

# Subcontractor Contract Management Plan

<b>Responsible post holder</b>	Neil Coates
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## Contents

1. Scope.....	4
2. Subcontracting controls .....	4
3. Contract management Roles and Responsibilities .....	5
4. Selection a Subcontractor- Procurement (Appendix 3 and 4).....	5
5. Due diligence (Appendix 5 and 5a).....	6
6. Financial health .....	7
7. Contracting .....	7
7.1. Changes.....	8
7.2 Disputes and problem resolution.....	8
7.3 Terminations .....	8
7.4 Continuity of contract and delivery.....	9
7.5 Whole life oversight .....	9
8. Fees and charges.....	9
9. Payment terms.....	10
10. Batch header process (Appendix 6) .....	11
11. Payment controls .....	11
12. Contract Equality, Diversity and Inclusion expectation .....	11
13. Management and oversight of provision .....	12
13.1. Performance review meetings (Appendix 7).....	12
13.2. Quality and Compliance visits (Appendix 8, 9, and 10) .....	12
13.3. Learner existence surveys (Appendix 11) .....	13
13.4. Subcontracting steering group (Appendix 12 and 13) .....	13
14. Subcontractor training.....	14
15. ESFA whole programme subcontracting requests.....	14
16. External Audit (Appendix 14) .....	14
Appendix 1- Annual Business Planning process.....	15
Appendix 2- Calendar of activity .....	16
Appendix 3- Invitation to tender instruction .....	17
Appendix 4- Tender Statements .....	22
Appendix 5- Due diligence .....	25
Appendix 5a- Subcontracting Financial health statement .....	29
Appendix 6- Batch header process .....	30
Appendix 7- Performance review agenda .....	34
Appendix 8- Quality review agenda and action plan.....	35
Appendix 9- Compliance review agenda and action plan.....	38
Appendix 10- Single central record audit.....	41
Appendix 11- Example learner existence call questions.....	42

Appendix 12- Subcontracting Steering Group Terms of reference ..... 43  
Appendix 13- Subcontracting risk register (example)..... 45  
Appendix 14- Provider external assurance on subcontracting controls certificate ..... 46  
..... 46

## **1. Scope**

This subcontractor Contract Management Plan applies to all delivery partner provision secured by the College. The purpose of this plan is to outline the expectations the College has when entering into a subcontract agreement for the whole life of the contract. Ensuring all partners meet the exacting standards set out in this guide. Any subcontracted provision should ensure a high-quality learner experience, delivering outstanding teaching, learning and assessment, stretching and challenging learners to succeed and progress onto higher learning or employment.

This management plan is reviewed annually and is authorised by the college board at the end of each academic year to review its effectiveness and suitability for the year to come follow external audit assurance and compliance with the ESFA and GLA subcontracting standards.

The research completed to determine this rational and ensure that the requirements are achieved includes;

- Market share analysis from Vector RCU
- Labor market review from Light case
- Priority sector demands from LSEC Employer panels
- Feedback from over 300 referral partners
- Local Authority and DWP intelligence
- Local Learner feedback and review on progression and destination data

This information is reviewed annually as part of the business and curriculum planning process (appendix 1) to ensure it continues to meet business need, have an educational and community impact and is value for money. The outcomes are approved as part of stage 2 of the business plan

The subcontracting controls oversee the following funding streams;

- ASF AEB
- ASF 16-18
- GLA AEB
- Apprenticeships

## **2. Subcontracting controls**

The subcontracting goals are underpinned by a range of controls to ensure they are achieved and all the Funding and Performance Management rules 2024 to 2025 are adhered to.

The controls are plotted out in an annual calendar (appendix 2). The controls are supported by the Subcontracting Contingency Plan and risk register.

### 3. Contract management Roles and Responsibilities

<b>Role</b>	<b>Specific responsibilities in relation to subcontracting</b>
<b>Governing Body</b>	Approval of Subcontractors Strategic relationships
<b>CEO &amp; Principal</b>	Approval of Subcontractors Strategic relationships
<b>Deputy CEO and CFO</b>	Oversight of finance and budgets including approval of Subcontracting contracts
<b>Principal and Chief Learning Officer</b>	Chair of Subcontractor Steering Group, ensuring all the subcontracting controls are being adhered to
<b>Deputy Principal- Adults, Apprenticeships and Higher Education</b>	Contract management, performance monitoring and vice chair of Subcontractor Steering Group
<b>Assistant Principal</b>	Overall performance of subcontracted provision and procurement of partners
<b>Partnership Co-ordinator</b>	Operational Relationship management, including monthly payments, quality visit scheduling, compliance visits and due diligence
<b>Director of Finance</b>	Accounts, payments
<b>Quality Assurance manager</b>	Observation of teaching, learning assessment and learner experience
<b>Director of MIS</b>	Apprenticeship, AEB and 16-19 funding management, contracts, compliance, quality, data management and audit.
<b>MIS Team leader</b>	Enrolment / eligibility compliance checks, Audit compliance, contract management
<b>Curriculum Directors</b>	Quality standardisation and joint training opportunities
<b>Deputy Principal Safeguarding and Wellbeing</b>	Safeguarding Policies including prevent and extremism, plus supporting on any training requirements

### 4. Selecting a Subcontractor- Procurement (Appendix 3 and 4)

A procurement and tendering process is used to engage with a wider range of partners and ensure processes are in place that meet the funding requirements, OFSTED inspection framework and LSEC strategic aims.

This process is implemented for GLA and ESFA AEB contracts only.

The College recognises that delivery partner provision can play an important role in providing a broad and flexible mix of provision for learners, employers and the wider community. Partnerships can benefit the College by accessing learners in different settings and communities who may not normally attend provision at a large FE College. They can also provide clear progression routes into college provision and provide learners with a stepping stone qualification.

The College will engage with a limited number of specialist partners where there is a clear strategic reason to do so. The College will normally only subcontract a maximum of 20% of any one contract line. The highest weighted score for approving a new subcontracting partner is their strategic fit and the added value they can bring to the College's goals.

London South East Colleges (LSEC) engages with delivery partners to ensure the work subcontracted is in line with its strategic goals. The focus of LSECs subcontracting policy is to;

- provide training to learners that would not access education in a traditional college environment
- provide training to learners in specialist subjects areas
- provide training to learners in a flexible model that is not viable within a college environment

## **5. Due diligence (Appendix 5 and 5a)**

The College runs a rigorous and detailed application and due diligence process for new delivery partners prior to any contractual engagement, including a review of financial health (Appendix 5a). A due diligence report is presented to the Senior Leadership Team for approval prior to any decision on engagement being made.

The Deputy Principal will review requests from potential new delivery partners and, following the completion of due diligence processes, will table any requests for new partnerships at the Subcontracting Steering Group. If provisionally approved at this group, they will be presented to the Senior Leadership for final approval.

Due diligence is reviewed and updated annually.

