



ADULT EDUCATION
WOLVERHAMPTON

Supply Chain Policy (including Fees and Charges) 2021-2022

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1 Introduction

- 1.1 This policy statement, which is reviewed annually, outlines Adult Education Wolverhampton's (AEW) rationale for supply chain delivery of education and training. It also describes the Service's approach to the selection of suitable supply chain delivery members and how the Service will manage and monitor supply chain delivery to ensure high quality education and training. The Service will not undertake supply chain delivery to meet short term funding objectives.

2 Policy Statement

- 2.1 The policy is now a mandatory requirement that must be in place prior to participating in any supply chain activity from 1 August 2020. The content of this policy has been developed in line with West Midlands Combined Authority (WMCA) Funding Rules and in accordance with the latest sector guidance.
- 2.2 The WMCA defines a supply chain member as a separate legal entity that has an agreement with a lead provider to deliver any provision that the WMCA funds for WMCA residents.
- 2.3 The WMCA, set out the important role that supply chain members have in the delivery of the Adult Education Budget (AEB), to continue providing an entry point for small, independent, voluntary and community-based providers to support the adult offer across the region

The Service has recently worked with local supply chain partners to deliver high quality teaching and learning as part of the 'One-City' approach to education led by the Local Authority (LA).

- 2.4 The Service will prioritise the engagement of supply chain partners that:
- Meet our strategic aims and enhance the quality of our offer to the residents of Wolverhampton.
 - Can demonstrate consistent delivery of the highest quality teaching and learning or are committed to working with us to develop their capacity and capability to deliver high quality learning within their communities
 - Can facilitate and evidence a high level of progression into employment or further/higher learning or to other progression pathways appropriate to the individual students. We are particularly keen to work with supply chain members that are able to deliver student progression onto mainstream courses.
 - Are financially secure and can enter into a sustainable relationship with the Service.
 - Have or are committed to adopting robust quality assurance processes that complement those that we have in place.
 - Can deliver provision that complements rather than duplicates existing provision.
 - Enables engagement with individuals who have not previously engaged in, or who have disengaged from, learning.

- Meets the learning and skills needs of adults and employers in Wolverhampton, particularly for adults living in the most deprived neighbourhoods and wards of the City.
- Help increase students' confidence and independence and reduces reliance on support provided by, for example, DWP/Jobcentre Plus, social care, health, and other services.
- Are committed to achieving value for money.

2.5 Supply chain delivery is the responsibility of the Senior Management Team (SMT). The Advisory Board will receive a regular report on the scale and mix of our supply chain provision.

2.6 The Service has sought to ensure supply chain delivery members are fully engaged with our teaching and learning quality assurance processes. Our supply chain delivery provision is subject to classroom visits and learning walks in the same way as our directly delivered programmes of study. The Service will seek to ensure that where appropriate, supply chain partners adopt our approach to curriculum reviews and self-assessment and quality improvement.

3 Scope

3.1 The policy applies to all supply chain activity supported with funds supplied by the WMCA, Education and Skills Funding Agency (ESFA) or any successor organisations.

4 Overarching Principle

4.1 The Service will use its supply chains to optimise the impact and effectiveness of service delivery to the end user. The Service will therefore ensure that:

- a. Supply chain management activities comply with the principles of best practice in the sector.
- b. The Service will at all times undertake fair and transparent procurement activities, conducting robust due diligence procedures on potential supply chain delivery members, to ensure the highest quality of learning delivery is made available, demonstrating value for money and a positive impact on student lives.
- c. The funding that is retained by the Service will be related to the costs of the services provided. These services, and the levels of funding being retained for them, will be clearly documented and agreed by all parties. The rates of such retained funding will be commercially viable for both sides and will be negotiated and agreed in a fair and transparent manner.
- d. Where disputes between supply chain partners cannot be resolved through mutually agreed internal resolution procedures, the Service will submit to independent outside arbitration or mediation and abide by its findings. Contract documents will require both parties to agree that the achievements of supply chain partners are attained through adherence to both the letter and

spirit of contracts. Signatories therefore commit that all discussions, communications, negotiations and actions undertaken to build, maintain and develop supply chains will be conducted in good faith in accordance with the Overarching Principle.

