

### **Delivery Contingency Plan (Subcontractors)**

All learners who are provided with education and training under an agreement between Cambridgeshire Skills and a subcontracted organisation or an internal delivery partner remain the responsibility of Cambridgeshire Skills, Cambridgeshire County Councils adult learning service. These organisations and teams are known as Providers. The Service follows robust pre-contracting processes and procedures to ensure the quality and stability of potential provider organisations.

The Service mitigates the risks of external subcontracted provision by:

- Only commissioning and awarding established training providers who have successfully completed a robust due diligence and application process guided by the council's procurement team, following the Public Contract Regulations 2015
- Ensuring robust contract monitoring of all providers
- Ensuring that local provision meets local need

In the event that a contract or agreement is terminated with a Provider, the continuity of learning and minimum disruption to learners is of paramount importance.

Contracts may be terminated for the following reasons:

- The Service needs to withdraw from a subcontract arrangement, or
- The Provider withdraws from the arrangement, or
- The Provider goes into liquidation or administration

In this event, Cambridgeshire Skills will work with the subcontracted provider to implement a contingency plan, as detailed in the awarded contract.

The Service will explore a range of options, to organise the continuation of education and training including:

- Using other local FE or adult education providers
- Using other existing Providers where provision matches
- Direct delivering the provision from the Provider for the remainder of the contract period where resources permit

We will try our best endeavours to re-locate current learners in comparable local provision, in order to ensure that the learners are not disadvantaged, are safeguarded and receive good value for money.

If a learner has paid a course fee to the Provider, there is an expectation that it will be reimbursed pro-rata by the Provider if the provision cannot continue.

Providers are also required to co-operate fully with us to cause minimal disruption to learners and assist with the implementation of any contingency plan proposed.

When confirmation of withdrawal from the contract is received in writing, we will seek to fund alternative provision from other providers.

## **Timescales**

Cambridgeshire Skills is notified of a Providers decision to give notice on the contract:

- Within 5 working days Cambridgeshire Skills will collate the data for all current learners to ascertain the impact of this
- Within 10 working days of the notice Cambridgeshire Skills will have reviewed all the data and begun working with other Providers or Direct Delivery services to facilitate transfers
- Within 15 working days letters informing the learners of the closure, proposed transfer and new class details will be sent out
- Within 20 working days all the learners wishing to continue learning will be successfully transferred to the new provision. The associated learner/course file will be collected from the closing provider and passed to the new Provider.

Cambridgeshire Skills decision to terminate the Provider:

- The current learner data and potential new Providers will have already been considered as part of the contract monitoring and termination process
- Within 5 working days of the notice given to the Provider, Cambridgeshire Skills will write to all current learners notifying them of the termination and details of the places available at alternative Providers or within Direct Delivery services.
- Within 15 working days all learners wishing to transfer will have transferred to the new provision. The associated learner/course file will be collected from the closing provider and passed to the new Provider.

As detailed in the Contract, in the event of notice or termination the Council will collect and securely store all original learner paperwork from the previous years as evidence for funding for the required time period.

## **Staffing**

With regards to staffing, Cambridgeshire Skills will ensure that there is an appropriate contingency plan to cover the Senior Manager – Subcontracting, MI and Compliance, who has overall responsibility for the commissioning, procurement and management of all providers.

This document will be reviewed annually by the Senior Manager.