



## Definition of a subcontractor

A subcontractor is a separate legal entity that has a contractual agreement with Middlesbrough College to deliver any element of the education and training the college receives funding for. This would include self-employed individuals or those supplied by an employment agency, unless those individuals were working under the direct control and direction of the college in the same way as the college's own employees, in which case they would not be a subcontractor under this definition.

All subcontractors must undergo an extensive due diligence process before being approved by the college as a subcontractor.

Responsibility for the management and monitoring of subcontract arrangements rests with the Adult and Community Learning team, and the Senior Responsible Officer for subcontracting is the Assistant Principal Adult and Community Learning, who convenes a monthly Subcontracting Review Meeting with key internal staff and reports performance through the College's Adult Education Budget Meetings, and via reporting at each Corporate Services and Governing Body meeting.

Any subcontractor funded directly by the DfE must have a valid UK Provider Registration Number.

Middlesbrough College are responsible for all the actions of the delivery subcontractors and partners connected to, or arising out of the delivery of the services which they subcontract

## Why would we subcontract?

All delivery subcontracting would be done to meet the strategic aims of the college, and to enhance the range and quality of the learning offered as a whole.

All proposed subcontracts should be developed following completion of an internal business case, which should be approved by the College's Corporate Services Committee (Either as part of annual budget planning or through a mid- year update)

The business case should confirm that the proposed arrangement meets at least one of the following aims:

- enhances the opportunities available for learners
- fills gaps in niche or expert provision or provides better access to training facilities
- supports better geographical access for learners
- offers an entry point for disadvantaged groups; or

- gives consideration of the impact on individuals with shared protected characteristics, where there might otherwise be gaps

Where similar provision is delivered year-on year a review of the existing business case should be undertaken each year to ensure that the aims continue to be met and confirm that the provision should be continued.

The form of business case is included at Appendix 4

## **Subcontractor Procurement Strategy**

As soon as the College identifies a potential subcontracting requirement, an initial discussion will take place between the Adult & Community Learning Team and the College Procurement Manager, concerning proposed provision, programmes, sector areas etc in order to determine the College's procurement approach. This should take place as soon as possible, to ensure that a compliant procurement process is undertaken. The agreed procurement approach should be documented, along with the reasoning for it.

For every new contract (typically annual), regardless of whether the subcontractor is new to the College, the Procurement Manager should confirm that the proposed procurement process is compliant with the College's Scheme of Financial Management and Control as well as the Procurement Act 2023, Section 2.2 of the [College financial handbook](#), and in the case of and provision directly funded by DfE procurement should comply with the [DfE Subcontracting Standard](#) (in particular the provisions of the Pre-Award Activities Section)

In respect of the DfE Subcontracting Standard, the College will define "entering a subcontract arrangement" as any new contract. In particular, continuation of existing delivery under a new annual contract would constitute entering into a subcontract arrangement.

Regardless of the procurement approach the College will produce a detailed scope for the subcontracting arrangement based on the requirements of the Business Case.

This will include:

- Specific details of the provision that will be subcontracted listing key factors relevant to the procurement including (but not limited to) full details of the qualifications and/or services delivered, delivery targets including volumes, required quality outcomes, and geographic parameters.
- A consideration of how the scope of delivery complies with relevant funding rules and if relevant the DfE subcontracting standard.

The procurement of a subcontractor will ensure that the partner has the capacity, capability, expertise and financial standing to deliver the subcontract on behalf of the College and that the arrangement delivers values for money.

The process will be led by the Procurement Manager with technical input provided by the Adult and Community Learning team.

Please refer to the Procurement Policy for further detail on tendering procedures. [Procurement Policy \(MC38\)](#)

## **Form or contract**

The College will use a standard contract template for its subcontract activity which will be tailored in respect of any proposed subcontracts. Contracts will initially be tailored by the Assistant Principal Adult and Community Learning and reviewed by the Deputy Principal Skills and Partnerships prior to publication or issue.

Where necessary, the Vice Principal Finance and Registry will consider whether it is appropriate to take expert commercial/legal advice on the terms and structure of the contract both in general and in relation to specific contract requirements.

## **Minimum due diligence requirements**

The following “due diligence” review process must be completed to the College’s satisfaction either as part of the procurement process or as a condition precedent to entering into a subcontract.

Prior to the full due diligence process commencing, the last three years of accounts will be requested and reviewed by the Vice Principal – Finance & Registry. If the accounts provide the required financial assurance, then the full due diligence process will commence.

