

TRINITY ACADEMY NEWCASTLE TRUST

Subcontracting Rationale TSA

**Approved by the Committee – September 2023
On behalf of the Board**

Next Review Date – September 2024

Introduction

Trinity Solutions Academy (TSA) engage with employers and training partners in order to provide innovative simulated working environments in collaboration with leading employers and college partners. (Annexe 2 full list of sub contracted partners).

By engaging with partners, we are able to enhance the provision available for our students and provide expert provision and excellent access to 'real life' simulated training facilities.

Subcontracted Provision

This document sets out the framework for the operation of sub-contracted provision and provides the required information as set out in the Education Skills Funding Agency's Funding Rules.

1. Trinity Solutions Academy Trust stakeholders agree that all subcontracting is in line with the provider's strategic aims, ESFA and Funding Rules and enhances the quality of offer to students and that all Partners engaged are of high quality and low risk.
2. We recognise and value the contribution made by Partners in providing a diverse range of learning opportunities, which may otherwise not be available.

Trinity Solutions Academy enter into contracts for the provision of learning via a Service Level Agreement where one or more of the following principles apply:

- Enhance the opportunities available to young people
- Fill gaps in niche or expert provision, or provide better access to training facilities
- Support better geographical access for learners
- offer an entry point for disadvantaged groups
- consideration of the impact on individuals who share protected characteristics

We primarily support subcontract provision within the North East region.

We invest resource in supporting our Partners to improve the quality of teaching and learning, to ensure that the expectations set for the quality of provision are met at all times. In addition, resources are dedicated to ensure that we and our Partners meet the compliance requirements of ESFA Funding Rules.

We undertake a termly performance review with each Partner to measure performance against contractual KPIs and agree support requirements which can include the following;

- Supporting improvements in Quality of Teaching, Learning & Assessment.

- A CPD programme of events and information is in place to support the CPD of staff.
- Timely checking and processing of Individualised Learning Record (ILR) data to ensure completeness and accuracy of ILR data and payments.
- Funding and Audit Guidance and liaison regarding audit evidence and other ESFA compliance requirements.
- Regularly assess subcontractors to ensure any funds issued do not lead to inadvertently funding extremist organisations.
- Guidance on Self-Assessment and Quality Improvement Planning Support and regular feedback is given in respect of the quality of documentation in order to meet our, Ofsted and Funding Agency requirements.
- Internal audit including unannounced visits to ensure that operation of subcontracted provision is in line with in-house procedures.

Before a subcontractor relationship is agreed, Trinity Solutions Academy agree a detailed list of costs for managing the Provision outlining specific costs for quality monitoring activities and other support activities listed above.

These costs are authorised by the Chief Finance Officer to ensure they are reasonable and proportionate to the teaching and learning delivered by the Partner and how each cost contributes to delivering high quality learning.

Selection, Due Diligence and Appointment Process for New Business Partners

- Trinity Academy Newcastle MAT's selection and appointment process for Partners complies with ESFA Funding Rules and meets Public Procurement Regulations.
- All subcontractors are selected fairly and have sufficient capacity, capability, quality and financial standing to deliver the contracted services.
- A comprehensive due diligence process is completed, covering the potential Partner's organisational policy and practice in key areas such as health and safety, quality assurance, data management, capability of staff, financial standing, equality and diversity.
- TSA ensures that there is in place a legally binding sub-contract with each Partner before delivering commences, that includes terms specified in the Funding Rules.
- Partners are reviewed against a range of performance criteria and to ensure high-quality delivery is taking place that meets the Funding Rules.
- Regular monitoring visits are required both at Partner premises and in-house. Visits to review provision may include unannounced, announced and short notice and will

involve observation and assessment of teaching and learning practice, discussion with staff and learners and review of documentation.

- There are high expectations for the quality of provision and minimum levels of success are prescribed in the contract. Notices to improve may be issued where the quality of provision does not meet requirements and where there are serious concerns recruitment will be suspended.
- A risk register is maintained to monitor quality issues raised as part of the review process. The risk register and corrective action is reported to the Partners on a termly basis.
- A Learner Contingency Plan is agreed in the event that the subcontract arrangement ceases or the Business Partner goes into liquidation or administration or the contract is removed due to quality concerns.

Payment Terms

TSA operates a model of quarterly payments in arrears to Partners according to the value of provision recorded on the Individualised Learner Record (ILR) and the submission of a valid claim by Partners.

Partners issue an invoice each quarter following an issue of a purchase order and invoices will be paid within 30 days of receipt of a valid claim for payment. (Management fee structure, Annexe 1).

Published Information

As required by the Education Skills Funding Agency, details of Business Partner activity will be published on TSA website each year following closedown of the ILR including actual level of funding paid and retained for each Partner.

Subcontracting arrangements are outlined in the Subcontractor Declaration Form which is submitted to the ESFA twice an academic year.

Signed on behalf of the Board:



Peter Carter (Chairperson of the Board)

Date: September 2023

Live & published from 1st September 2023

Annexe 1

Management Fee Structure

Charges and Payment Arrangements

The Trust will apply the Education Skills Funding Agency 16-19 funding model when working out payments to the contractor (partner).

The contractor will receive 80% of the full amount, received by the Trust for the delivery of each learner's programme. Where a learner leaves the programme before their planned end date and have not achieved their core aim, a retention factor will be applied. In such cases, the Trust will require 50% of the funding for that learner to be returned by the contractor. Again, this is a reflection of the Education Skills Funding Agency model.

The Trust will retain 20% of the learner's funding for the following:

(Exact costs depend on cohort of students, therefore the breakdown is itemised in a percentage of the 20% overall)

10% Management of subcontractor including:

Administration and payment of Student Financial Support (where applicable)

ILR data management

1/2 termly reporting

16-19 Study Programme advice, guidance and support

Safeguarding

5% Quality monitoring activities including:

Learning walks,

Workbook scrutiny,

Unannounced visits

Moderation

5% Teaching and Learning Training and Support including

Weekly CPD sessions

Sharing of good practice

Where the Trust delivers Maths and English (Functional Skills and GCSE) and CEIAG a separate charge will be applied.

Our subcontracting policy and rationale can also be found at:

<https://www.solutions.tanmat.org/site-information/sub-contracting-arrangements>

Annexe 2 – Sub Contracting Partners

A.L.D Hair & Beauty Academy
109-111 Blythe Terrace,
Birtley,
Chester-Le-Street
DH3 1DW

Repairs & Construction Services,
Newcastle City Council,
Communities Directorate,
Civic Centre,
Barras Bridge,
Newcastle Upon Tyne,
NE1 8QH