5 Definition of Sub-Contracting

5.1 What is a Lead Provider?

A lead provider is a college, training organisation or employer that has a direct contractual relationship with the WMCA. In the case of this document, AEW is the lead provider.

5.2 What is a Supply Chain Delivery Member?

A supply chain delivery member is a separate legal entity that has an agreement with the Service to deliver any element of the education and training funded by the WMCA, ESFA or through Advanced Learning Loans.

The term 'supply chain delivery member' will also apply to any partnership, associate, third party working relationships where our staff and/or provision is managed by another partner/institution.

6 Rationale for Supply Chain Delivery

6.1 The Service aims to use its funding allocations to support our local students, employers and communities through direct delivery.

6.2 The Service will in the first instance consider direct delivery. However, the Service recognises the benefits that effective supply chain delivery can bring in extending the range and accessibility of provision for students and employers and will consider supply chain delivery in the following circumstances:

- Where our existing employers or students require additional provision, which is beyond our existing scope or capacity
- Where supply chain delivery will allow us to meet short-term needs of students or employers without exposing the service to the risks and entry and exit costs of setting up new provision
- Where supply chain delivery will allow us to capacity-build in new sectors or territories to allow us to move to a position of direct delivery or to grow income such as Apprenticeship funding
- Fill in the gaps in niche or expert provision or to provide better access to training facilities, which the service would not be able to adequately resource.
- Enhance the opportunities available for the residents of Wolverhampton
- Support better geographical access for learners
- Offer an entry point for disadvantaged groups.

7 Quality Assurance

- 7.1 The quality of supply chain delivery will be monitored and managed through the existing service quality assurance processes and procedures.
- 7.2 This policy positions supply chain provision as a core part of service activity to enable continuous improvements in the quality of teaching and learning for both the service and its supply chain delivery members. This will be achieved through the sharing of effective practice across the supply chain, for example through the Self-Assessment Report (SAR) process.
- 7.3 As a minimum the Service will carry out the following quality assurance measures with supply chain partners:
- Desk top checks and due diligence visit for new providers.
 - Pre-delivery checks with existing providers who already hold contracts with the Local Authority.
 - Annual due diligence review for existing providers.
 - Three quality assurance visits per year, of which at least one will be a short-notice visit, and will include face to face interviews with students and staff. Visits will be announced and unannounced.
 - Three operational visits per year, to follow up actions from six weekly Performance Review meetings.
 - Three sample file checks – at least one will be a short-notice sample.
 - Checks to ensure student eligibility and existence.
 - Observations of advice & guidance, assessment and teaching and learning practice.
- 7.4 The Service will provide a programme for each visit as follows:
- Standard visit agenda.
 - Short notice visit agenda.
 - Six weekly contract management meeting agenda, with the responsible Senior Manager.
 - Annual survey of students (x 2 – AEW Your Learning and FE Choices).
 - Annual survey of employers (if applicable).
 - Annual audit of MIS data including enrolment forms and attendance records.
 - Annual review of student documents including tracking records, reviews and ILPs.
 - Quarterly review of the supply chain success rates, SAR process and Quality Improvement Plan (QIP).
- 7.5 The Service may require the supply chain delivery member to undergo the following quality improvement measures, at a cost to them in accordance with the Service's published fees:
- Additional standard or short notice visits.

- Additional survey of students or employer views.
- Lesson or assessor observations.
- Staff continuous professional development (CPD).
- Consultancy from the Service or other external consultant.

8 Payments to Supply Chain Delivery Members

- 8.1 The Service will notify the funding earned in the preceding month's activity using the ILR return. It will be agreed with the supply chain delivery member in line with the schedule (Appendix 4). The supply chain delivery member will be provided with a purchase order number which must be included on all invoices. The supply chain delivery member will submit an invoice for the funding value earned as per the directions on the purchase order. Invoices will be reconciled against the final R14 ILR. The invoice will be paid if the value of total funding earned is higher than the cumulative funding claimed. The Service will make payments to supply chain delivery members within 30 days of receiving a valid claim for payment that has been submitted in accordance with the terms of the individual supply chain delivery members' agreement.