### **1. Due Diligence Process and Responsibilities**

The Due Diligence checklist and requirements are issued to the potential subcontractor, who then collates and submits the required information back to the Project Manager. Upon receipt, all information is checked, and relevant policies are referred to internal subject matter experts to formally review & approve the supporting evidence.

The following job holders (or suitable nominated representative) are responsible for reviewing the policies listed under their role:

#### **Vice Principal Finance and Registry**

- Accounts
- Insurance
- Details of subcontracts held over the last three years
- Planned delivery schedule
- Completion of recommendation to proceed/withdraw
-

## **Vice Principal Quality and Performance**

- Data Protection policy
- Appeals policy
- Complaints policy
- OTLA policy
- Equality policy and implementation plan
- Ofsted Reports
- EV Reports
- Course Information
- Staff CVs and competence
- Staff Training
- AI Policy

## **Deputy Principal - Curriculum & Students Principalship**

- Safeguarding policy
- Prevent policy
- Prevent duty risk assessment and plan

## **Vice Principal Human Resources**

- DBS Numbers for all staff and volunteers
- Whistleblowing

## **Vice Principal Digital and Campus Services**

- IT policy
- Sustainability policy and implementation plan
- Health and Safety policy
- Health and Safety Vetting policy
- Health and Safety site visit

Once the due diligence process is complete a recommendation is made by the Project Manager for consideration by the Principalship as to whether all requirements have been met. The Principalship will then decide if the organisation is to become a subcontractor. The recommendations made to Principalship should be documented by utilising Appendix 1 and providing a summary of the findings of the Due Diligence process including the recommendation to proceed or not.

The Assistant Principal Adult and Community Learning will inform the organisation if the decision is negative.

If the decision is positive, further discussions will be held with the subcontractor to agree the funding allocation, learner numbers and programmes to be delivered.

Governing body approval will be gained for the provider to become a new subcontractor.

The provider's details will be added to the Colleges subcontractor return by the Executive Director of Policy, Funding & Management Information and submitted to the DfE.

The contract and schedule will be set up by the Project Manager and the Executive Director of Policy, Funding & Management Information (1 copy for the Subcontractor and 1 copy for the College). Both copies will be signed and dated by the Principal and subcontractor. The College copy will be held in Subcontracting SharePoint and uploaded by Project Manager. The other to be retained by the Subcontractor.

## **Preparation for subcontracting prior to the beginning of the academic year:**

- The College has annual Subcontracting Quality Cycle (Appendix 5), which identifies general business activities for the planning and delivery of subcontracting. Planning for the following academic year will begin in April/May. The Project Manager will review requirements and determine whether a new subcontracting business case is needed and/or whether there is a recommendation for existing subcontracted provision to continue.
- If a new subcontract arrangement is required (any new contract), the Assistant Principal for Adult and Community Learning will engage with the Procurement Manager around developing procurement specifications and Tender documentation.
- The Tender specification (if necessary), proposed contract and business case will be reviewed by senior management and presented to attendees of the Adult Education Budget meeting for approval before release
- Following completion of the procurement/award process a list of potential subcontractors is presented to Governors for their approval in July prior to the new academic year.
- The DfE subcontractor return completed by the Executive Director of Policy, Funding & Management Information and sent to the DfE as required.
- Training is available for subcontractors. Updates delivered on enrolment procedures, funding, teaching and learning, quality, ALS, WFD and Equality and Diversity. It should be noted that Safeguarding and Prevent training is mandatory.

The College must publish its supply chain fees and charges policy on the College website before entering into any subcontracting agreements for an academic year. The College must also publish their subcontracting payments and management fees policy on the College website. The Associate Director Quality will co-ordinate and complete this ready for approval & publishing.

## **2. Delivery Monitoring / Management of Subcontractors**

### **Contract Schedules**

- Meetings held with subcontractors and schedules finalised by the Executive Director of Policy, Funding & Management Information in July/August

- 2 copies of Schedules signed by Principal/Chief Executive and sent to subcontractors for signing. One copy retained by subcontractor, one copy returned to College and kept in the finance office.

## **Delivery Preparation/Procedures**

- Course file for each subcontractor set up by the Head of Registry at beginning of new Academic Year.
- Course labels printed and issued to subcontractors along with current enrolment forms.
- Completed enrolment forms returned within one calendar month of completion to the Projects Manager and registry staff who check all forms before inputting onto the College system (Pro Solution).
- Pro-Solution data printed out and checked with subcontractors by Projects Manager as appropriate.
- Withdrawals, transfers, and achievements will be logged and inputted onto Pro-Solution by the Projects Manager and registry staff.
- Registers and contact logs are returned monthly by providers to the Projects Manager as required.

