

ESFA APPRENTICESHIP SUB-CONTRACTOR RATIONALE, FEES & CHARGING POLICY 2022 / 2023

1. SCOPE

This policy applies to all Sub-contractor activity supported with funds supplied by the Education and Skills Funding Agency (ESFA), or any successor organisations.

2. CONTEXT

The Senior Management Team must be satisfied that all Sub-contracting undertaken by Train'd Up meets its strategic aims and enhances the quality of our offer to learners.

Train'd Up will at all times undertake fair and transparent procurement activities, conducting robust due diligence procedures. Train'd Up will ensure only the highest quality of learning delivery is made available, whilst demonstrating value for money and a positive impact on learner lives thereafter.

Sub-contracted work must meet the requirements laid out in relation to Sub-contractors in the latest versions of the relevant ESFA funding documents 2022/23. It is Train'd Up policy to only use a Sub-contractor as a means of supporting elements of an Apprenticeship Standard. Sub-contractors must be registered on the Register of Apprenticeship Providers (RoATP).

There are three application routes:

- main application route
- employer provider route
- supporting route

3. RATIONALE FOR SUB-CONTRACTING

Train'd Up engages with Sub-contractors for niche specialist elements of an Apprenticeship in order to better meet employer and learner needs and to do the following:

- enhance employment opportunities available to learners, by providing access to well-paid, sustainable jobs post Apprenticeship;
- fill gaps in niche or expert provision, or provide better access to training facilities. Support niche / specialist provision by providing access to sector specialist tutors and industry-based training facilities through employer partnerships;
- support better geographical access for learners nationally;
- provide niche delivery where the cost of developing 100% direct delivery would be unsustainable.
- offer an entry point for disadvantaged groups; or
- give consideration of the impact on individuals with shared protected characteristics.

The rationale for Sub-contractor a particular piece of work is outlined in the contract provided to each Sub-contractor.

4. SUB-CONTRACTOR FEES

Train'd Up act as Main Provider in all delivery and only subcontract niche / specialist elements of an Apprenticeship Standard to sector specific specialists through RoATP registered Employer Providers (rail sector), Supporting Providers (employers / rail sector) and Main Providers (FE Colleges / delivering Knowledge elements of Engineering provision). Train'd Up maintain full responsibility for quality assurance, learner eligibility checks, inductions, data processing, portfolio building, learner reviews, learner support, EPAO coordination and liaison.

RAIL PROVISION ONLY:

Train'd Up acting as Main Provider on specialist rail provision retain 25% of the overall unit rate, the remaining 75% is allocated to the niche employer specialist Sub-contractor and the end-point assessment organisation (EPA rates vary). The Sub-contractor fee is a contribution towards actual delivery cost (no employer-based Sub-contractor may profit from delivery).

This list of specific charges outlined above is reviewed each year by the Senior Management Team to

<https://traindupuk.sharepoint.com/sites/DocumentMasterLog/Shared Documents/Policies - Procedures - Forms/Sub-contractor Policy/Train'd Up Sub-contractor Rationale, Fees & Charging Policy 2022-23 v10 10.22.docx>

determine whether it is reasonable and proportionate. Careful consideration will be given to whether these charges contribute positively to an improvement in the quality of teaching and learning delivered by the Sub-contractor. Changes will be made if required.

These specific costs are included in the contract issued to each Sub-contractor and are discussed during the first contract management meeting to ensure that the Sub-contractor agrees that the costs are reasonable and proportionate and understands how they contribute to delivering high quality learning.

5. PAYMENT TERMS

Train'd Up will make payment to the Sub-contractor within 30 days of the date of an invoice which incorporates a valid claim for payment, such claim being the part of the price due to the Sub-contractor for each programme or fraction of a programme completed in the preceding payment period.

6. SUPPORT PROVIDED TO SUB-CONTRACTORS

Train'd Up is fully committed to working with niche providers who are able to provide subcontracted delivery of the highest quality. We work closely with our Sub-contractors to improve the quality of their teaching and learning where necessary. This supports includes:

- regular visits to Sub-contractors, and a structured contract management process;
- provision of curriculum planning advice and funding updates;
- announced and unannounced observation, and joint observation of learning activities with feedback.