To comply with the Greater London Authority / Education and Skills Funding Agency funding rules, the College will need to be reassured that Subcontractors satisfy a control test, the key elements of which are:

- The College is able to ensure that learners are enrolled on appropriate programmes in the name of the College not the Subcontractor(s)
- The College is satisfied (through a direct observation where possible) that the quality of provision is of the highest standard
- The College has measures in place to ensure it is not funding higher risk organisations or organisations involved in extremist activities
- The provider has the capability and capacity to deliver to the tender specification
- There is a written learning agreement, entered into at the time of enrolment which is prepared and agreed with each learner and that reflects the outcome of the learner's initial guidance and assessment
- A learning programme and its means of delivery have been clearly specified by the College
- There are arrangements for assessing the progress of individual learners
- Adequate measures are in place to ensure the health and safety of learners
- Procedures exist for the College to regularly monitor the quality and delivery of programmes
- The subcontractor complies with the Modern Slavery Act 2015 and has in place throughout the Agreement Period policies and procedures to ensure full compliance

Other Independent sources of information about potential providers include:

- Ofsted inspection reports ([www.gov.uk/find-ofsted-inspection-report](http://www.gov.uk/find-ofsted-inspection-report) )
- Register of UK Training Providers ROATP ([roatp.co.uk](http://roatp.co.uk))
- UKPRN (<https://www.ukrlp.co.uk/>)

## 6. Financial health

Financial health is reviewed as part of the due diligence process. To ensure a rigorous process is in place for all partners an assessment is completed using the ESFA's approach to assessing the financial health of organisations. [ESFA's approach to assessing the financial health of organisations - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

This is based on the following three financial elements:

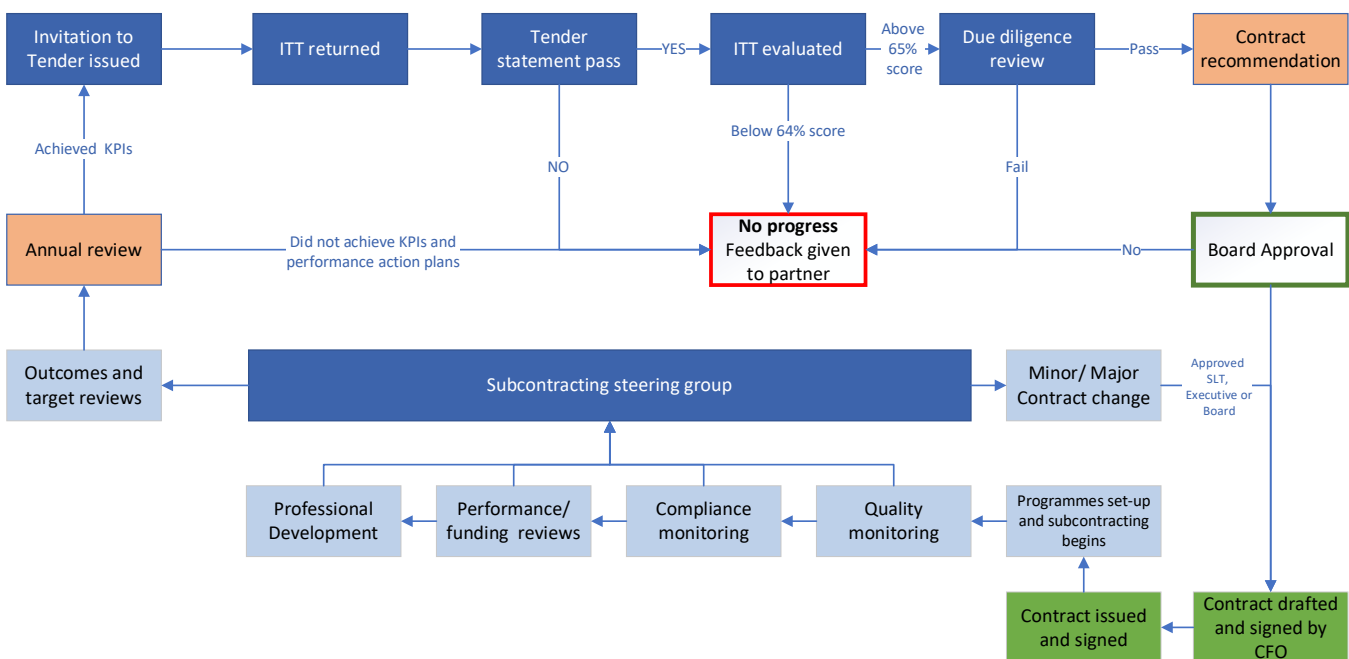
- Profitability (sustainability)
- Solvency (current ratio)
- Gearing (debt ratio)

## 7. Contracting

All partners are required to review and approve the LSEC Subcontracting contract in advance of any delivery.

Contract management processes are aligned with, among others, wider organisational governance processes, operational boards, and risk structures.

Selecting, contracting and any changes to a partners contract follows the below process, which is carried out annually.



These processes are supported by the following sections of the subcontracting contract;  
 12- Co-operative and reputation  
 15- Intervention  
 16- Termination  
 17- consequences of termination

### 7.1. Changes

All contract variations during the lifespan of the contract will only be authorised by the Deputy CEO and CFO, following discussion and approval from the Subcontracting Steering Group. Copies of signed contract variation agreements will be kept on file.

Changes to contracts in-year will be reported to the College Board as part of the subcontractor updates.

- Minor variations may include, delivery profiles, minor changes to the curriculum offer
- Major changes may include, maximum contract values, payment profiles, management fees and substantial changes to the curriculum offer.

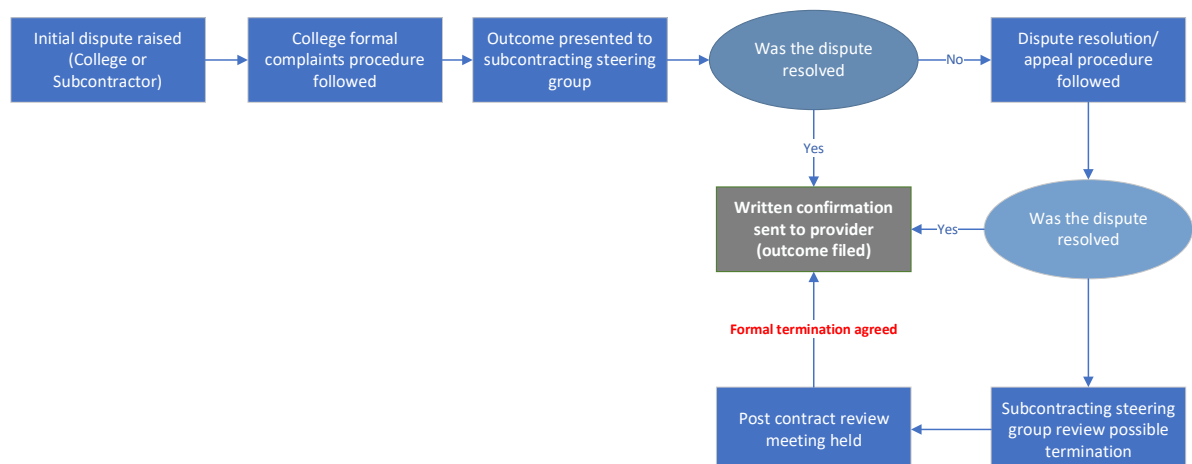
As detailed in the contract process, changes, both minor and major, are managed through the same process ensuing clearly laid out governance of contractual change is in place. Any changes of variations are identified via academic and funding performance meetings, with recommendations table at the subcontracting steering group. Decisions associated to minor contract variations, with a focus on cost/ effort being proportionate to the importance and value of the change are presented to SLT, with major changes also being presented to the college executive team and college board.

### 7.2 Disputes and problem resolution

Provision for resolving disputes is contained in section 28 of the contract. This sets out how disputes will be resolved, the escalation procedures and any recourse to arbitration.