Where subcontractors wish to make interim claims, invoices are sent to the finance team. These are approved by the Executive Director of Policy, Funding & Management Information and then signed by the Assistant Principal for Adult and Community Learning before being returned to Finance for payment. Copies are kept by the finance team.

## **Contract Meetings**

Regular meetings held between individual subcontractors and subcontracting team throughout the year to discuss:

- a. Recruitment and Induction
- b. Learner progress and attendance
- c. Early leavers/retention
- d. Examinations/certification
- e. Learner feedback/complaints
- f. Observations/teaching, learning and assessment
- g. Compliance and internal/external audit activity
- h. Quality of development plans
- i. Claims and finance
- j. System and security
- k. Staff/staff training needs
- l. Equality and diversity, safeguarding, prevent and health and safety

- m. Comments, compliments and complaints
- n. Achievement rates performance across all funding streams
- o. Financial performance against profile and expectations

## Audits

- Monthly data checks to be completed with subcontractors by the Projects Manager.
- On-site audit Schedule to include announced and unannounced audits which are set by the Associate Director Quality , with reference to completed annual risk assessments.
- Onsite audit visits carried out as per schedule. Reports and action plans are completed with a copy forwarded to the partner after the visit. Returned action plans logged and monitored by the Quality Department to ensure the actions are followed up accordingly. See audit visit checklist in appendix 2.
- Subcontractors are informed by either telephone or email two days prior to announced audits.
- Audits and meetings must be logged on Quality Audit Schedule along with Observation of Teaching and learning and review of marketing materials and website.

As part of the College's curriculum performance review process, all subcontractors are required to complete and submit a Quality Improvement Plan (QIP) and a Self-Assessment Report (SAR). These documents will be reviewed by the Assistant Principal – Adult and Community Learning and the Associate Director – Adult and Community Learning, with the findings feeding into the wider College Curriculum Performance Review. **Departmental Review**

- Annual departmental reviews of the provision will be completed by the College teaching and learning mentor team. Two days' notice will be given to subcontractors. Accurate timetables must be provided by subcontractors upon request.

## 3 Review

- Any outstanding achievement is followed up by the Projects Manager using Pro-Achieve information. As achievement is received by the Projects Manager and registry team it is logged and input onto the College system.
- Once all achievement is on the system, a reconciliation spreadsheet is updated by the Executive Director of Policy, Funding & Management Information. Assistant Principal for Adult and Community Learning writes to subcontractors identifying the reconciliation figure for the year. If subcontractors are in agreement, they then invoice the College for the relevant amount. Assistant Principal for Adult and Community Learning approves and signs the invoice and forwards to finance for payment. A copy of the invoice is kept in the appropriate provider file.
- Core due diligence documents from each subcontractor to be reviewed.

The actual end of year supply – chain fees and charges, when confirmed, must be published on the College website along with the Sub-Contracting Payments and Management Fees Policy

Subcontracted Learners are entitled to all support and guidance services offered by the College. They are Middlesbrough College Learners and are subject to the same College Policies and Procedures as any other learner.

This Procedure is in line with current DFE Funding Rules.

## **4- Performance reporting governance and change management**

A monthly Subcontracting Review Meeting is convened by the Assistant Principal for Adult and Community Learning and Partnerships. The meeting is chaired by the Vice Principal: Business, Innovation and Community Partnerships and includes the Procurement Manager, Executive Director for Funding and Policy, Project Manager and Associate Director for Quality and Performance. It reviews activity against the Subcontracting Quality Cycle and subcontractor quality and financial performance.

Subcontractor performance will then be monitored by nominated members of the College Management Team as part of the monthly Adult Education Budget meeting agenda. Typically this meeting will be chaired by the Principal/CEO and attended by the Vice Principal Finance and Registry, Executive Director of Policy funding and Management information and the Assistant Principal Adult and Community Learning alongside other managers as required. The meeting agenda will consider subcontractor performance (financial and quality), highlight any potential concerns, and determine appropriate courses of action including any contractual adjustments that may be necessary.

A further report on subcontractor performance will also be presented at each Corporate Services and Governing body meeting and approval for material contract changes will be sought from governors as part of this process.

Where contract changes are made as a result of this process (for instance to, price, value, service levels etc) these amendments will be made to the contract schedules by the Adult and Community learning Team under the supervision of the Assistant Principal Adult and Community Learning.

