

**The Voluntary and Community Sector Learning and Skills Consortium (T/A Enable)**

**Subcontracting rules exemption rational**

Enable was established in 2003 by the LSC to provide a vehicle for the voluntary and community sector to deliver grassroots learning for the communities that larger organisations aren’t able to reach. For over 17 years we have subcontracted with small local voluntary and community providers as they are the mechanism and one of the most successful ways to engage with disadvantaged individuals within marginalised communities.  Numerous stakeholders and partners recognise our ability through our subcontractors to work in areas and with individuals they are unable to reach. We aim to work with high quality local subcontractors who are able to provide the opportunities and the niche expertise required to broaden the reach of funded provision and offer specific qualifications to learners in disaffected and underrepresented inner city and rural communities.

Enable subcontractors’ provision is designed to inspire learning, meet individuals needs and offers a diverse range of high-quality teaching and learning provision with specific target communities that often miss out on mainstream provision. We are committed to achieving outstanding teaching, learning and assessment, and this is demonstrated through our subcontracted partnership which requires an understanding of shared values, ethos and puts learners and employers at the centre of what we do.

***Ofsted found that “Leaders manage the performance of subcontractors well. They communicate and monitor subcontractors’ performance targets effectively and provide valued support.”***

**Supply Chain Management Framework**

Enable’s Supply Chain Management Framework (SCMF) is based on the Merlin Standard Principles to support the development, recognition and promotion of sustainable excellence, and positive partnership working within the supply chain. Furthermore, Enable has implemented its Supply Chain Management Framework to ensure it aligns to the four integrated and fundamental Merlin principles:

* Supply Chain Design
* Commitment
* Conduct; and
* Review.

The framework assists in the identification of need for subcontracted delivery, the selection of subcontractors in an open, fair, and transparent way and the qualitative, financial and relationship management of subcontractors throughout the life of their contract with Enable.

The SCMF, in addition to addressing every step in the process of subcontracting, also reviews the role of commissioning, including the procurement process and how the supply chain behaviour is affected by the behaviour of Enable. The framework aligns to each element of the eight Merlin Principles ensuring a clear process flow is set out for each.

The aim of the framework is to set a consistent standard for the management of subcontractors and thereby drive the behaviours required to operate to the benefit of the funding body providing value for money at every stage.

Our SCMF is underpinned by the Subcontracting Principles outlined in:

* *ESFA funded adult education budget (AEB): funding and performance management rules.*
* *Reforms to subcontracting education for learners over 16*
* *The Public Contracts Regulations 2015*

Supply Chain design is discussed and agreed formally with our Board of Governors on an annual basis, and updated throughout the Contract Year. This review factors in any potential conflicts of interests, which are managed in accordance with the funding rules.

Our rationale for subcontracting links to the following objectives:

* enhance the opportunities available to learners
* fill gaps in niche or expert provision
* provide better access to training facilities
* support better geographical access for learners
* to offer an entry point for disadvantaged groups
* consideration of the impact on individuals who share protected characteristics

**Due Diligence**

As part of the procurement process, we carry out a thorough due diligence check prior to appointing delivery subcontractors. This includes a review of:

* relevant accreditations, registrations and standards
* core policies and procedures
* financial health and management
* staffing, capability and capacity
* quality and compliance arrangements
* health and safety arrangements
* Self-assessment and Quality Improvement arrangements
* delivery track record.

**Subcontracting Fees**

The core management fee applied is 20% of all funding drawn down against the provision to be delivered. This figure represents the total cost that Enable incurs in effectively identifying, selecting, and managing all subcontracted provision. This includes the expected amount of auditing, monitoring contractual performance and compliance, and will ensure quality assurance criteria are met in line with the individual subcontractor’s agreement. Levels of funding to be retained will be clearly documented and agreed by all parties.

Subcontracting Costs will be deducted at source at the agreed rate.

The support that our Subcontractors can expect to receive as part of our service are:

* Dedicated single point of contact for Subcontractor Management
* Quarterly (as a minimum) face to face review meetings with performance reporting
* Regular Management Information against contractual KPIs and QARs
* Quarterly Partner Forums to share best practice
* Invoicing and payments
* Information Security and Data Control
* Advice on Safeguarding, Prevent, Equality & Diversity and Sustainable Development
* Advice on management of Health and Safety (including COVID 19 advice and support)
* Updates of National Funding and Policy guidance
* Contract support and funding compliance
* Observations of all practices, including Teaching, Learning and Assessment and IAG
* Staff Training and Development Including online learning and webinars
* Unannounced and announced visits
* Desktop audits, existence and eligibility checks, file audits and processing of data in to the ILR
* Annual Self-Assessment and QIP support
* Participant and stakeholder engagement (Including employers)

Differences in costs charged to subcontractors will be dependent upon the level of support required, the experience of the subcontractor, their target learners, their track record, success rates and the level of risk as determined by the due diligence process.