### 7.3 Terminations

Provision for termination of a contract is contained in section 16 of the contract. The process for resolving disputes / terminating contracts is shown below:





## **7.4 Continuity of contract and delivery**

The college will undertake all reasonable steps to ensure the viability and continuation of any contractual arrangements with sub-contractors' provision. Due diligence undertaken is robust enough to ensure the risk of failure of a sub-contractor's ability to deliver under its original contract terms is low and mitigated as far as possible through regular quality and compliance visits, learner satisfaction reviews, annual financial assessment, the subcontractor risk register and strong account management relationships.

In the unlikely event of a subcontractor failing to deliver the college will either pick up delivery through its own means or facilitate transfer to another provider, which is detailed in full via the subcontractor contingency plan.

## **7.5 Whole life oversight**

The definition of whole life / whole programme oversight is deemed to include all aspects of a learners programme as detailed in their learning agreement, including condition of funding requirements for English and Maths, work experience and other mandatory elements.

Contract terms will include (where appropriate) provisions for the management and oversight of 16 to 19 distance and whole programme provision through the life of each learner's programme of study.

Subcontractors delivering apprenticeship provision are not permitted to deliver the entire programme and an agreement as to the elements that make up the subcontract will be agreed in advance and outlined in the contract schedule

## **8. Fees and charges**

The typical rate retained for adults is 20% and 15% for young people provision.

The amount of funding retained is based upon the risk assessment of the delivery partner and type of provision. It also takes account of the level of support the College will need to provide to the delivery partner in order to improve the quality of teaching and learning, and the general learner experience.

20% of funding is also held back pending meeting achievement targets and other KPIs set within the contract and on meeting contractual obligations such as attending QPR and CPD events, participating in observations and other quality assurance processes.

The management and quality costs of these rates are calculated as follows;

- Managing the Subcontractor
  - Contract Management (20%)
  - Process admin (35%)
- Quality monitoring activities
  - Quality monitoring (25%)
  - Compliance (20%)

These rates ensure the effective quality management of the provision, administrative processing and training are all in place to enable high quality learning.

The rates are continually reviewed during monthly funding and performance meetings, as well as termly subcontractor steering groups meetings.

The funding claimed by the subcontractor is then seen as reasonable and proportionate through the evidence of effective delivery collected via the quality control processes detailed within this document.

## 9. Payment terms

Payments to the delivery partners made under their agreements will be paid monthly in arrears.

The payment will be calculated by the 10th working day of the month following the ILR submission and a funding report and statement showing the amount due will be sent to the delivery partner.

Delivery partners are paid by invoice, the contractor will ask them to raise an invoice for the amount stated on the funding report and statement. Correctly submitted invoices will be paid electronically on the next College pay run, within 30 days of receipt.

Milestone	Percentage of Fees payable	Evidence required
Enrolment and on programme	16-18 Equal monthly payments of the maximum contract value over 12 months  Adults and Apprenticeships 80% of funding draw down (monthly)	Enrolment form with supporting evidence
Achievement	16-18 Final profile payment (12 <sup>th</sup> payment)  Adult and Apprenticeship 20% programme funding value	Lever Achievement form with Certificates and last day of learning

## **10. Batch header process (Appendix 6)**

To ensure compliance with the processing requirements, partners are required to upload enrolments, transfers, withdrawals and achievements via an LSEC Subcontracting SharePoint page following the batch header process.

The college SharePoint is fully compliant with all GDPR regulations. It is password protected and only authorised individuals can access the relevant information. i.e. partners are only able to access the information they upload to their protected area.

16-18 enrolments partners completed their enrolments via the normal college processes, with learners being invited to a pre-planned session.

## **11. Payment controls**

Partner payments are only made for learners that are successfully processed through an ILR return.

On receipt of the occupancy report MIS produced a funding report for each partner confirming the funding draw down. The contracts and compliance team review the report and update the data into a monthly funding statement, which is reviewed against contract value.

The agreed partner payments are uploaded to the college finance system for approval. Payments are approved in line with authorisation limits detailed in the financial regulations.

Performance against contract values is also independently reviewed during monthly funding forecast meetings chaired by the College Principal and chief learning officer.

## **12. Contract Equality, Diversity and Inclusion expectation**

It is expected that Sub-contracted provision sets appropriate standards for equality and diversity in line with the College policies.

To ensure this is complied with, the following must be implemented and will be reviewed as part of the due diligence and compliance visits:

- Subcontractors will be asked to supply a copy of their Equality & Diversity Policy
- Subcontractors will be sent the College E&D & Safeguarding and Prevent Policies and will be asked for written confirmation that they will accept the terms contained in these
- The contract will contain explicit reference to E&D policies, Safeguarding and Disclosure and Barring Service checks
- All on-site assessments (Quality Assurance, Audit and Contractual) will record E&D compliance as part of the assessment process
- All Subcontractor staff to undergo WRAP/ Prevent training and for this topic to be covered in the learner review process

- Subcontractors will be asked to supply all learners with the 'Learner Handbook' containing
- key contacts if the learner has any safeguarding or Prevent issues
- Subcontractors delivering Distance Learning provision will be asked to provide additional guides to learners relating to internet safety

### **13. Management and oversight of provision**

The management and oversight across the life of a student's study programme or AEB programme is managed with strong communication strategies, reporting tools and quality processes. These include;

- Performance review meetings
- Quality and compliance visits
- Learner satisfaction and existence
- Subcontracting steering group meetings

#### **13.1. Performance review meetings (Appendix 7)**

Six performance review meetings have been scheduled throughout the year, which follow a set agenda that all partners must report into. The meetings will take place during the following weeks;

<b>No.</b>	<b>W/C Date</b>	<b>No.</b>	<b>W/C Date</b>
1	23/09/2024	4	24/03/2025
2	25/11/2024	5	26/05/2025
3	27/01/2025	6	07/07/2025

#### **13.2. Quality and Compliance visits (Appendix 8, 9, and 10)**

To support the performance review meetings, ensure high quality training is taking place in line with the submitted plans and that learners are on programme, a schedule of quality and compliance visits are planned.

Quality visits will take place in the first term with further visits planned based on risk associated with the initial visit. If the partner is identified as green, with no actions, progress will be reviewed during the performance review meetings.

Quality visits consist of observations (including dual observations), reviews of learner work, course files, internal verification records and progress against their QIP (Appendix 8).

If issues are identified, further visits will be planned into the second and third term.

Compliance visits consist of checks on learner existence, learner files, review of documentation and the statements within due diligence are up to date (appendix 9). An audit of the partners single central record is also completed (appendix 10). Partners will receive a minimum of two a compliance visit a year, with more planned if any quality of compliance issues are identified.

### **13.3. Learner existence surveys (Appendix 11)**

Three times a year a sample of learners will be contacted by telephone to review satisfaction and ensure training is taking place by the relevant subcontract with staff that are declared via due diligence.

The format will revolve around open ended questions covering who the training provider is, progression and quality of training (appendix 11).

The sample size will be a minimum of 10% of the total number of learners. This can be increased if a perceived risk is identified. Those contacted will be exempt from the next two samples but can be contacted separately if issues arise from the telephone review.

### **13.4. Subcontracting steering group (Appendix 12 and 13)**

To ensure all the arrangements outlined in the subcontracting controls policy are being implemented a subcontracting Steering group, which will be chaired by the College Principal and Chief Learning Officer, will meet at the end of each term (terms of reference appendix 12).

The group will be authorised on behalf of the College Executive to implement in year decisions to ensure the subcontracting arrangements meet the strategic focuses of the college, quality of delivery is high, students are making progress and new and additional contracting is approved.