Revised to contracts will be reviewed and approved by the Deputy Principal Skills and Partnerships and Vice Principal Finance and Registry before they are issued.

In the event that the College withdraws from a subcontracting arrangement, or a subcontractor withdraws from their contract or enters administration or liquidation, the College will take prompt action to ensure continuity of provision and to support learners in completing their learning and achieving their qualifications, in accordance with the MC60 Contingency Plan.

## Appendix 1

| Middlesbrough College Due Diligence Checklist                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                      |          |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|----------|
| Once completed this template and supporting documents should be submitted electronically to the Contracts team: <a href="mailto:contracts@mbro.ac.uk">contracts@mbro.ac.uk</a>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                      |          |
| <div> <div> <b>1. Company Details</b><br/> Company name:<br/> Is your organisation registered on The UK Register of Learning Providers?<br/> UKPRN Number:<br/> <b>Companies House Check to be completed by Middlesbrough College:</b><br/> Staff name:<br/> Date Completed:<br/> Company registration number:<br/> VAT registration number:<br/> Address:<br/> Website:<br/> Trading Status: <div> a) public limited company<br/> b) private limited company<br/> c) limited liability partnership<br/> d) other partnership<br/> e) sole trader<br/> f) third sector<br/> g) other (please specify your trading status) </div> </div> <div>  </div> </div> |                                      |          |
| <b>2. Contact Details</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                      |          |
| List all directors and contact details: <b>Please note, you must notify us of any director changes in-year.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                      |          |
| Name of directors / senior managers                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Position in company                  |          |
| Phone / mobile / fax numbers                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Email addresses                      |          |
| <b>Conflict of Interest consideration/check to be completed by Middlesbrough College:</b><br>Staff name:      Date Completed:<br>There has been no change in directorships during the year and no conflict of interest identified between the directors and Middlesbrough College                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                      |          |
| List all senior managers and contact details:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Position in company                  |          |
| <b>3. Supporting Information</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                      |          |
| For all options where a ✓ is required supporting evidence is needed                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                      |          |
| <b>Company Information</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | ✓                                    | Comments |
| Organisation structure                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | ✓                                    |          |
| 2 signed references from suppliers / partners supplied on referee's official letter headed paper                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                      |          |
| Details of contracts currently held with the Skills Funding Agency                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | No direct contract held with the SFA |          |
| Details of subcontracts held over the last three years                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                      |          |