9 Publication of Information Relating to Supply Chain Delivery

- 9.1 In compliance with WMCA, ESFA and other agency funding rules, the Service will publish its sub-contracting fees and charges policy and actual end-of year sub-contracting fees and charges on its website before the start of each academic year.
- 9.2 The Service will ensure all actual and potential supply chain members have sight of this policy and any other relevant documents, such as the Fees and Charges Risk Factor Table. The Fees and Charges Risk Factor Table includes:
- The typical percentage range of fees retained to manage supply chain delivery members, and how this range is calculated.
 - The rationale used to determine the level of fee retained through each contract is a risk based approach.
 - The contributory risk factors that would result in differences in fees charged for, or support provided to, different supply chain delivery members might include:
 - Previous track record.
 - Success levels.
 - Type of customers to be engaged.
 - Type of provision to be undertaken.
 - Contract duration.
 - The risk bands will be used to allocate service charges. Risk factors are given a score so that each supply chain delivery member is aware of why they are in a particular band, this process will be used to give supply chain delivery members an incentive to improve and thus reduce the risk band that they fall in. For example, higher risk supply chain delivery members will be allocated less funding but receive more monitoring and support

- Payment terms between the Service and supply chain delivery members – timing of payments in relation to delivering provision and timescale for paying invoices and claims for funding received
- The support supply chain delivery members will receive in return for the fees charged.

10 Communication

- 10.1 This policy will be reviewed in each summer term and updated as required. It will be published on the service web site during the August prior to the start of the academic year in which it will be applied. Potential supply chain delivery members will be directed to it as the starting point in any relationship.

11 The Fees and Charges Risk Factor Table 2021-22

- 11.1 The standard service management fee is 15/20% of all funding drawn down against the provision to be delivered. This figure represents the total cost that the Service incurs in effectively identifying, selecting and managing all supply chain provision. This includes the minimum amount of quality assurance activity that the Service would attach to the lowest possible risk supply chain delivery member.
- 11.2 Further charges to cover additional costs may be added to the base 15/20% fee to cover the cost to the Service of any additional support that the Service deems necessary to ensure the quality of teaching and learning, the overall student experience and the success rates of any supply chain provision. Additional cost is determined using a weighted table of risk factors. The table is available to all actual and potential supply chain delivery members. It is designed to ensure that the cost of any additional support provided to a supply chain member is covered through the funding retained. Additional costs will be re-calculated and negotiated each year at contract renewal, giving supply chain delivery members the opportunity to reduce their fees through continuous improvement. This approach will allow the Service to focus support where and when it is needed. See Appendix 2

12 Additional Support for Sub-Contractors

- 12.1 The precise additional support given to each supply chain delivery members will be negotiated with that supply chain delivery members, but will be based on a 'risk band' approach and may include:
- Additional site visits
 - Additional lesson observation
 - Additional tutor support

The risk band will be determined using the table in Appendix 2.

13 Additional Charges per Student

- 13.1 The Service may also retain funding to cover the cost of any funded activity that it might undertake on behalf of the supply chain delivery member such as:

- Awarding Body fees and charges
- Hiring of facilities/equipment within/from the Service
- Internal Verification.

14 How We Select and Appoint our Supply Chain Delivery Members

14.1 All new supply chain delivery members go through a rigorous and robust due diligence process and in selecting our partner providers, we will consider the following:

- Reputation – supply chain delivery members may be referred to us by employers or the Local Authority.
- Specialism – supply chain delivery members may offer niche provision where there are few alternatives.
- Geographic location – we will support local supply chain delivery members.
- Quality measures – based on a range of measures including, success rates, track record etc.
- Responsiveness – how readily the supply chain delivery member can meet the needs of our students and employers.
- Safeguarding and Prevent Duty agendas – how the supply chain delivery member conforms to these requirements and ensures all students are protected and safe.
- Modern Slavery – the Service is committed to ensuring that there is no Modern Slavery within its own business and supply chain. All supply chain delivery members will be expected to comply with the Local Authorities Modern Slavery Policy.
- Potential conflicts of interest.
- Disclosure and Barring Service (DBS) checks on all supply chain staff related to the contract.
- If the subcontractor is listed on the Register of Training Organisation (RoTO) and/or the Register of Apprenticeship Training Providers (RoATP) and the total value of supply chain contracts that they hold.
- Lack of a track record, such as providers who are new organisations, or who offer new or immature provision will not necessarily be a barrier to becoming a supply chain delivery member.
- However, the quality assurance measures and associated costs will reflect the additional risks of new provision. Following initial selection, the Service will undertake a desk-top due diligence check of potential partners. This will be followed by a due diligence visit to the delivery premises prior to contracts being issued.
- Existing supply chain delivery members will undergo an annual due diligence review.