It will ensure all eligibility requirements are met, including 16-18 Study programme learners adhere to the Condition of Funding and evidence of EEP, Work Experience and enrichment activities.

This group will also have oversight of the subcontracting risk register (Appendix 13), ensuring all subcontracting specific risk have clear owners and are followed up. This register and associated reports are presented into SLT and board to highlight performance and any contract management issues, changes or interventions/ training being put in place.

In addition to in year performance reviews, this group will review all partner annual performance, using the college's established Self-Assessment process, capturing key data and lessons from the contract management process, including the experience both within the organisation and more widely, evaluating the lessons learnt for the year.

## **14.Subcontractor training**

A full programme of training will be planned and delivered to the subcontractors.

Attendance to these activities will be reported through the performance review process and monitored at the subcontracting steering group meetings.

This will include standalone sessions for each partner, joint subcontractor conference events and invitations to college wide sessions.

Development will include, but not limited to;

- Quality assurance (measurement of good practice and risk) and Quality improvement (Plans to work on development areas)
- Operational improvement
- Joint project work on system improvements
- Government initiative e.g. sustainability and disability employment issues
- Joint management activities, via a subcontractor conference

## **15.ESFA whole programme subcontracting requests**

In line with the updated ESFA funding guidance, whole programme 16-18 subcontracting request forms have been completed and submitted to the ESFA. These detailing the proposed contract size, the viability of the provision, the colleges involvement in delivery, management rates, rational for how the provision is supporting the local area and the full quality process that are in place.

Both study programme partners have been approved for delivery. With Bromley Football club under review to ensure the provision continues to meet local need.

## **16.External Audit (Appendix 14)**

Set out in the ESFA funding agreements and funding rules is the requirement for providers to obtain an annual report from an external auditor that provides assurance on the arrangements to manage and control the delivery subcontractors. A certificate must be sent each year, to confirm that this process has been completed by an external auditor.

This process was widened for the 2023-24 academic year to include a new subcontracting standard [ESFA subcontracting standard - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/esfa-subcontracting-standard)

This process is completed by the college's internal auditors Scrutton Bland for which the college received an approved assurance certificate and a clean audit.



**Appendix 2- Calendar of activity**

<b>Action</b>	<b>Sep</b>	<b>Oct</b>	<b>Nov</b>	<b>Dec</b>	<b>Jan</b>	<b>Feb</b>	<b>Mar</b>	<b>Apr</b>	<b>May</b>	<b>June</b>	<b>July</b>
<b>Performance review</b>											
<b>Quality visit</b>											
<b>Compliance visit</b>											
<b>Phone reviews</b>											
<b>Procurement process</b>											
<b>Due Diligence</b>											
<b>Contracting</b>											



## Appendix 3- Invitation to tender instruction

### INVITATION TO TENDER INSTRUCTIONS

#### 1. DOCUMENTS TO BE RETURN

The documents to be returned are as follows:

- a) Tender statements
- b) Volumes and values spreadsheet

Tenders are to be prepared and submitted at the cost of the bidder. London South East Colleges (LSEC) will not be liable for any costs incurred by the bidder in the preparation and submission of the Tender.

#### 2. INDICATIVE TIMETABLE

This section provides an overview and indicative timeline for the procurement exercise from the point of issue of this ITT.

Please note that Table 1 sets out indicative dates only. LSEC reserves the right to vary the timetable for this procurement as and when required by notice to suppliers through the official email account.

**Table 1**

Event	Date
<b>Tender documents issued</b>	Xx
<b>Deadline for receipt of Clarification questions</b>	<b>Xx</b>
<b>ITT Return deadline</b>	<b>Xx</b>
<b>ITT evaluations</b>	<b>Xx</b>
<b>Notification</b>	<b>Xx</b>
<b>Implementation commencement</b>	<b>xx</b>

#### 3. SUBMISSION OF DOCUMENTS

Documents as stated in section 2 above should be submitted via the official email account Partnerships : [partnerships@lsec.ac.uk](mailto:partnerships@lsec.ac.uk) . Documents must not be submitted later than:

**Date: xx**

**Time: xx**

Any tender uploaded after this date and time WILL NOT BE CONSIDERED.

Suppliers are responsible for allowing sufficient time to send their Tender Submission. LSEC accepts no liability whatsoever for submissions that are not processed due to internet connectivity issues, transmission delays or errors.

#### 4. EVALUATION PROCESS

In evaluating Suppliers' Tenders, LSEC will only consider information provided in response to the ITT. Suppliers should not assume that LSEC has prior knowledge of their provision of Services. Proposals will be scored on the basis contained in the Criteria listed in Table 2.

LSEC intends to award contract(s) in accordance with the assessment criteria and weightings set out therein. The evaluation methodology is designed to provide a structured and auditable approach to evaluating the Tenders submitted by the Suppliers.

Following an initial assessment to ensure;

- a) the proposal has been submitted on time;
- b) the proposal has been submitted with all the documentation requested in order to enable LSEC to evaluate in accordance with the evaluation methodology.

A detailed evaluation exercise of quality and capacity to deliver will be conducted by LSEC. Tenders that do not satisfy the initial assessment in accordance with section 4 may be rejected at this Stage.

LSEC may also issue clarification questions to clarify a Supplier's Tender or hold further meetings to clarify a Supplier's Tender following submission of the Tender. LSEC reserves the right in exceptional circumstances to vary these criteria or any sub-criteria by written notice to all Bidders in advance of any Tender closure date.

**Table 2- Award Criteria**

Evaluation Criteria		Weighting
<b>Confirmation statements</b> Pass/ Fail	Confirmation statement 1- Eligibility	<b>N/A</b>
	Confirmation statement 2- Policies	<b>N/A</b>
	Confirmation statement 3- Conflict of interest	<b>N/A</b>
	Confirmation statement 4- Due Diligence	<b>N/A</b>
<b>Intent Statements</b>	Intent question 1 – Training approach	<b>25%</b>
<b>Implementation Statements</b>	Implementation question 1 – Quality assurance arrangements	<b>25%</b>
	Implementation question 2 –Recruitment	<b>25%</b>
<b>Impact Statements</b>	LSEC Strategic approach	<b>25%</b>

The Tender statements will be evaluated using the following methodology:

- a) Suppliers must respond to each of the questions
- b) The Evaluation Panel members will score each question using the methodology set out in Table 3 below.
- c) All the members of the panel will score each question individually and independently.

All the evaluation panel members' scores will be averaged to arrive at the score for the particular question. This Score will be rounded to two decimal places.

A score of at least **64%** is required to be accepted onto the proffered suppliers list. A score of 1 or below on any question will disqualify the tender.

A strict word limit has been applied to each question. Submissions must be kept to the maximum word limits as detailed at the end of each section. Any information that exceeds the word limits stated will be excluded from evaluation.

Unless requested, attachments should not be included and they will not be read or considered as part of the evaluation.