| Prime Contractor                                                                     | Contract Type and Value | Start Date | End Date | Starts (Target Numbers) | Starts (% of target achieved) | Job Outputs (Target %) | Sector Skills areas delivered |  |  |  |
|--------------------------------------------------------------------------------------|-------------------------|------------|----------|-------------------------|-------------------------------|------------------------|-------------------------------|--|--|--|
|                                                                                      |                         |            |          |                         |                               |                        |                               |  |  |  |
|                                                                                      |                         |            |          |                         |                               |                        |                               |  |  |  |
|                                                                                      |                         |            |          |                         |                               |                        |                               |  |  |  |
|                                                                                      |                         |            |          |                         |                               |                        |                               |  |  |  |
| <b>Finance</b>                                                                       |                         |            |          | ✓                       | <b>Comments</b>               |                        |                               |  |  |  |
| Last 3 years audited accounts                                                        |                         |            |          |                         |                               |                        |                               |  |  |  |
| Please indicate your turnover and profit for the last three years of trading         |                         |            |          |                         |                               |                        |                               |  |  |  |
| Year                                                                                 | 2023/24                 | 2024/25    | 2025/26  |                         |                               |                        |                               |  |  |  |
| Turnover (£)                                                                         |                         |            |          |                         |                               |                        |                               |  |  |  |
| Profit (£)                                                                           |                         |            |          |                         |                               |                        |                               |  |  |  |
| <b>Company Policies</b>                                                              |                         |            |          | ✓                       | <b>Date of next review</b>    | <b>Comments</b>        |                               |  |  |  |
| Health and Safety policy                                                             |                         |            |          |                         |                               |                        |                               |  |  |  |
| Vetting Policy (if applicable)                                                       |                         |            |          |                         |                               |                        |                               |  |  |  |
| Equality policy and Implementation Plan                                              |                         |            |          |                         |                               |                        |                               |  |  |  |
| Safeguarding Policy                                                                  |                         |            |          |                         |                               |                        |                               |  |  |  |
| Prevent Policy (prevent policy can be included within a Safeguarding Policy)         |                         |            |          |                         |                               |                        |                               |  |  |  |
| Prevent Duty Risk Assessment and Action Plan                                         |                         |            |          |                         |                               |                        |                               |  |  |  |
| Staff and student policies on the use of IT equipment referenced to the Prevent Duty |                         |            |          |                         |                               |                        |                               |  |  |  |
| Sustainability Policy and Implementation Plan                                        |                         |            |          |                         |                               |                        |                               |  |  |  |
| Appeals Procedure                                                                    |                         |            |          |                         |                               |                        |                               |  |  |  |
| Complaints Procedure (including managing whistleblowing)                             |                         |            |          |                         |                               |                        |                               |  |  |  |
| Data Protection                                                                      |                         |            |          |                         |                               |                        |                               |  |  |  |
| Observation of Teaching, Learning and Assessment Policy                              |                         |            |          |                         |                               |                        |                               |  |  |  |
| Disclosure Process                                                                   |                         |            |          |                         |                               |                        |                               |  |  |  |
| AI Policy                                                                            |                         |            |          |                         |                               |                        |                               |  |  |  |
| <b>Reports/Inspections</b>                                                           |                         |            |          | ✓                       | <b>Comments</b>               |                        |                               |  |  |  |
| External verification reports / grades                                               |                         |            |          |                         |                               |                        |                               |  |  |  |
| I.V strategy / procedures                                                            |                         |            |          |                         |                               |                        |                               |  |  |  |
| Any inspection reports (e.g. Ofsted)                                                 |                         |            |          |                         |                               |                        |                               |  |  |  |
| Any quality marks (e.g. Matrix)                                                      |                         |            |          |                         |                               |                        |                               |  |  |  |
| Self-assessment reports                                                              |                         |            |          |                         |                               |                        |                               |  |  |  |
| Success / retention / achievement rates for the last 3 years                         |                         |            |          |                         |                               |                        |                               |  |  |  |
| <b>Insurance (Supply copies of certificates)</b>                                     |                         |            |          | ✓                       | <b>Value (£)</b>              | <b>Date of expiry</b>  |                               |  |  |  |
| Employers Liability                                                                  |                         |            |          |                         |                               |                        |                               |  |  |  |
| Public Liability                                                                     |                         |            |          |                         |                               |                        |                               |  |  |  |
| Professional Liability                                                               |                         |            |          |                         |                               |                        |                               |  |  |  |
| <b>Health and Safety</b>                                                             |                         |            |          | <b>Yes/No</b>           | <b>Comments</b>               |                        |                               |  |  |  |
| Have you received any enforcement notices or convictions in the last 5 years?        |                         |            |          |                         |                               |                        |                               |  |  |  |

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|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|-----------------|
| Any reportable injuries, diseases or dangerous occurrences covered by RIDDOR regulations over the last 3 years?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                     |                 |
| If yes to both questions above, what actions were implemented to prevent reoccurrences                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                     |                 |
| <b>Safeguarding and Prevent</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                     |                 |
| <p>Statutory guidance – designated leads should have more training than the rest of the staff and be specific to their role as lead. <i>All organisations should have an appropriate senior member of staff appointed to the role of Designated Safeguarding Lead who takes lead responsibility for safeguarding.</i></p> <p><i>The lead and any deputies should undergo training to provide them with the knowledge and skills required to carry out the role. The training should be updated every two years. In addition to the formal training, knowledge and skills should be updated regularly, but at least annually, to keep up with any developments relevant to their role. (Bulletins, latest guidance and development, external networks etc.)</i></p> |                                     |                 |
| Name of designated Safeguarding Lead                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                     |                 |
| List training/qualifications of Safeguarding Lead                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                     |                 |
| Name of Designated Safeguarding Lead and identified single point of contact (SPOC) in relation to Prevent                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                     |                 |
| List training/qualifications of single point of contact                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                     |                 |
| <b>Capacity and Readiness</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                     |                 |
| Provide details of your capacity and readiness to deliver and outline planned delivery                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                     |                 |
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| <b>Geographical Delivery Area</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                     |                 |
| Describe the geographical area in which you are able to deliver                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                     |                 |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                     |                 |
| <b>Course Details</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | ✓                                   | <b>Comments</b> |
| Marketing literature                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                     |                 |
| Qualifications to be delivered                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                     |                 |
| Current awarding body approvals                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                     |                 |
| Information, advice and guidance                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                     |                 |
| Induction paperwork                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                     |                 |
| Individual learning plans                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                     |                 |
| Scheme of work                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                     |                 |
| Delivery models                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                     |                 |
| Assessment methods                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                     |                 |
| Observation of assessors / trainers                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                     |                 |
| <b>Student Awareness</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                     |                 |
| Outline your process for making students aware of Safeguarding and Prevent (including British Values).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                     |                 |
| <b>Staff</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | ✓                                   | <b>Comments</b> |
| Attach CV's and qualification certificates for all staff who will be involved with delivery                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                     |                 |
| <b>Staff Names</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <b>Proposed Delivery Programmes</b> |                 |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                     |                 |
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| <b>Staff Training – Safeguarding Training</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                     |                 |