Full details of the desk top checks, due diligence visit and annual due diligence review checks are included in Appendix 1.

15 Clarity of Roles and Responsibilities

15.1 The supply chain delivery member is responsible for:

- Providing information requested by the Service as part of the Pre-Delivery/Due Diligence process
- Providing the requested documentation to enable the Service to make a judgment as to the suitability to enter into a supply chain arrangement. The documentation must be updated regularly and/or at the Service's request for the duration of the contract
- Ensuring students are eligible for funding in accordance with WMCA or ESFA Funding Rules
- Informing the Service of any changes of ownership of the organisation, management structure, loss of centre accreditation and/or direct claim status.
- Providing details of any accidents or dangerous occurrences affecting students or the learning environment.
- Providing details of any Safeguarding or Prevent issues.
- Providing details of entry onto the RoTO and/or RoTAP and maintaining its registration.
- Providing an annual Self-Assessment Report.
- Submission of student enrolments, registers and completion of documentary evidence in a timely manner and with minimal errors or omissions.
- All students provided with education and training under a Framework with the Service remain the responsibility of the Service, in accordance with the WMCA or ESFA funding rules. This means that the Service must monitor and manage the risk around quality of provision, learner experience, success rates, audit and any failure to adhere to contractual requirements by the supply chain delivery members. This is a significant factor in our supply chain delivery members' strategy.
- All supply chain delivery members should fully familiarise themselves with the WMCA funding rules (and, where appropriate, ESFA) and ensure their systems and processes enable full compliance. The Service will carry out quality-assurance checks (outlined elsewhere in this policy) and sample file checks to ensure that supply chain delivery members are complying with the funding rules.
- Supply chain delivery members must inform and encourage students and employers, if applicable, benefitting from this contractual arrangement of the requirement to participate in the Service quality monitoring activities and surveys when required. They may also be required to participate in an OFSTED inspection as and when the Service is subject to one, and should be made aware of this at the outset.
- Should either party need to withdraw from this contract, the supply chain delivery member must agree to co-operate with the Service to ensure there is continuity of learning for the students. All student details, files, paperwork and or electronic records should be passed to the Service at the earliest possible convenience for the purposes of finding and supporting suitable, high quality alternative provision.

- Supply chain delivery members must supply the Service with the required ILR data in a prompt manner, as agreed with the Service Contract Manager. All information must be fully completed and checked before sending to us.
- The Service and, if necessary, the WMCA (or their nominated representatives) must be given reasonable access to your premises and your documentation for the purposes of quality assuring the training delivery falling under the scope of this Framework.
- It is the supply chain delivery members' responsibility to provide suitably qualified and competent staff who have been DBS checked, for the delivery of the qualifications and training under this arrangement. The Service will require evidence of DBS checks, staff qualifications and experience.
- Supply chain delivery members must inform the Service if they discover any irregular financial or delivery activity in their organisation including:
 - Non delivery of training when funds have been paid.
 - Sanctions imposed by an Awarding Body.
 - An inadequate Ofsted grade.
 - Complaints or allegations by students, staff or other relevant parties.
 - Allegations of fraud.
- Supply chain delivery members must not use any funding earned under this agreement to make bids or claims from any European funding on their own behalf or on behalf of the Service.
- There can be no 2nd level sub-contracting, under any circumstances under the terms of this agreement. All delivery must be carried out by the supply chain delivery members own employed and competent staff.

