



University of  
**Salford**  
MANCHESTER

# **Apprenticeships Subcontracting Policy**

**Version Number 1.0**

**Effective from September 2021**

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## 1.0 Purpose

The University of Salford is a vibrant, modern University situated in the heart of the Greater Manchester conurbation. We work with industry to pioneer industry partnerships that allow us to lead the way in providing provide real world experiences preparing our students for life and delivering real benefit for businesses and society. For the University of Salford (the "University"), higher and degree apprenticeships continue to make a significant contribution to the realisation of its vision to create exceptional industry partnerships that enable employers to develop the high level skills of their workforce and support regional economic growth. The University's employer led apprenticeship portfolio is a key component of its work to support the delivery of the Greater Manchester Local Industrial Strategy and also makes a major contribution to its priority on widening participation in higher education. The University is continuing to grow its apprenticeship provision utilising levy and non-levy funding provided through the Education and Skills Funding Agency (ESFA).

In accordance with the ESFA Funding Rules this policy sets out the rationale and defines the arrangements under which the University will subcontract ESFA funded higher and degree apprentice provision. It identifies the core principles that the University will take into consideration prior to entering into a legally binding contract with an apprenticeship delivery subcontractor.

## 2.0 Rationale for subcontracting

The University has developed the following rationale to inform, manage and govern policy and practice with respect to the subcontracting of apprenticeship provision:

The University of Salford (UoS) is committed to working in partnership with industry to enhance the employability of its learners and support the development of employers' high level skills needs. The University engages with its learners, employers and other stakeholders across the city region and beyond to design and deliver demand led, flexible and high quality apprenticeship programmes.

Alongside its emerging Higher Technical skills portfolio, apprenticeships are integral to the delivery of the University's vision in relation to growth and diversification. They provide a key solution to meeting industry's workforce development requirements and ensure that there is a suitable supply of skills and talent that is responsive to employer demand.

Normally, the University will deliver its apprenticeship programmes in full utilising its existing skills, knowledge and resources. However, in response to employer and learner needs and dependent on the nature of the apprenticeship programme, there may be a requirement for the University to consider subcontracting some elements of the provision to other suitable approved delivery organisations. The university will carefully assess any proposal for subcontracting ensuring that the key benefits to employers, stakeholders and the quality of the programme are clearly identified and agreed by all stakeholders.

Alongside its existing governance and decision making processes, the University will apply a set of principles for subcontracting any element of its apprenticeships provision and these will be used to inform decisions on the appointment of suitable sub-contractors.

As is standard practice the University will aim to meet employer / learner apprenticeship requirements in full through direct delivery. Where this is not possible a partnership and / or subcontracting arrangement may be considered.

All proposals for subcontracting arrangements will need to clearly demonstrate how they will enhance the opportunities for learners through meeting one or more of the following requirements:

- enabling access to specialist staff and / or resources that would otherwise not be available through the University
- widening access and participation in apprenticeship provision for hard to reach groups
- contributing to the delivery of the Local Industrial Strategy through skills, innovation and knowledge transfer with the University and its stakeholders

- promoting equality, diversity and inclusion in particular, for those learners with additional support needs

To ensure the quality of apprenticeship subcontractor delivery, and compliance with ESFA requirements, the University will ensure that:

- all subcontractors are on the Register of Apprenticeship Training Providers
- as a main provider it will maintain a direct relationship with employers
- it delivers a substantial element of an employer's apprenticeship provision
- any arrangements using subcontractors comply with all appropriate professional and regulatory frameworks, including ESFA funding guidance.
- provision delivered via subcontracting is approved/ monitored via the university's processes and procedures (including internal arrangements for academic standards and quality / partner approval/ due diligence and external arrangements such as compliance audit.
- second tier/ serial subcontracting is not used
- any proposal for subcontracting is considered and approved through the appropriate university governance (currently the Higher Technical Skills Board ).
- any proposal for subcontracting demonstrates alignment with the University's strategy and published principles and rationale

### 3.0 Selecting and approving subcontractors

The University applies its existing processes for approving, managing and quality assuring collaborative partnerships and provision when selecting and managing subcontractors for apprenticeship provision - supplemented, as appropriate, where regulatory requirements (i.e. related to ESFA rules / Ofsted) necessitate alternative or additional approaches.

