

# TENDERING AND SUBCONTRACTOR SELECTION POLICY

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## Purpose

In the best interests of students and for the protection of public funding, ELATT wishes to secure the services only of providers who can prove themselves viable both in quality of delivery and financial stability.

The purpose of this process is to ensure that:

- ▶ Students who work with sub-contractors experience the same levels of quality as they do at ELATT
- ▶ The Sub contracting process and subsequent decisions around Fees and Charges is fair and transparent as per the Fees and Charges Policy
- ▶ A robust management and monitoring process is agreed and supported by the Service Level Agreement.

## Responsibility

In each case where the appointment of a subcontractor is appropriate, ELATT will form a Contract Team comprised of:

- ▶ The Heads of Curriculum
- ▶ The Chief Executive
- ▶ The Head of MIS
- ▶ The Finance Manager

## The Tendering Process

The tendering process will be either:

- Open - to all providers.
- Selective - open only to preferred providers.
- Approach - response to providers who have approached/requested subcontract.

## Assessing capacity, capability and risk status

Prior to assessment, each potential subcontractor will complete the Due Diligence Template, allowing us to assess the quality of their delivery in the specific area that we are subcontracting, in order to assess their risk rating (high, medium or low). Wherever possible, these documents will include:

- The latest Ofsted report.
- The latest SAR and QIP.
- The latest financial accounts and cash-flow forecast.

2 years' success rates in the relevant area of delivery. Assurance that the sub-contractor does not sub-contract out any of the proposed delivery.

From this information, we will assess the sub-contractors ability to deliver and their ultimate risk rating. The Risk Rating will inform the Management Fee according to the Subcontractor Fees and Charges Policy.

## Site Visit

Following the desktop assessment, a due diligence site visit will be arranged by the Head of Curriculum to make a more in-depth examination and to interview management teams and delivery staff to identify strengths, potential risks and development needs as well as additional perimeters as to what is acceptable delivery. For instance, the Department may want a roll on/roll off programme. We will also want to understand the sub-contractors Model of Delivery or proposed Model of Delivery. This will include information on:

- ▶ The latest Ofsted report.
- ▶ The latest SAR and QIP.
- ▶ The latest financial accounts and cash-flow forecast.
- ▶ 2 years' success rates in the relevant area of delivery.
- ▶ Assurance that the sub-contractor does not sub-contract out any of the proposed delivery.

The Head of Curriculum will assess the Sub-contractor against quality measures using the Site Visit Template

## Completing the fees and charges risk table

Once all the reports and documents are collated the Contract Team will meet to decide the Risk Rating and identify:

Any extra work and therefore costs that will be incurred as a result of the subcontracting relationship. The date of the next assessment - usually in 12 months' time.

An indication of where the subcontractor needs to improve in order to lower their risk rating for the following year.

## Drawing up the contract

Once all terms and fees are agreed on both sides, we will provide the subcontractor with a detailed Service Level Agreement supported by:

- ▶ Breakdown of maximum or initial contract value, by funding stream.
- ▶ Essential ELATT Policy, in particular the Child Protection Policy.
- ▶ Delivery Plan for the year.
- ▶ SFA Funding Rules for the relevant year.
- ▶ A copy of ELATT's SFA Contract for Services for the relevant year.
- ▶ The SFA ESF Match Policy for the relevant year.

## Register of training organisations

We understand that ELATT must not appoint subcontractors that are not listed on the Register of Training Organisations if they already hold contracts with an overall value of £100,000 or above per academic year with one or more providers, or if the subcontract from ELATT would take the total value of their contracts over £100,000. We will therefore check with the Subcontractor prior to contract stage and require them to enter their details whenever necessary.

## Management of the subcontractor

ELATT will take a differential approach to monitoring sub-contractors in recognition of the various ways in which provision can be delivered. The visits will be a combination of planned and short notice visits in order that we can audit delivery and discuss all aspects of the contract, planning future actions. The number of visits will be outlined within the schedules of the contract. These checks will also analyse the quality of delivery to ensure that government funds are delivering value for money to students.