16 Review of Policy

16.1 This policy will be reviewed in each summer term and updated as required.

Appendix 1 – Due Diligence Checks

Supply Chain Requirements

Due Diligence documents required for desktop assessment	Notes/Service Actions
Copy of latest set of audited accounts	To be reviewed by Local Authority Finance team
Copy of evidence of registration on ROTO or RoTAP	To be reviewed by Local Authority Procurement Team
Full names of all Heads/Trustees/Senior Managers	Complete Company House check
Copy of Management Structure	To be reviewed by Service Due Diligence Panel
Copy of most recent Ofsted report	Require grade 1 -2
Copy of most recent Self-Assessment Report (SAR) – where applicable	Require grade 1 -2

CVs for all staff delivering training/assessment	To be reviewed by Service Senior Management Team
DBS numbers for all staff delivering training/assessing	To be reviewed by Due Diligence Panel
Copy of Health & Safety Policy	To be reviewed by Due Diligence Panel
Copies of risk assessments	To be reviewed by Due Diligence Panel
Copy of disaster recovery policy	To be reviewed by Due Diligence Panel
Copy of Employers/Public/Professional liability insurance certificate	Minimum £5 million for Employers Liability Insurance, £1 million for Professional Indemnity and £5 million for Public Liability Insurance. Certificate to be in date.
Evidence of Initial Advice & Guidance (IAG) and IAG Policy	To be reviewed in line with Adult Education Wolverhampton policy
Copy of policies for compliance with legislation on employment and immigration	To be reviewed in line with Adult Education Wolverhampton policy
Copy of Complaints procedure	To be reviewed in line with Adult Education Wolverhampton policy
Copy of Equality and Diversity procedure	To be reviewed in line with Adult Education Wolverhampton policy
Details/evidence of DDA compliance	To be reviewed in line with Adult Education Wolverhampton policy
Copy of Safeguarding and Prevent policy	To be reviewed in line with Adult Education Wolverhampton policy
Copy of Sustainability policy	To be reviewed in line with Adult Education Wolverhampton policy
Copy of Data Protection policy	To be reviewed in line with Adult Education Wolverhampton policy

Due Diligence documents required for desktop assessment	Notes/Service Actions
Copy of Awarding Body Centre Approval – where appropriate	To match qualifications being delivered and staff delivering
Copy of most recent External Verifiers Reports – where appropriate	To be reviewed for serious issues

The supply chain delivery member will provide the following:

Required during Academic Year	Frequency/Due by
Return signed contract and appendices to Local Authority Legal Team	Before 1 st September or start of delivery programme
Deliver the Programme(s) in accordance with the Service's quality assurance arrangements	In line with the Service timetable
Self-Assessment Reports in line with the Service's requirements	In line with the Service timetable
Run Assessment Boards	In line with the Service timetable

Signed and fully completed enrolment form for each student; <ul style="list-style-type: none"> • Copy of recent benefits evidence if claiming fee remission • Signature of staff seeing ID evidence and type of evidence seen (student name must remain the same throughout reporting and exam registration and certifications as seen on ID) • PLR for each learner 	Within 2 weeks of the course commencing
Registers completed on the day of the course	Copies to AEW 2 weeks after each course start date, then at RO data deadlines and no later than 5 working days after the end date
Withdraw any students who have missed more than 2 consecutive weeks	Immediate
Timetable of delivery including session times, venues and teaching staff	Before course(s) commence
Copies of achievement certificates as soon as received from the Awarding Body	As soon as received, and no later than R14 data deadline for end of year completions
Copies of all EV reports	As soon as received
Feedback questionnaires from students	In line with service timetable
Raise invoices per agreed payment amounts and schedule	Per agreed schedule

Appendix 2 – Quality Assurance Measures

The Service will score each performance indicator as follows:

Performance Indicator	Risk Rating Score			
	Low	Medium	High	Not Measurable
	1	2	3	4
Delivery experience of the potential supply chain delivery member	More than 5 full years	2 to 5 full years	Less than 2 full years	
Previous years success rate	3% or more above benchmark	Within + or = 2% of benchmark	More than 2% below benchmark	No previous delivery record
Type of provision	Provision deemed to be low risk e.g. AEW experience	Medium risk e.g. AEW experience in managing this type of delivery	Provision deemed to be high risk e.g. distance learning or difficult client group	No self-assessment process

AEW audit and QA measures	Compliant and no actions or recommendations	Mainly compliant but recommendations to improve	Not compliant and actions required to improve	No previous audit as new provision
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Overall Score	Risk Rating
2 - 4	Low
5 - 9	Medium
10 - 12	High

Funding Element Retained for Supply Chain Delivery Members Management			
Volume	Low Risk	Medium Risk	High Risk
Under £50,000	15%	20%	We do not contract if new provision
£50,000 -£100,000	15%	20%	We do not contract if new provision