Where delivery subcontractors are existing collaborative partners of the University they will have already successfully completed the University's processes for partner planning and institutional approval. Through this process (supplemented by any additional processes required by regulatory requirements applicable at the time) the University collects, and risk assesses, information about a proposed partner or subcontractor to ensure:

- I. the overall rationale for a proposed subcontract fits with relevant University policies and strategy (including the published rationale provided in section 2 above.
- II. the subcontractor's capacity and track record in providing high quality provision including that it is able to quality assure and improve relevant provision.
- III. appropriate legal and financial due diligence checks are satisfied (including that the organisation is a legal person, it is not subject to legal proceedings to dissolve or wind up the company, it is up to date with submission of its statutory accounts and these have been subject to external audit by an independent and qualified auditor) and measures are taken to identify any conflicts of interest
- IV. there are effective monitoring and performance review procedures to oversee the subcontract - as determined by the Directorate of International and Regional Development (IRD) and relevant University quality assurance processes - in line with regulatory requirements
- V. there are monitoring triggers and processes to intervene and terminate subcontracts as necessary, including continuity arrangements to transfer or support current apprentices.

Existing approved University collaborative partner organisations would normally be eligible to be considered for subcontracting arrangements, subject to confirmation that they can meet the specific requirements of the subcontract and can satisfy any additional regulatory requirements related to apprenticeships. Partners are required to supply information for approval, via University quality assurance processes, setting out key information relating to the proposed delivery and management of the apprenticeship. The roles and responsibilities of both partners are agreed through the approval process; these are then formally recorded within the contract for the partner.

Proposed subcontractors that are not already approved partners of the University may be considered for approval as a subcontractor via the university's collaborative provision procedure (supplemented by any additional processes to ensure compliance with any regulatory requirements applicable at the time).

The University is responsible for ensuring that apprenticeship provision satisfies the regulatory requirements for subcontracting applicable at the time. As a main training provider the University will:

- Agree the use of subcontractors with employers at the start of an apprenticeship
- Carry out due diligence checks on potential delivery subcontractors
- Enter into a written agreement with subcontractors
- Ensure that second-level subcontracting does not take place
- Obtain an annual report from an external auditor if the total apprenticeship contract value exceeds £100,000 in any one financial year
- Take responsibility for the quality of all aspects and carry out regular assurance checks of their subcontractors provision
- Provide delivery sub-contractor declarations in line with ESFA dates and manage any updates if arrangements or circumstances change during the year

The Directorate of International and Regional Development (IRD) at the University will be the single, central point of contact with the ESFA.

Staff involved in selecting and managing subcontractors will normally be those in the Directorate of IRD with experience in developing and managing academic collaborative partnerships

#### **4.0 Fees and charges**

The University will normally apply fees for the management of the apprenticeship and for supporting any academic provision. Further additional charges may be negotiated between the subcontractor and the University to reflect particular additional services or support the University is providing to apprentices and their employers. These fees will reflect the University's costs in procuring and managing subcontracts and the associated academic provision.

In consideration of the fee the University will normally provide the following support to the subcontractor:

- Subcontract management
- Monitoring of quality, standards and compliance related to the subcontract
- Support in recruiting learners where appropriate to the needs of the provision
- Support with learning, teaching and assessment (including guidance and developing a community of practice)
- Review and enhancement for the apprenticeship
- Employer support ongoing throughout the apprenticeship programme including EPA
- Sharing of good practice
- Collating learner and employer feedback
- Providing advice and guidance to employers and apprentices on EPAO

In consideration of the fee the University will also be responsible for:

- Learner administration – eligibility checks, enrolment and ILR data
- Audit Compliance – Contractual paperwork and apprenticeship evidence pack
- Quality assurance of subcontracted provision

The University will provide potential subcontractors with full contractual terms to apply to all sub-contractor payments. Fees and charges will be in line with EFSA apprenticeship rules and standard University payment terms.

#### **5.0 Publication of information and communications**

Any substantial changes to this policy are subject to review and sign off by the Higher Technical Skills Board on behalf of the University and are published on the University website. Minor changes and updates to ensure the currency and accuracy of the policy may be made by the policy owner and published on the website.

**Review**

This Policy is subject to annual review in line with existing University processes to ensure it continues to meet the University's needs and the requirements of the University's contract with the ESFA and all relevant regulatory bodies.