**Table 3**

Assessment	Score	Description
<b>No submission</b>	0 points	<b>Failed</b> to submit an adequate answer or address the question.
<b>Very Poor</b>	1 point	<b>Major Concerns.</b> Insufficient information to demonstrate the Potential Providers ability, understanding, experience or staff to perform, with little or no evidence to support the response.
<b>Poor</b>	2 points	<b>Part or limited</b> response provided with shortcomings in evidence /information provided.
<b>Satisfactory</b>	3 points	<b>Satisfactory</b> detail and evidence. Sufficient demonstration of the Potential Providers ability, understanding, and experience to perform
<b>Good</b>	4 points	<b>Good</b> response. Satisfies the requirements with additional benefits. Above average demonstration of the Potential Providers ability, understanding, and experience to perform
<b>Excellent</b>	<b>5 points</b>	<b>Full response exceeding</b> requirement, demonstrating well evidenced and relevant examples, where required. Exceptional demonstration of the Potential Providers ability, understanding, and experience to perform

Quality criteria weighting for a question will be calculated in accordance with the following formula:

Evaluators' Final score / Maximum available score or points (see table 3) X Weighting (see table 2)

Example question scoring

Bidder	Evaluator 1 Score	Evaluator 2 Score	Evaluator 3 Score	Final average score
<b>A</b>	4	2	3	3
<b>B</b>	5	5	5	5
<b>C</b>	4	3	5	4

## Example weighting

Bidder name	Score (out of 5)	Criteria weighting	Formula for score	Final (weighted) score
<b>Bidder A</b>	3	30%	(3/5) x 30 (criteria weighting)	18%
<b>Bidder B</b>	5	30%	(5/5) x 30 (criteria weighting)	30%
<b>Bidder C</b>	4	30%	(4/5) x 30 (criteria weighting)	24%

Where weighting have multiple decimals, the final weighted score will be rounded to two decimals.

## 5. BIDDERS ENQUIRIES AND CLARIFICATIONS

During the ITT Period, suppliers may submit questions and requests for clarification or further information as per Table 1.

Suppliers should address their questions and requests for clarification or further information in writing via the official email provided.

## 6. POST-TENDER CLARIFICATIONS

Whilst it is intended that the contract will be awarded on the basis of the Tender submitted, we may need to hold discussions for the purposes of clarification of any areas of doubt. Although not a standard requirement, LSEC reserves the right to carry out interviews where it is deemed necessary.

## 7. ACCEPTANCE OF TENDER

Bidders are advised that in the event of their tender being successful, the actual contract between LSEC and the Contractor will only come into existence following notification to the successful Bidder, in writing, via the LSEC Partnership Department. No other method of acceptance or any action by the contractor shall be binding or have any contractual effect.

The award of the contract will come in two parts.

Part one, confirmation of being selected as a preferred supplier for LSEC for the delivery of the AEB training This is not an agreement of funding, just an approval onto LSEC preferred suppliers list.

Part two, confirmation of the value of the contract awarded, which will be set by reviewing all successful tenders against the strategic priorities of LSEC and the quality of the tender submission.

In addition, once successfully being selected a full due diligence will need to be completed to ensure full compliance with the LSEC subcontracting arrangements.

Only learners that live within the M25 with a London postcode and meet the relevant funding guidance associated with their program of learning will be eligible under the award of this tender.

## **8. NO TENDER NEED BE ACCEPTED**

LSEC reserves the right to discontinue this procurement at any time or not to select a supplier.

## **9. LSEC COMPLAINTS HANDLING**

Full details of the LSEC Complaints procedure can be obtained on request from:-  
[Complaints@lsec.ac.uk](mailto:Complaints@lsec.ac.uk)

## **10.FREEDOM OF INFORMATION**

LSEC is committed to meeting its legal responsibilities under the FOIA. Accordingly, any information created by or submitted to LSEC (including, but not limited to, the information contained in this ITT, documents issued, clarification questions and responses) may be disclosed by LSEC in response to a request for information under the FOIA.

In submitting documents to LSEC, each Bidder therefore acknowledges and accepts that the information contained therein may be disclosed under the FOIA, either without consulting the Bidder or following consultation with the Bidder and having considered its views.

## Appendix 4- Tender Statements

### TENDER STATEMENTS

Organisation Name	
UKPRN	

The following sections enable you to confirm key statements and provide evidence of experience against the Education element of the new Education Inspection Framework (EIF), while also confirming how the provision you are proposing meets the key objectives of the subcontracting approach for London South East Colleges.

### CONFIRMATION STATEMENTS

#### Confirmation statement 1 – Eligibility Pass/ Fail

**We understand that the award of this contract is only applicable to learners with a London address. Any learners submitted without a London address will not be funded.**

Yes/ No

#### Confirmation statement 2 – Policies Pass/ Fail

**We confirm that we will comply with the following LSEC policies**

- **GDPR**
- **Safeguarding**
- **Health and Safety**
- **Freedom of information**

Yes/ No

#### Confirmation statement 3 – Conflict of interest Pass/ Fail

**In order to ensure a fair and transparent procurement process LSEC wishes to understand if any conflict of interest is known to exist or potentially exist between your organisation and any part of the group.**

**If you have answered yes, please provide details and explain how you intend to manage, or where possible avoid, any such conflicts.**

Yes/ No

#### Confirmation statement 4 – Due Diligence Pass/ Fail

**If successful, please confirm that you meet all the requirements in the attached due diligence checklist.**

**Evidence will not be required at the initial tendering stage but must be fully completed if successfully identified to be formally included on LSEC preferred suppliers list and to be awarded a contract.**

Yes/ No

## Training approach

### Intent question 1 – Training approach

Please provide details of your training approach to the delivery that you have detailed in your volumes and values spreadsheet.

Word Limit: 200 Words

## Recruitment

### Intent question 2- Recruitment- Weighting 10%

Outline your approach to ethical recruitment of learners to meet your volumes and values spreadsheet.

Please provide details of the following points as a minimum

- Steps you will take to ensure you are able to recruit to your profile
- Information, advice and guidance approach
- Application and enrolment processes

*Note: Only learners that live within the M25 with a London postcode and meet the relevant funding guidance associated with their program of learning will be eligible under the award of this tender.*

Word Limit: 200 words

## Quality

### Implementation question 3 – Quality assurance arrangements

Provide details on how you are going to ensure that the quality of provision is high and that you will achieve at or above national rate success on all programmes

Word Limit: 200 Words

## Strategic link

### Impact question 4- LSEEG Strategic approach

The strategic focus for LSEC to subcontract AEB funding includes;

- **Delivering training to learners that would not access education in a traditional college environment**
- **Deliver training to learners in specialist subjects areas**
- **Provide training to learners in a flexible model that is not viable within a college environment**

**Please detail how the delivery you are proposing will meet these objectives.**

**Word Limit: 200 words**

--



## Appendix 5- Due diligence

### Due Diligence (Full)

<b>Organisation:</b>
----------------------

Financial Due Diligence		
No	Auditable item	Comments
1	<b>Financial Statements</b> A set of audited financial accounts for the <b>last</b> financial year of trading. Management accounts for last 3 months	

Legal Due Diligence		
No	Auditable item	Comments
2	<b>Organisational Chart</b> This needs to show a breakdown of everyone within your organisation.	
3	<b>Full names of Directors, Trustees and senior managers</b> Provide names & details of all previous appointments, particularly with organisations who hold or have held funding agreements with the ESFA.	
4	<b>Provider UKPRN</b> This is your UK Provider Reference number. If not registered, you will need to register on-line.	
5	<b>Brief history of the sub-contractor</b>	
6	<b>Disclosure &amp; Barring Service</b> Provide copies of DBS checks for all staff involved with learners. Confirm compliance with single central record	
7	<b>Copy of Human Resources Policy</b>	