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|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|
| Has your organisation, or any of your proposed partners, not had a contract renewed for failure to perform to the terms of a contract? If yes, please give details.                                                                                                                                                                   |  |  |
| Has your organisation, or proposed partners, ever suffered a deduction for liquidated and ascertained damages in respect of any contract within the last 3 years? If yes please give details.                                                                                                                                         |  |  |
| If your organisation's accounts and annual reports are consolidated into those of your parent company or group, then for each of the last two years please provide for your organisation, your organisation's turnover, profit before tax and net assets.                                                                             |  |  |
| Are there any outstanding claims or litigation against your organisation with regard to systems and / or service delivery? If yes, please give details.                                                                                                                                                                               |  |  |
| Has your organisation or proposed partners or any employee within these organisations who would be working on this contract, committed a criminal offence relating to the conduct of your business or profession? If so please provide details.                                                                                       |  |  |
| Is your organisation or are your proposed partners currently involved with any legal proceedings (including arbitration) with any other organisations including local authorities? If so please provide details.                                                                                                                      |  |  |
| <b>Equal Opportunities</b>                                                                                                                                                                                                                                                                                                            |  |  |
| Is it your policy as an employer to comply with your statutory obligations under the Equality Act 2010 and, accordingly, your practice not to treat one group of people less favourably than others in relation to decisions to recruit, train or promote employees?                                                                  |  |  |
| In the last three years, has any finding of unlawful discrimination been made against your organisation by any court of law or industrial tribunal?                                                                                                                                                                                   |  |  |
| <b>Health and Safety</b>                                                                                                                                                                                                                                                                                                              |  |  |
| List the name and title of the competent person(s) with specific responsibility for the implementation and maintenance of your organisation's health & safety policy e.g. Safety officer or external safety consultant. Please also list relevant Health and Safety training and/or qualifications gained by the competent person(s). |  |  |
| Provide details of how your health and safety policies are communicated to your employees and administered within your organisation.                                                                                                                                                                                                  |  |  |
| Does your organisation undertake Health and Safety Audits on the properties you propose to offer under contracts with the College? Please provide details.                                                                                                                                                                            |  |  |

Form completed on behalf of the subcontractor by:

(Print name and job title)

Date.....

Office use only

Recommendations for New Providers following completion of Due Diligence Process

Following the due diligence process and assessment of the submission, I would/would not recommend subcontracting with this provider...

|                               |
|-------------------------------|
| Explanation of recommendation |
|-------------------------------|

If recommendation is to proceed, outline any caveats or issues to take into consideration during quality, and performance monitoring and reviews:

Signed Assistant Principal for Adult and Community Learning(OCP)

.....Date .....

I approve this organisation as a subcontractor to Middlesbrough College  
Signed on behalf of the Principalship

..... Date .....

## Appendix 2



### AEB Audit Check List

Announced ☐ Unannounced ☐ Pro Achieve/Solution Print Out ☐

This record is to be completed at the time of the monitoring visit and then returned by the member of staff carrying out the visit

|                                        |  |
|----------------------------------------|--|
| <b>Department/Partner Organisation</b> |  |
| <b>Address where visit took place</b>  |  |

|                                                  |  |                                                       |  |
|--------------------------------------------------|--|-------------------------------------------------------|--|
| <b>Date of Visit</b>                             |  | <b>Time of Visit</b>                                  |  |
| <b>Name of Department/Partner Representative</b> |  | <b>Signature of Department/Partner Representative</b> |  |
| <b>Name of College Representative</b>            |  | <b>Signature of College Representative</b>            |  |