7. SECOND-LEVEL SUB-CONTRACTING

Second level sub-contracting is not permitted under any circumstances. Any Sub-contractor found to be second level subcontracting risks having their contract terminated.

8. COMMUNICATION OF THE SUB-CONTRACTOR FEES & CHARGES POLICY

The Train'd Up Sub-contractor Fees & Charging Policy is published on Train'd Up's website at www.traindup.org and links sent to our Sub-contractors. The policy will be discussed with potential Sub-contractors during the due diligence process. The policy is discussed with current Sub-contractors during the first contract management meeting of the academic year. This policy is also sent to Train'd Up's ESFA Territorial Team Manager.

9. REPORTING

An annual report will be presented to Board of Directors detailing what Sub-contractor has taken place for the previous year and what is expected to be subcontracted in the forthcoming year.

10. POLICY REVIEW

The Train'd Up Sub-contractor Fees & Charging Policy is reviewed and updated in line with ESFA compliance requirements.

11. SUB-CONTRACTORS

1. **ABELLIO EAST ANGLIA LIMITED** – SUPPORTING PROVIDER (MAX. FUNDING IN 2022-23 £500,000)
UKPRN: 10081633
2. **ARRIVA RAIL LONDON LIMITED** – SUPPORTING PROVIDER (MAX. FUNDING IN 2022-23 £500,000)
UKPRN: 10083930
3. **EAST COAST TRAINS LIMITED** (ECTL) TRADING AS LUMO – SUPPORTING PROVIDER (MAX. FUNDING IN 2022-23 £500,000)
UKPRN: 10086681
4. **FIRST MTR SOUTH WESTERN TRAINS LIMITED TRADING AS SOUTH WESTERN RAILWAY** – SUPPORTING PROVIDER (MAX. FUNDING IN 2022-23 £500,000)
UKPRN: 10082697
5. **FIRST TRANSPENNINE EXPRESS LIMITED** – SUPPORTING PROVIDER (MAX. FUNDING IN 2022-23 £500,000)
UKPRN: 10066458
6. **FREIGHTLINER LIMITED** – SUPPORTING PROVIDER (MAX. FUNDING IN 2021-22 £500,000)
UKPRN: 10082051

7. **GOVIA THAMESLINK RAILWAY LIMITED** – EMPLOYER PROVIDER (MAX. FUNDING IN 2022-23 N/A)
UKPRN: 10056776
8. **HULL TRAINS COMPANY LIMITED** – SUPPORTING PROVIDER (MAX. FUNDING IN 2022-23 £500,000)
UKPRN: 10090659
9. **MERSEYRAIL ELECTRICS 2002 LIMITED** – SUPPORTING PROVIDER (MAX. FUNDING IN 2022-23 £500,000)
UKPRN: 10083936
10. **MTR CORPORATION (CROSSRAIL) LIMITED (T/A MTREL)** – SUPPORTING PROVIDER (MAX. FUNDING IN 2022-23 £500,000)
UKPRN: 10058125
11. **NORTHERN TRAINS LIMITED** – MAIN PROVIDER (MAX. FUNDING IN 2022-23 N/A)
UKPRN: 10085493
12. **WEST MIDLANDS TRAINS LIMITED** – SUPPORTING PROVIDER (MAX. FUNDING IN 2022-23 £500,000)
UKPRN: 10081101
13. **XC TRAINS LIMITED (TRADING AS CROSSCOUNTRY)** – SUPPORTING PROVIDER (MAX. FUNDING IN 2022-23 £500,000)
UKPRN: 10090618

12. DIRECTOR POLICY APPROVAL:

This Policy is reviewed as a minimum on an annual basis and is approved and endorsed by the Board of Directors and Senior Management Team.

Signed on behalf of Company Directors:



Name: Alan Wilson
Position: Managing Director
Date: 03/10/2022

END.

