



Subcontracting Policy

Purpose and Scope

This Subcontracting Policy is established to ensure compliance with the Education and Skills Funding Agency (ESFA) Subcontracting Standard, ensuring transparency, quality, and value in the subcontracting of education and skills provision. The policy covers all subcontracting activities where Acacia Training engages third parties for the delivery of ESFA-funded programs and outlines our commitment to upholding ESFA standards throughout subcontractor selection, monitoring, and management.

Policy Objectives

Our subcontracting objectives are to:

- Enhance Learner Experience: Provide learners with high-quality, accessible educational opportunities that align with ESFA standards.
- Ensure Compliance and Quality: Uphold regulatory requirements, including ESFA rules and safeguarding standards, and ensure high-quality delivery by all subcontractors.
- Maintain Transparency and Value for Money: Ensure transparent, fair, and value-for-money processes in subcontractor selection, management, and monitoring.
- Mitigate Risks: Identify, assess, and mitigate risks associated with subcontracting, including financial, operational, and compliance risks.

Subcontracting Rationale

We may subcontract provision for the following reasons:

- Specialized Skills and Knowledge: To enhance the learner experience by accessing subcontractors with specialized expertise.
- Geographic Coverage: To extend the reach of programs into areas we cannot otherwise serve effectively.
- Capacity Building: To supplement our capacity in cases of high demand or special requirements.
- Flexible Delivery Models: To offer alternative delivery models that cater to a diverse learner population and varied needs.

Acacia Training is committed to ensuring that subcontracting is only used where it genuinely adds value and aligns with ESFA's objectives.

Subcontractor Selection and Due Diligence

We apply a robust selection and due diligence process to ensure that all subcontractors:

- Meet ESFA subcontracting standards and regulatory requirements.
- Demonstrate financial stability, operational capacity, and relevant experience.
- Have a strong record of compliance with ESFA and other relevant regulatory standards.

Pre-Qualification Criteria

- Financial Health: Analysis of financial statements, credit checks, and cash flow assessments.
- Experience and Track Record: Assessment of relevant experience in ESFA-funded provision.
- Compliance and Safeguarding: Compliance with safeguarding requirements, health and safety standards, and ESFA standards.
- Capability Assessment: Verification of resources, facilities, and personnel to meet delivery requirements.

Due Diligence Procedures

- Background Checks: Conduct background checks to verify reputation, previous performance, and compliance history.
- Site Visits and Audits: Conduct site visits where necessary to assess facilities, quality processes, and learner support infrastructure.
- Risk Assessment: Perform a risk assessment to identify any risks associated with the subcontractor and develop risk mitigation plans.

Contracting and Performance Standards

All subcontracting arrangements will be governed by a formal, written contract that includes clear expectations and performance standards in compliance with ESFA regulations.

Contractual Requirements

- Performance Indicators: Clearly defined Key Performance Indicators (KPIs) for learner outcomes, quality of delivery, and compliance with ESFA standards.
- Data Protection and Safeguarding: Requirements for data security, GDPR compliance, and safeguarding policies.
- Reporting and Documentation: Requirements for regular reporting on performance metrics, learner progress, and any issues that may impact delivery.
- Risk Management and Contingencies: Provisions for risk management, contingencies for underperformance, and dispute resolution.

Payment Terms and Value for Money

- Fee Structure: Payment terms and fees will be agreed upon in a transparent manner, ensuring alignment with ESFA requirements and value for money.
- Fee Retention: As part of our quality assurance process, we may retain a portion of fees as a performance-linked guarantee to be paid upon satisfactory completion of contractual obligations.

Monitoring and Quality Assurance

We are committed to maintaining high standards in subcontracted delivery and will implement ongoing monitoring and quality assurance procedures.

Regular Monitoring

- Monthly Reviews: Monthly reviews of subcontractor performance, learner progress, compliance with ESFA standards, and adherence to contractual obligations.
- Quarterly Audits: Quarterly audits of delivery quality, learner outcomes, safeguarding practices, and data security measures.
- Annual Review: An annual review process to assess subcontractor performance over the contract term, addressing any areas for improvement and ensuring alignment with ESFA requirements.

Quality Assurance Measures

- Learner Feedback: Regular collection and analysis of learner feedback to monitor satisfaction and address any issues.
- Observations and Inspections: Periodic observations of delivery sessions to ensure compliance with quality standards.
- Continuous Improvement: Engage subcontractors in continuous improvement processes, including shared best practices, training, and quality assurance updates aligned with ESFA standards.

Risk Management and Safeguarding

A core component of our subcontracting policy is managing risks and ensuring the safety and well-being of all learners.

Risk Management

- Risk Assessment and Mitigation: Conduct a risk assessment at the onset of any subcontracting relationship, identifying risks related to compliance, quality, and financial stability, and develop a plan to mitigate them.
- Regular Risk Reviews: Reassess risks as part of regular performance and compliance reviews, updating mitigation plans as necessary.

Safeguarding and Learner Welfare

- Safeguarding Policies: Require subcontractors to have safeguarding policies and practices that meet ESFA and organizational standards.
- Training: Ensure that all subcontractor staff involved in learner delivery have completed safeguarding training.
- Whistleblowing and Reporting Mechanisms: Ensure mechanisms are in place for subcontractors and learners to report any safeguarding concerns confidentially.

Termination and Contingency Planning

Our organization reserves the right to terminate subcontracting agreements if the subcontractor fails to meet ESFA requirements or contractual obligations.

Termination Criteria

- Non-Compliance with ESFA Standards: Termination in the event of repeated or severe non-compliance.
- Underperformance: Termination if the subcontractor fails to meet agreed performance standards despite support and improvement plans.
- Breach of Contract: Termination for significant contractual breaches, including financial irregularities, safeguarding failures, or data breaches.

Contingency Planning

- Continuity Planning: Maintain contingency plans to ensure continuity of learner provision in the event of subcontractor termination.
- Alternative Providers: Where necessary, identify alternative providers to ensure that learners' needs are met and ESFA requirements are upheld.

Policy Review and Update

This policy will be reviewed annually to ensure compliance with ESFA subcontracting standards and to incorporate improvements based on experience and changes in ESFA regulations. Updates will be documented and approved by senior management, with relevant changes communicated to all stakeholders.

Transparency and Publication

In accordance with ESFA standards, this policy, along with any fees and charges associated with subcontracting, will be published on our organization's website and made available to all interested parties. We commit to transparency in our subcontracting practices, fees, and the added value subcontracting brings to learners.

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Signed by: (Name & role) H Marriott, Operations Director	Signature: 