SF Check List

| Learner Name<br>(including ERDS No) | Enrolment<br>form fully<br>completed | Awarding<br>Body<br>registration<br>seen | Lit /Num<br>assessment<br>&<br>diagnostic<br>completed | ILP completed | Register/Contact<br>log available | Signatures<br>consistent | Fees or remission<br>correctly inputted | Cross<br>referenced<br>with Pro<br>Achieve | Achievement<br>evidence seen | EV / IV<br>Records<br>Available |
|-------------------------------------|--------------------------------------|------------------------------------------|--------------------------------------------------------|---------------|-----------------------------------|--------------------------|-----------------------------------------|--------------------------------------------|------------------------------|---------------------------------|
|                                     |                                      |                                          |                                                        |               |                                   |                          |                                         |                                            |                              |                                 |
|                                     |                                      |                                          |                                                        |               |                                   |                          |                                         |                                            |                              |                                 |
|                                     |                                      |                                          |                                                        |               |                                   |                          |                                         |                                            |                              |                                 |
|                                     |                                      |                                          |                                                        |               |                                   |                          |                                         |                                            |                              |                                 |
|                                     |                                      |                                          |                                                        |               |                                   |                          |                                         |                                            |                              |                                 |
|                                     |                                      |                                          |                                                        |               |                                   |                          |                                         |                                            |                              |                                 |
|                                     |                                      |                                          |                                                        |               |                                   |                          |                                         |                                            |                              |                                 |

**Comments:**

The Middlesbrough College Auditor also observed that the following were readily available within the learner files:

- Evidence of reviews or 1:1 where progress and support is discussed with the learner
- Consistency of signatures
- ILP and Learning Log completed

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## OCP Check List

### Classroom Audit

#### Sample of Learner Records

| Learner Name | Learner Signature | Course Title/Code and ULN |
|--------------|-------------------|---------------------------|
|              |                   |                           |
|              |                   |                           |
|              |                   |                           |

|                                                                                                                                                                               | Comments                   |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------|
| Tutor's name:                                                                                                                                                                 |                            |
| GLH delivered this week?                                                                                                                                                      |                            |
| GLH delivered last week?                                                                                                                                                      |                            |
| Registers available Y/N?                                                                                                                                                      | Attach copy of class list. |
| Are absences followed up?                                                                                                                                                     | How?                       |
| Cover for tutor absence in place?                                                                                                                                             |                            |
| Tracking methods seen?                                                                                                                                                        |                            |
| Review individual learner records.                                                                                                                                            |                            |
| Evidence of teaching from day 1?                                                                                                                                              |                            |
| Are premises and equipment suitable?                                                                                                                                          |                            |
| Display of ESF logo on the premises?                                                                                                                                          |                            |
| Sample scheme of work available?                                                                                                                                              |                            |
| Is a risk assessment available within the classroom?                                                                                                                          |                            |
| How are courses advertised?                                                                                                                                                   |                            |
| Information, Advice and Guidance provided? How and when?                                                                                                                      |                            |
| Evidence that students have completed the mandatory training.                                                                                                                 |                            |
| What courses are currently being delivered?                                                                                                                                   |                            |
| Any students identified which require additional learning support outside of the standard learning hours.                                                                     |                            |
| Are learner signatures consistent on documentation such as: <ul style="list-style-type: none"><li>Assessed work</li><li>Learner plans</li><li>Course questionnaires</li></ul> |                            |
| Is there any malpractice or maladministration identified?                                                                                                                     |                            |

|                                                                                                       |  |
|-------------------------------------------------------------------------------------------------------|--|
| Are there any cancelled tuition session and do they have a full reason as to why they were cancelled. |  |
|-------------------------------------------------------------------------------------------------------|--|

## Back Office Process Audit

|                                                  | Comments |
|--------------------------------------------------|----------|
| DBS up to date for all staff?                    | Yes/No   |
| If No for DBS please give details:               |          |
| Have any delivery staff left the company?        |          |
| Does the company have any new delivery staff?    |          |
| Have all staff completed the mandatory training? |          |