Appendix 3 – Fees and Charges Structure

The following activities are included in the standard contract management and covered by the retained funding element;

Activity	Number/Frequency included in standard retained funding element
Pre-Contract Processes	
Due diligence desk top checks	1 at set-up
Due diligence visit	1 per site, up to 3 sites
Annual due diligence	1 per year
Issuing standard supply chain delivery members agreement	1 per year
MIS Processes	
Issuing AEW document templates and forms to be used by the supply chain delivery member	As and when amended
Agreeing use of supply chain delivery members templates and forms (if at least as good as AEW documents)	1 per year
Entering student data and amendments onto ILR	All
Entering attendance data and reconciling with ILR	All
Use of occupancy report to calculate payments	All
Student Services	
Agreeing use of DLSF on an individual basis	As required
Checking accuracy of enrolment forms	All
Understanding and applying the funding rules	All
Finance	
Raise purchase order and process payments	All
Quality Assurance Processes	
Quality assurance visits	3 per year
Observation of Teaching, Learning and Assessment (Classroom Visits and Learning Walks)	1 per teacher
Performance Review meetings 6 weekly	6 per year
Annual survey of students	1 per year
Annual survey of employers (if applicable)	1 per year
Annual audit of MIS data including enrolment forms and attendance records	1 per year
Review of student documents including tracking records, reviews and ILPs	3 per year
Annual review of the supply chain delivery members provision within the college self-assessment process and Quality Improvement Plan	1 per year
Incorporate the supply chain delivery members provision within the partnership manager	Typically, 1 or 2 phone calls or emails per week, more for new providers
Supply chain delivery members staff to attend service CPD activity	As required

Appendix 4 – Data return and invoice dates 2021 - 22

All supply chain delivery members data thoroughly checked and uploaded to AEW by:	Data returns	Invoice date
28/09/2021	06/10/2021 - R02	13/10/2021
22/10/2021	04/11/2021 - R03	11/11/2021
26/11/2021	06/12/2021 - R04	13/12/2021
17/12/2021	07/01/2022 - R05	14/01/2022
28/01/2022	04/02/2022 - R06	11/02/2022
25/02/2022	04/03/2022 - R07	11/03/2022
30/03/2022	06/04/2022 - R08	13/04/2022
29/04/2022	06/05/2022 - R09	13/05/2022
27/05/2022	08/06/2022 - R10	15/06/2022
28/06/2022	06/07/2022 - R11	13/07/2022
27/07/2022	04/08/2022 - R12	11/08/2022
06/09/2022	14/09/2022 – R13	21/09/2022

The Provider will incur the following charges if additional activity is required to address poor performance or reduce risk:

Activity	Cost to supply chain delivery member
Pre-Contract Processes	
Additional due diligence investigation, e.g. to investigate financial records or take additional references	£40 per hour
Produce action plan as a result of unsatisfactory due diligence checks or visits	£40 per hour
Additional due diligence visit to monitor improvements	£40 per hour
Additional due diligence visit to additional delivery locations	£40 per hour plus transport costs
MIS Processes	
Returning enrolment forms or other documents due to incorrect completion	Normally no charge but continued non-compliance will incur non-compliance letter charge of £15
Non-compliance letter from Service Senior Manager requiring improvement	£40
Quality Assurance Processes	
Self-assessment report (if not produced to satisfactory standard by supply chain delivery member)	£40 per hour
Quality Improvement Plan (if not produced to a satisfactory standard by supply chain delivery member)	£40 per hour
Quality assurance – site visits	£40 per hour plus transport costs
Quality assurance – remote (desk top review)	£40 per hour
Contract Management review meetings	£40 per hour

Additional survey of students	£200 + external survey costs
Additional survey of employers (if applicable)	£200 + external survey costs
Providing consultancy support (Senior Manager level)	£60 per hour

The following rates will apply to additional services which the service may provide for the supply chain delivery member;

Service	Cost
Registration of students on Service Centre with Awarding Body (dependent on risk rating)	Cost + 10%
Certification of students from Awarding Body	Cost + 10%
Certification of apprentices with ACE (if applicable)	Cost + 10%
Internal verification	To be agreed depending on provision
Providing consultancy support	£60 per hour