

Apprenticeship Subcontracting Policy

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1. Purpose

This policy sets out Birmingham City University's approach to subcontracting of its higher and degree apprenticeship provision. It outlines the framework that the University uses in regulating subcontractors including the financial arrangements for subcontracted provision.

The policy is published on the University web site in accordance with the Education and Skills Funding Agency (ESFA) regulations and reviewed regularly, including when regulations are amended.

2. Introduction

For Birmingham City University higher and degree apprenticeships continue to represent an important source of support for employers to plan and develop the higher-level skills of their workforce.

Birmingham City University has made the strategic decision to only undertake subcontracting as part of its Nursing Associate Level 5 apprenticeship delivery with approved partners. No other subcontracting arrangements are permitted.

The University operates its apprenticeship subcontracting arrangements in-line with ESFA Subcontracting standard and associated guidance for subcontracting with delivery partners.

Birmingham City University retains responsibility for all the actions of its delivery subcontractors that are connected to, or arise out of, the apprenticeship training and on-programme assessment subcontracted to them.

3. Scope and Context

This policy applies to all subcontracted provision supported with the funds supplied by the ESFA. The policy is a mandatory requirement for subcontracting activity. The policy's content has been developed to comply with the ESFA Subcontracting Standard.

4. Due Diligence

The University will undertake a robust process of due diligence for all subcontractors to ensure the highest quality of learning delivery is made available and which demonstrates value for money and has a positive impact on the experience of both employers and learners.

The University only undertakes subcontracting for the Nursing Associate, Level 5 Apprenticeship, a professionally regulated and prescribed course.

5. Contracting Arrangements

Birmingham City University will only use delivery subcontractors for the Nursing Associate Level 5 apprenticeship who satisfy one of the following two criteria:

- The proposed subcontractor is listed on the published Register of Apprenticeship Training Providers (RoATP) and has applied by the main or supporting application routes;

- The proposed subcontractor is the apprentice's employer, a connected company or charity as defined by HMRC and are on the published Register of Apprenticeship Training Providers (RoATP), having applied to the ESFA through the employer-provider application route.

Birmingham City University will obtain an external auditor's assurance report where the total apprenticeship contracts with delivery subcontractors exceed £100,000 in any one financial year, as set out in the ESFA apprenticeships funding rules.

The University declares its use of delivery subcontractors to the ESFA as required by the ESFA apprenticeship funding rules.

Delivery partners will be issued with a legally binding contract eligible for the period from when the contract commences for a period of 5 years with annual review. It will be signed and witnessed by the subcontractor and the University. Terms and conditions will be agreed and included in the contract. The University and the ESFA are granted full permission and rights to monitor the quality of training being provided and visit the subcontractor at their premises, training site or other locations from which they operate.

6. Monitoring and Reporting

All subcontracting arrangements are approved and overseen by the Academic Portfolio Approval Group (APAG), which acts on behalf of the University Executive Group.

Frequent reviews aim to satisfy the University that the subcontracting arrangement continues to fulfil the requirements for quality, that the subcontracting elements of the Nursing Associate provision are of an appropriate standard and that student learning opportunities are maintained.

Review is intended to give all parties an opportunity to explore the strengths of the arrangement and to identify any weaknesses perceived by stakeholders with a view to their improvement.

The nature of the monitoring and review process is proportionate to the scale of the subcontracted provision within the Nursing Associate Level 5 provision.

Mechanisms for ongoing monitoring of subcontracted elements of the Nursing Associate Level 5 apprenticeship provision are as follows:

- Review of staff CV's who deliver clinical skills training prescribed within the apprenticeship standard and course designed to meet Nursing and Midwifery Council requirements
- Quality monitoring embedded within regular meetings, normally on site or at University premises, with NHS Trust staff;
- Visits to the NHS Trust subcontractor at short notice for any identified area of concern;
- Regular communication with NHS Trust staff with responsibility for the management of clinical skills educators and direct observations of training and/or on-programme assessment, if cause for concern;
- Face to face interviews with delivery staff and apprentices, apprentices attend BCU training and there is regular and ongoing contact with staff who monitor and assess their academic and skills development; and
- Frequent reporting by the subcontractor.

These mechanisms are designed to ensure the quality of delivery and that they are eligible for funding under the ESFA apprenticeship funding rules. Apprentice eligibility is reviewed and checked by Birmingham City University and there is a requirement that all apprentice records are compliant with

ESFA regulations.

Each subcontracting arrangement is subject to a termly review.

Each subcontracting arrangement is subject to review before the end of the current approval period.

Birmingham City University reserves the right to make an unannounced visit in the eventuality of a significant concern about the standards and quality of provision delivered by a subcontractor.

7. Payment

Payment to subcontractors will normally be made within 30 days of the invoice being received, subject to all necessary paperwork and records having been submitted within the required time scale.

A checklist of key dates and deadlines for the paperwork to be received for inclusion in the return to the ESFA will be provided. Payment details will also be included in the contract schedules issued to subcontractors at the start of the new contract year.

8. Duties within the University

Nominated members of university staff with strategic lead responsibility for subcontracting:

- Deputy Vice Chancellor (Academic)
- Academic Registrar and Director of Student and Academic Services
- Assistant Director (Academic Services), Student and Academic Services
- Apprenticeships (ESFA & Financial Compliance) Manager (APU)
- Faculty of Health, Education and Life Sciences - Faculty Lead Apprenticeships
- Senior Finance Business Partner
- Head of Legal Services

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