8	<p><b>Compliance with legislation on employment, including the use of volunteers</b></p> <p>Copy of contract of employment for all staff delivering training &amp; assessment</p>	
9	<p><b>Information Commissioner's Office Registration number</b></p>	
10	<p><b>Liability Insurance including Public/Employer</b></p> <p>A copy of your organisation's current Public/Employer liability insurance policy</p>	
11	<p><b>Compliance with health &amp; safety legislation and evidence of health &amp; safety risk assessments.</b></p> <p>Copy of your organisation's Health and Safety Policy and copies of appropriate risk assessments</p> <p><b>Notification of all RIDDOR instances correctly reported during the last 3 years*</b> nil return also required if appropriate.</p>	
12	<p><b>Details of all ESFA contracts held by the sub-contractor in the last 5 years</b></p> <p>In the case of terminated agreements, the reasons for the termination of the agreements must be given</p>	
13	<p><b>Details/evidence of compliance with the Equality Act 2010</b></p>	
14	<p><b>Copy of Safeguarding policy</b></p>	
15	<p><b>Evidence of compliance with the Prevent Duty.</b></p>	
16	<p><b>Details of other organisations with which sub-contractor has collaborated in the last 5 years</b></p>	
17	<p><b>Evidence of no County Court Judgements pending*</b></p>	
18	<p><b>Evidence of whether the sub-contractor has ever been funded for the proposed curriculum by another Lead Provider*</b></p>	

19	<b>Sufficient capacity exists to deliver the full sub-contracted provision*</b>	
20	<b>Compliance with immigration regulations for the enrolment of learners</b>	

<b>Operational Due Diligence</b>		
<b>No</b>	<b>Auditable item</b>	<b>Comments</b>
21	<b>ESFA Register of Apprenticeship Training Providers (RoATP)</b>	
22	<b>Copy of Mission Statement</b>	
23	<b>Copy of most recent Ofsted report</b>	
24	<b>Copy of most recent Self-Assessment Report (SAR)</b>	
25	<b>Copy of Awarding Organisations Centre Approval – where appropriate</b>	
26	<b>Copy of most recent External Qualified Assurers Reports – where appropriate</b>	
27	<b>Learner unitised tracking template</b>	
28	<b>Sample of internal quality assurance records and evidence of standardisation activities</b>	
29	<b>Copy of Quality Assurance Policy</b> (to include evidence of frequency of lesson/assessor observations)	
30	<b>CVs for all staff delivering training / assessment</b>	
31	<b>Detailed schemes of work for courses to be delivered to LSEC College learners</b>	
32	<b>Copy of Course Handbook</b>	
33	<b>Copy of Sustainability policy</b>	
34	<b>Copy of GDPR policy</b>	
35	<b>Evidence showing how additional learner needs are met</b>	
36	<b>Names and contact details of two learners and two employers involved with subcontractor</b>	

37	<b>Retention, achievement and attendance rates for previous 3 years for all the courses to be delivered to LSEC College learners</b>	
38	<b>Evidence of Initial Advice &amp; Guidance and IAG Policy</b>	
39	<b>Copy of Complaints procedure</b>	
40	<b>Copy of Equality and Diversity procedure</b>	
41	<b>Copy of disaster recovery policy</b>	

\*Statement supplied on letter headed paper

Subcontractors are required to receive approval in each of the 41 sections.

## Appendix 5a- Subcontracting Financial health statement

<b>Organisation:</b>	
<b>UKPRN:</b>	
<b>Company Number:</b>	

<b>Review completed by:</b>	
<b>Role:</b>	
<b>Date:</b>	

<b>Financial review</b>			
<b>No</b>	<b>Auditable item</b>	<b>✓</b>	<b>Comments</b>
<b>1</b>	<b>Is there is a group/parent company whose financial position could significantly impact the financial health of the organisation?</b>		
<b>2</b>	<b>Accounts filed up to date</b>		
<b>3</b>	<b>Any court ruling which has financial consequences</b>		
<b>4</b>	<b>Dun and Bradstreet analysis obtained and reviewed</b>		

Scoring using the ESFA approach to assessing financial health

[ESFA's approach to assessing the financial health of organisations - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

<b>Financial review scoring</b>				
<b>No</b>	<b>Auditable item</b>	<b>Result</b>	<b>Score</b>	<b>Comments</b>
<b>5</b>	<b>Profitability (sustainability)</b>			
<b>6</b>	<b>Solvency (current ratio)</b>			
<b>7</b>	<b>Gearing (debt ratio)</b>			
<b>8</b>	<b>Total</b>			

<b>Financial rating</b>			
<b>No</b>	<b>Auditable item</b>	<b>Grade</b>	<b>Comments</b>
<b>9</b>	<b>Rating</b>		

## Appendix 6- Batch header process



Document transfer guidelines

Batch header process

### 1. Introduction

A large volume of documents are transferred between London South East College and, its partners and internally between college departments. To ensure that documents are transferred safely and processed in a timely fashion a clear procedure needs to be in place.

These guidelines identify how documents will be processed through a document transfer system.

All partners will use the batch header spread sheet to submit a number of key documents, receiving in return a unique batch code that identifies the documents that have been submitted, validation that the documents meet the processing requirements and confirmation that they have been processed.

### 2. Process

The key documents that will be processed through the document transfer system are identified in table 1 below.

Table 1

Documents	Key
Enrolments	E
Withdrawals	W
Achievements	A
Transfers	T

On receipt of the batch header (and subsequently the documents to support it) a unique batch code will be e-mailed to the lead contact. A folder will then be set-up on the College SharePoint system via the dedicated partners page.

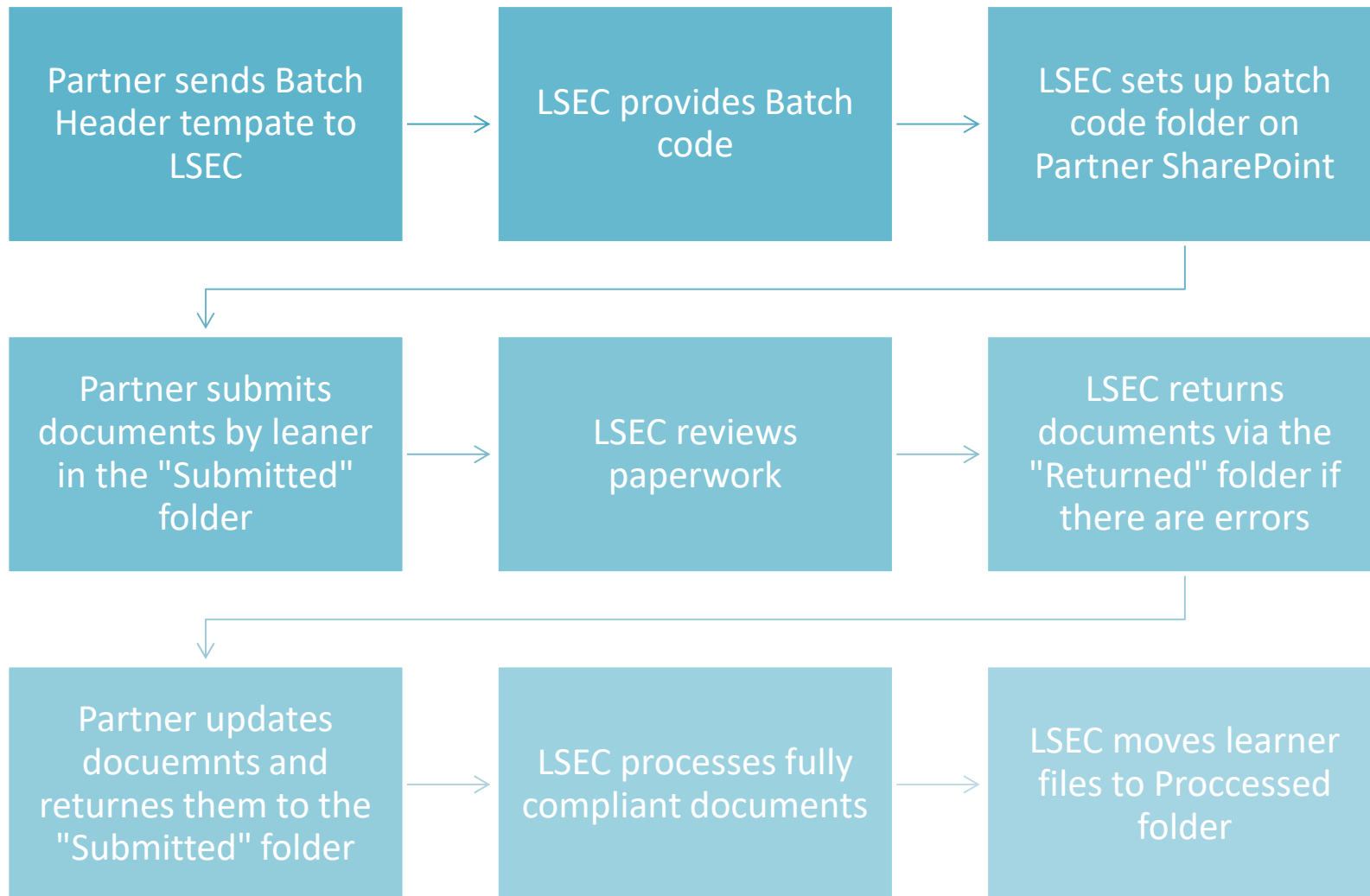
Partners will upload the required documents by learners in the "submitted" folder within the partner SharePoint page under the relevant batch code.