If contract performance management results in additional intervention to mitigate any risk, Enable may agree the cost of that intervention with the subcontractor and this cost will be taken as a fee above the standard costs on a proportionate basis.

**Ofsted state that: *“Leaders manage the performance of subcontractors well. They communicate and monitor subcontractors’ performance targets effectively and provide valued support. Leaders and managers, supported by trustees, have developed productive links with local stakeholders to devise a curriculum that meets regional priorities in the East Midlands.***

***Enable’s leaders and managers apply rigorous performance management to the subcontractors who deliver learning and skills provision on their behalf. The careful vetting and selection of subcontractors have resulted in a reduction in the number of subcontractors used since the previous inspection, from nine to just four. Enable no longer contracts with subcontractors that do not meet its performance and quality standards. Enable’s managers carry out regular and thorough scrutiny and challenge of the current subcontractors to ensure that they continuously improve the quality of their provision.”***

As above Ofsted are impressed with our subcontracting arrangements believing them to add value to the membership and as to how they enhance provision for Enable to support others. Similarly, Matrix attest to the quality of subcontracting arrangements and the reciprocity we have created.

Our subcontracting statement and our fees are published on our website [www.enable.uk.net](http://www.enable.uk.net)

We conduct regular monitoring visits, learner and employer visits and interviews with all learners. Alongside observations of Teaching and Learning. Subcontractor partner tutors attend Standardisation meetings and take part in mandatory CPD events.

Our partners and learners contribute annually to our Quality Improvement Plan (QIP) and Self Assessment Report (SAR).

Our partners all use Enables paperwork, they also input to any changes or new versions. The Enable team regularly audit this paperwork and evidence submission for quality and compliance, we support if with remedial training if required.

Enables tutors and those of our partners work together on new resources and good practice sharing. This is a two way action helping to develop consistency. Thus aiding our control and monitoring activities.

This partnership rational has helped Enable reach people over the East Midlands who were otherwise not accessing training or support. Working with our partners offers a broader scope of opportunities for learners and a greater wealth of expertise to our offer. It also means that a wider range of partners delivering across our contracts opens up more opportunities for entry to provision and a wider range of progression routes.

Our achievement rates have remained high (88%+) over the past 3 years on all programmes and this has been down to quality delivery across our subcontracted provision and direct delivery.

**Working with employers and meeting local need through our subcontracted provision and direct delivery**

Ofsted: we work “collaboratively with employers and partners, including [LEPs], to ensure…the curriculum offer aligns well with regional priorities”.

Current Employment Market: Enable and it’s partners deliver courses in East Mids which responds to local growth sectors including Low Carbon eg SEM LEP Priority is Low Carbon Growth, supporting SMEs with skills eg Waste Man., Energy Efficiency. Enable and it’s partners offer will include L3 Environ Sustainability in direct response, tailored to specific skills eg construction employers - Sustainable Construction & Transport, a priority with Notts City Council for Housing Stock. Enable and it’s Board continuously review it’s offer & supply chain offer against prevailing labour market data & employer feedback to ensure continued relevance.

Enable & partners delivered services to 450 employers in 19/20 including Morrisons & Notts Community Housing. BDMs maintain & grow relationships eg though networking/outcalls/social media. BDMs link with SMT to respond to the variety of demands of employers, applying training needs assessments & co-designing courses to suit eg SWAPS & learning in the workplace (for learners entitled to full funding). Our responsiveness ensures the right solution for each employer eg L2/L3/unregulated learning.

Local Stakeholders: Partnership work underpins our community learning objectives, ensuring we meet learner needs & the local economy. Our BDM is responsible for local stakeholder engagement Eg active members of E. Mids Chamber, Stronger Communities Board & AELP; we attend events hosted by relevant agencies eg D2N2LEP, Notts City Council & we’ve built strong local referral networks with JCP, FE providers & VCS bodies, including supporting the local design of SWAPs. Our strategy reduces duplication of courses & signposts learners to other partners as appropriate.

Responsiveness to Local Changes: We continuously review LMI eg NOMIS, local strategies (SEMLEP Skills Strategy) & performance trends to adapt our offer to local need. Eg C19 resulted in significant shift to rely on digital skills. In response, we added more courses for affected learners to upskill IT skills to support home working/online life. In Leicester, increased need for SIA Stewards led to 91% job outcomes.

Service Promotion: Work with our 200+ VCSE members eg PYCA/Autism E. Mids/the Refugee Forum. We promote courses through established referral partnerships eg JCP, DWP contracted providers; jobs fairs/careers events; sponsorship/advertising eg local noticeboards/mailshots & social media. The strategy includes outreach to target priority learners eg campaigns focused on Pakistani Community in Wycliffe, one of the most deprived areas in Leicester & rurally isolated learners via Riverside in Lincs (Boston/Skegness/Sutton). Through employer bodies eg Law Centre Network we target employers & course uptake in key sectors, such as IT eg to offer the NSF funded L3 Adult Offer. We enrolled 1223 learners in 19/20 using these promotional methods: 77% long-term unemployed; 66% BAME.