## Additional information, comments or good practises identified

|  |
|--|
|  |
|--|

## Learner Interviews

| Questions                                                            | Y/N | Learner Name | Learner Signature | Course Code |
|----------------------------------------------------------------------|-----|--------------|-------------------|-------------|
| <b>I was given good guidance when I started</b>                      |     |              |                   |             |
| I am aware the course is funded by the ESF                           |     |              |                   |             |
| I have received training on Prevent and Community (British) Values   |     |              |                   |             |
| I know how my work on the course will be assessed                    |     |              |                   |             |
| The Teaching on the course is good                                   |     |              |                   |             |
| I feel safe on the course                                            |     |              |                   |             |
| I know who to contact if I am struggling with my studies             |     |              |                   |             |
| I know who to contact if I had a concern about myself or another.    |     |              |                   |             |
| Do you know how this course will help you in your future employment? |     |              |                   |             |
| Overall, I am happy with the course.                                 |     |              |                   |             |
| <b>I was given good guidance when I started</b>                      |     |              |                   |             |
| I am aware the course is funded by the ESF                           |     |              |                   |             |
| I have received training on Prevent and Community (British) Values   |     |              |                   |             |
| I know how my work on the course will be assessed                    |     |              |                   |             |
| The Teaching on the course is good                                   |     |              |                   |             |
| I feel safe on the course                                            |     |              |                   |             |
| I know who to contact if I am struggling with my studies             |     |              |                   |             |
| I know who to contact if I had a concern about myself or another.    |     |              |                   |             |
| Do you know how this course will help you in your future employment? |     |              |                   |             |
| Overall, I am happy with the course.                                 |     |              |                   |             |
| <b>I was given good guidance when I started</b>                      |     |              |                   |             |
| I am aware the course is funded by the ESF                           |     |              |                   |             |
| I have received training on Prevent and Community (British) Values   |     |              |                   |             |
| I know how my work on the course will be assessed                    |     |              |                   |             |
| The Teaching on the course is good                                   |     |              |                   |             |
| I feel safe on the course                                            |     |              |                   |             |
| I know who to contact if I am struggling with my studies             |     |              |                   |             |
| I know who to contact if I had a concern about myself or another.    |     |              |                   |             |
| Do you know how this course will help you in your future employment? |     |              |                   |             |
| Overall, I am happy with the course.                                 |     |              |                   |             |
| <b>I was given good guidance when I started</b>                      |     |              |                   |             |
| I know how my work on the course will be assessed                    |     |              |                   |             |
| The Teaching on the course is good                                   |     |              |                   |             |
| I feel safe on the course                                            |     |              |                   |             |
| I know who to contact if I am struggling with my studies             |     |              |                   |             |
| I know who to contact if I had a concern about myself or another.    |     |              |                   |             |
| Do you know how this course will help you in your future employment? |     |              |                   |             |
| Overall, I am happy with the course.                                 |     |              |                   |             |
| Auditor Comments:                                                    |     |              |                   |             |

Audit Improvement Plan

| Audit<br>Action Ref | Audit Ref | Action | Responsible | Timescale | Status |
|---------------------|-----------|--------|-------------|-----------|--------|
|                     |           |        |             |           |        |
|                     |           |        |             |           |        |
|                     |           |        |             |           |        |
|                     |           |        |             |           |        |
|                     |           |        |             |           |        |
|                     |           |        |             |           |        |

## Appendix 3 – Business Case Template

|                                                   |  |
|---------------------------------------------------|--|
| 1. Proposed Subcontracting arrangements           |  |
| Name of subcontractor(s) (if known at this stage) |  |
| Subcontractor UKPRN's                             |  |
| Value of subcontract (s)                          |  |
| Estimated number of learners                      |  |
| Estimated Number of funded aims                   |  |
| Proposed start date                               |  |
| Last planned end date                             |  |

|                                                                                                                                                                 |  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| 2. Educational Rationale (tick any that apply)                                                                                                                  |  |
| enhances the opportunities available for learners                                                                                                               |  |
| fills gaps in niche or expert provision or provides better access to training facilities                                                                        |  |
| supports better geographical access for learners                                                                                                                |  |
| offers an entry point for disadvantaged groups; or                                                                                                              |  |
| gives consideration of the impact on individuals with shared protected characteristics, where there might otherwise be gaps                                     |  |
| <b>Supporting Narrative</b><br>Please provide supporting narrative outlining how the proposed provision aligns with the educational rationale(s) selected above |  |
|                                                                                                                                                                 |  |

**3. Outline delivery model**

In particular specify which aspects of the delivery will be undertaken by the College and which aspects are undertaken by the subcontractor (for example, teaching part of the programme or just providing financial and quality assurance)

**4. Funding arrangements**

What amount of funding is retained by the College as lead provider to cover the costs incurred in the management and administration of the contracts? How do these costs contribute to delivering high quality learning?

**4. Market need**

To what extent has a gap in the provision of the type to be delivered under the proposed contract been identified or supported by the local authority or an employer?

**4. Student Contact**

What is the extent of student contact with the College?

**4. Other information**

Please include any other information that is considered relevant to the business case

|             |  |
|-------------|--|
| Prepared by |  |
| Date        |  |

## Appendix 4

### Subcontracting Quality Cycle

#### Middlesbrough College Subcontracting Quality Cycle 2026-27