The documents will be reviewed for errors and a further confirmation e-mail will be sent confirming they are being processed or returned for errors.

If errors are found the documents will be returned by placing them in the "Returned" folder. The documentation will have a front sheet identifying what needs to be added or amended. The partner will re-submit the document using the same Batch code, adding them into the "Submitted" folder again.

Once all the documents are accurate the college MIS team will upload them to the ILR. Once complete the learner files will be moved to the "Processed" folder and a final confirmation message will be sent.

### 3. Process Flow chart





**4. 2024-25 Processing dates**

<b>RO Return date</b>	<b>Paperwork submission to LSEC</b>	<b>ILR Return</b>	<b>Reports and payment to partners</b>	<b>Invoice return to college</b>	<b>Payment to Partner</b>
R1	N/A	05/09/24	13/09/24	18/09/24	27/09/24
R2	23/09/24	04/10/24	11/10/24	16/10/24	25/10/24
R3	25/10/24	06/11/24	15/11/24	20/11/24	29/11/24
R4	22/11/24	05/12/24	13/12/24	18/12/24	20/12/24
R5	16/12/24	07/01/25	17/1/25	22/01/25	31/01/25
R6	24/01/25	06/02/25	14/02/25	19/02/25	28/02/25
R7	21/02/25	06/03/25	14/03/25	19/03/25	28/03/25
R8	21/05/25	04/04/25	11/04/25	16/04/25	25/04/25
R9	25/04/25	07/05/25	16/05/25	21/05/25	30/05/25
R10	23/05/25	05/06/25	13/06/25	18/06/25	27/06/25
R11	23/06/25	04/07/25	11/07/25	16/07/25	25/07/25
R12	18/07/25	06/08/25	15/08/25	20/08/25	29/08/25
R13	22/08/25	12/09/25	19/09/25	24/09/25	26/09/25
R14	19/09/25	23/10/25	31/10/25	05/11/25	28/11/25
	- 2 weeks	-	+ 1 week (Friday)	+2 working days	End of month (Friday)

**Appendix 7- Performance review agenda**



**Performance review  
Agenda**

**Agenda Date:**

**Partner:**

Nos	Attendees:	Action by
1.	Apologies for absence:	
2.	Minutes and matters arising from the previous meeting Discussed	
3.	<b>Starts profile monitoring</b>	
4.	<b>Learner Progress monitoring</b>	
5.	<b>Single Equality scheme- E&amp;D, PREVENT and BV:</b>	
6.	<b>Health, safety and safeguarding</b>	
7.	<b>Quality of Teaching, learning and assessment</b>	
8.	<b>Learner experience and satisfaction</b>	
9.	<b>Staffing resource, qualifications and CPD</b>	
10.	<b>Due Diligence review where required</b>	
11.	Agenda theme point	
12.	<b>AOB</b>	

## Appendix 8- Quality review agenda and action plan

### Quality visit Report

<b>Partner name:</b>		<b>Visit Date:</b>	
<b>Attendance from partner</b>		<b>Quality visit completed by</b>	

<b>Location of Visit</b>	
--------------------------	--

No.	Item	Notes
1	<b>Actions from previous visit</b>	
2	<b>Internal Verification</b>	
3	<b>Awarding body updates</b>	
4	<b>Teaching, Learning and Assessment profile</b> <i>(Partner update)</i>	
5	<b>LSEC observations/ learning walks key findings</b>	
6	<b>Review of marked work</b> <i>(including tutor feedback)</i>	

7	<b>Feedback from students</b> <i>(quality of learning/ progression)</i>	
8	<b>Feedback from staff</b> <i>(support arrangements/ CPD)</i>	
9	<b>AOB</b>	

**Overall Summary**

**Quality visit action log**

**Members**

(TL) Teresa Langford

Meeting date	Note	Action	Resp.	Update	Status

## Appendix 9- Compliance review agenda and action plan

### Compliance visit Report

<b>Partner name:</b>		<b>Visit Date:</b>	
<b>Attendance from partner</b>		<b>Compliance visit completed by</b>	

<b>Location of Visit</b>	
--------------------------	--

No.	Item	Notes
1.	<b>Actions from previous visit</b>	
2.	<b>Learner file review</b>	
3.	<b>Starts profile update</b>	
4.	<b>Due diligence review</b>	
5.	<b>Single central record</b>	
6.	<b>Compliance with Prevent duty (table 1)</b>	
7.	<b>AOB</b>	

**Overall Summary**

**Table 1- Prevent duty compliance**

Element	✓	Comment/ Evidence
Are there clear and visible policies and procedures for managing whistle-blowing and complaints		
Are there policies in place for students using IT equipment to research terrorism and counter terrorism in the course of their studies		
Are there policies and procedures for events held by staff, students or visitors, and relationships with external bodies and community groups who may use premises, and/or work in partnership with the institution		
Has appropriate training and development for governors, board members, leaders and staff been undertaken		
Are staff exemplify British values in their management, teaching and through general behaviours in institutions		
Is there evidence of the curriculum and pastoral care promoting British values to learners		
Are there robust procedures both internally and externally for sharing information about vulnerable individuals		
Is there a clear Prevent referral process with a single point of contact which is known to all staff and students. This will usually be the same as the existing safeguarding process		

