriate level in the organisation, copies of which will be held by the EPUT for Audit and Inspection purposes and made available to ESFA and Ofsted as part of their inspection and Audit regime:

- Employment law & appeals
- Data Protection (DGRP compliant)
- Health & Safety
- Equal Opportunity/Equality & Diversity
- Assessment & Internal Validation
- Safeguarding & Prevent

### **Declaration of Use of Sub-contractors**

In line with ESFA funding rules, EPUT will submit a subcontractor use declaration of ESFA at least twice each year summarising the value of any sub-contracted provision paid for in the previous period. EPUT will also publish a summary of payments made to sub-contractors in the previous year on its web site each year.

### **Contingency Planning**

The subcontracted provider is required to notify EPUT if there are and changes that may cause a risk to the contracted delivery. These include but are not limited to:

- The possibility of the provider ceasing to trade
- Poor Ofsted Inspection
- Poor ESFA audit
- Other significant changes that affect the ability of the subcontractor to deliver required programmes.

In these circumstances, EPUT will conduct an immediate contract review and reserves the right to seek alternative provision of services to ensure continuity for learners. EPUT may also conduct an immediate contract review and/or move learners to another provider if it is made aware of potential issues from other sources of circumstances that may affect timely delivery of the contracted provision

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