**Action log**

**Members**

(ET) Emma Tissiman

Meeting date	Note	Action	Resp.	Update	Status



## Appendix 10- Single central record audit

Provider Name:				
	Area of audit	Potential Evidence	Actual Evidence	Action Needed (High/Medium/Low)
1	Staff inc agency and temp staff	All staff included in SCR, no separate spreadsheets etc		
2	Contractors working on site	Check Policy, DBS checks, risk assessment		
3	DBS - enhanced plus List 99 needed for staff working with children and vulnerable adults	DBS numbers recorded, date, Designated Safeguarding Lead checked regularly		
4	Identify check	Recorded and dated, evidence retained on file		
5	List 99 - if not completed in DBS	Recorded and dated		
6	Newly recruited staff allowed to start without DBS	Risk Assessment, not left unsupervised, check date DBS requested		
7	Qualification checks	Recorded and dated, copies retained on file, main qualification recorded on SCR		
8	Regulated Activity Identified	Each member of staff must have activity identified; may be regulated activity/on site unsupervised/no regulated activity		
9	Reference checks	2 references obtained, checked against jd and application. References authenticity checked by phoning referees. Recorded and dated		
10	Right to work check	Evidence retained on file. Recorded on SCR and dated		
11	Risk assessments for any staff unsupervised on site	Relevant and fit for purpose		
12	Staff and governors listed in SCR - all DBS checked if carrying out regulated activities	Accurate and up to date		
13	Recruitment Policy includes frequency of DBS checks (may be in safeguarding policy)	Up to date and reflects best practice of Safer Recruitment, part 3 in KCSiE Sept 2018		
14	Prohibition check for managers and teachers	Section 128 check for managers to see if barred from managing school/academy; school barred list check for school teachers		
15	Training recorded and dated	Mandatory - Safeguarding, Prevent, E&D. Safer Recruitment depending on role. Level 3 for DSL.		
Overall findings:				
Audit completed by:			Date:	
Print name:				

## Appendix 11- Example learner existence call questions

### Learner existence call log

Partner name		Number of live enrolments	
Date of calls		10% sample required	

ID	Learner name	Are you currently taking part in a training programme? If so, what?	What is the name of your training provider	What is the name of your tutor	Do you know who is funding the training	Do you know what you need to do to achieve your qualification	Do you believe the training is good quality?

## Appendix 12- Subcontracting Steering Group Terms of reference

### Subcontracting Steering group

#### MEMBERSHIP AND TERMS OF REFERENCE

The subcontracting Steering group is a subcommittee of the Senior Leadership Team and is responsible for ensuring all the subcontracting management plan and its controls are being adhered to.

The subcontracting Steering group is also responsible for the review and approval of all additional training services contracts.

The group is authorised on behalf of the College Executive to implement in year decisions to ensure the subcontracting arrangements meet the strategic focuses of the college, quality of delivery is high, students are making progress and new and additional contracting is approved.

As such it is also responsible for decisions associated to any minor or major contract variations, with a focus on cost/ effort being proportionate to the importance and value of the change. These changes will then be presented to SLT, the Executive Team and/ or the college board depending on the level of significance to the change.

#### MEMBERSHIP

The membership shall consist of:

- College Principal and Chief Learning Officer (Chair)
- Deputy Principal Apprenticeships, Adults and Higher Education (Vice Chair)
- Assistant Principal Apprenticeships and Employer Engagement
- Director of MIS
- Deputy Principal Quality
- Director of Finance
- Partnerships Co-ordinator

The quorum for meetings shall be 4, including the Chair or vice Chair.

#### TERMS OF REFERENCE

The Subcontracting Steering group shall consider all matters in respect to the subcontracting arrangements for ESFA 16-18, AEB and apprenticeship funding. It will also consider all arrangements concerning GLA AEB funding.

There will be an emphasis on:

- Procuring and setting 16-18, AEB and Apprenticeship contacts

- Monitoring due diligence arrangements
- Monitoring quality and compliance schedules
- Quality and compliance risk reporting
- Monitoring contract compliance
- Minor and major contract changes
- Monitoring eligibility reequipments
- Reviewing and approving all training service contracts
- To make recommendations for consideration of SLT, the Executive Team or College Board.

## MEETINGS

The College Principal and Chief Learning Officer shall chair the meetings. In their absence it will be chaired by the vice chair Deputy Principal Apprenticeships, Adults and Higher Education.

Meetings shall be held at the end of each term;

- December
- April
- July

Special meetings may be arranged by the forum to meet business needs.

The agenda and minutes will be circulated at least 3 days before the meeting.

Late agenda item and papers may only be submitted on the authority of the chair.

A record of actions shall be taken, issued to members and go to the next meeting for review and to the Senior Leadership Team.

The Subcontracting Steering Group shall be serviced and minuted (for action points). A schedule will also be prepared and presented to each meeting monitoring the progress of agreed actions.

## ACCESS TO MEETINGS

The meetings are not open. Key staff may be invited to the meeting by the chair as required.

## REVIEW

These TORs shall be reviewed annually by the Executive Board.

Start date: August 2024

Review date: August 2025

### Appendix 13- Subcontracting risk register (example)

Subcontracting Risk Register

Risk No	Risk No.	Risk Title	Operational				Financial		Reputational		Likelihood		Risk Score		Risk Priority		Assurance Score		Owner		Control Resp.		Score Change		Previous Score	
			1	1	1	1	1	1	1	1	3	Low	0	NC	DM	3	0	DM	ET	3	0					
1	C1	Pre-award activities	1	1	1	1	1	1	1	3	Low	0	NC	DM	3	0	DM	ET	3	0						
2	C2	Contract award and management	1	1	1	1	1	1	1	3	Low	0	NC	DM	3	0	DM	ET	3	0						
3	C3	People	1	1	1	1	1	1	1	3	Low	0	NC	DM	3	0	DM	ET	3	0						
4	C4	Administration	1	1	1	1	1	1	1	3	Low	0	DM	ET	3	0	DM	ET	3	0						
5	C5	Managing relationships	1	1	1	1	1	1	1	3	Low	0	DM	ET	3	0	DM	ET	3	0						
6	C6	Managing Performance	1	1	1	1	1	1	1	3	Low	0	NC	DM	3	0	DM	ET	3	0						
7	C7	Payments and incentives	1	1	1	1	1	1	1	3	Low	0	NC	DM	3	0	DM	ET	3	0						
8	C8	Risk Management	1	1	1	1	1	1	1	3	Low	0	NC	DM	3	0	DM	ET	3	0						
9	C9	Contract development and or termination	1	1	1	1	1	1	1	3	Low	0	NC	DM	3	0	DM	ET	3	0						
10	C10	Provider Develoment	1	1	1	1	1	1	1	3	Low	0	DM	ET	3	0	DM	ET	3	0						

## Appendix 14- Provider external assurance on subcontracting controls certificate



**Scrutton Bland Limited**  
Fitzroy House  
Crown Street  
Ipswich  
Suffolk  
IP1 3LG  
01473 267000  
hello@scruttonbland.co.uk  
scruttonbland.co.uk

### Providing external assurance on subcontracting controls

#### Certificate

**Name of Lead Provider:** London South East Colleges  
**UKPRN:** 10000948  
**Funding Year:** 2023/24

We certify that the report prepared by Scrutton Bland provides assurance on the systems and controls we have in place to manage subcontractors delivering adult education and apprenticeship training funded by the GLA for the year 1 August 2023 to 31 July 2024.

We certify that;

- Recommendations have been implemented.
- There is an implementation plan that sets out when the recommendations will be completed by.
- No recommendations have been identified.

The full copy of the report is attached.

Name:

Job title:

Signature:

Date:



#### Audit Organisation

We certify that we have delivered a report of the subcontracting systems and controls of London South East Colleges in accordance with the requirements set out in 'Providing external assurance on subcontracting controls'.

**Name:** Paul Goddard

**Job title:** Partner

**Signature:**

**Date:** 24 June 2024