

## Subcontracting - Contract Management Plan

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Table 1: Data Submission Deadlines

1. Pre-Qualified Questionnaire and Due diligence Questionnaire
2. Due diligence checklist
3. Observation forms
4. Performance Monitoring framework
5. Contingency Plan for Continuity of Delivery
6. ESFA Guidance on sub-contracting
7. Enrolment forms/Learning agreements

## SECTION 1

### 1.1 Purpose of the contract management plan

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.

#### Excellence through Learning

Petroc is committed to driving forward educational success in further and higher education. We are extremely passionate about raising the aspirations, knowledge and skills of individuals, communities and businesses in Devon and beyond.

Excellence through learning is at the heart of what the college does. Excellence is what we do and is what we support others to attain. Petroc will enable the highest levels of learner achievement and the highest levels of career and life fulfilment, through learning that will stretch and challenge. Excellence is what customers, businesses and other organisations can expect to achieve themselves through working with the college.

#### The college's aims and objectives are to:

- Create outstanding learner achievement in all areas.
- Transform life chances and employment prospects for all.
- Build community and prosperity within northern and Mid Devon and the wider south-west of England
- Boost productivity, innovation and agility of businesses and organisations
- Tackle the climate emergency.

## 1.2 Contract management - Roles & Responsibilities

Role / Contact	Area of responsibility	Specific responsibilities in relation to subcontracting
Governing Body	Responsibility for the overall College group	Approval of Subcontractors Strategic relationships
Chief Executive Officer	Overall responsibility for the College Group	Approval of Subcontractors Strategic relationships
Vice Principal Finance, Resources and Regional Affairs	Budgets and financial compliance	Oversight of finance and budgets, including overall Contract Management
Deputy Principal – Education and Learners	Operations of Petroc’s curriculum	Overall performance of college provision
Head of Finance	Finance	Accounts, payments
Head of Business Engagement	Business Development activities	Relationship management (apprenticeships)
Head of Quality Improvement	Quality	Observation of teaching, learning assessment and learner experience
Head of Registry and Funding	Apprenticeships, Adult and 16 to 19 provisions	Apprenticeship, AEB and 16-19 funding management, contracts, compliance, quality, data management and audit, due diligence
Apprenticeship Admin Manager	Compliance checks	Enrolment / eligibility compliance checks, Audit compliance, contract management, due diligence
Procurement Co-ordinator	Procurement/Tenders	Procurement and Tender decisions
Quality Coordinator Assurance	Quality	Administration support for Quality control
Curriculum Directors	Quality, oversight	Quality, oversight
Programme Managers	Programme Management/Internal Verification	Programme Management/Internal Verification where applicable
Head of Safeguarding and Wellbeing	Safeguarding including Prevent	Safeguarding Policies including prevent and extremism, plus supporting on any training requirements

## Section 2 – Contract transition - Selecting and approving subcontracting Subcontractors

### 2.1 Selecting a Subcontractor

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

The key principles of selecting a new Subcontractor are whether they fit with the aims and goals of the College in relation to at least one or more of the following:

- Enhancing the opportunities available to learners (including attracting learners who would not normally attend College)
- Fill gaps in niche or expert provision or provide better access to training facilities.
- The added value the subcontractor will bring to the College, enabling the
  - College to capacity build in specialist sectors
  - Support better geographical access for learners
  - Support an entry point for disadvantaged groups
  - Support individuals who share protected characteristics, where there might otherwise be gaps

In order to approve the selection of a new subcontractor, the College will review:

- The quality of provision from delivery Subcontractors and their ability to achieve outstanding success.
- Past performance of delivery Subcontractors and a track record of high success
- The sound financial health of delivery Subcontractors.
- Compliance to Government and funding agency targets, priorities, and regulations.

Currently Subcontractors may not further sub-contract provision. (This is referred to as **2<sup>nd</sup> Tier Sub Contracting**, which the College will not enter into)

### 2.2 Contract Due Diligence

To comply with the Education and Skills Funding Agency funding rules, the College will need to be reassured that Subcontractors satisfy the following key elements of which are:

- The College is able to ensure that learners are enrolled (or rejected if applicable) 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, and any learning support to be provided
- 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

To ensure compliance with these elements the **Pre-Qualified Questionnaire Stage One** are key sources of information for new Subcontractors (See Appendix 1a) for entering into a subcontracting arrangement with a new Subcontractor. For existing Subcontractors see Appendix 1b for the annual Due Diligence check requirements.

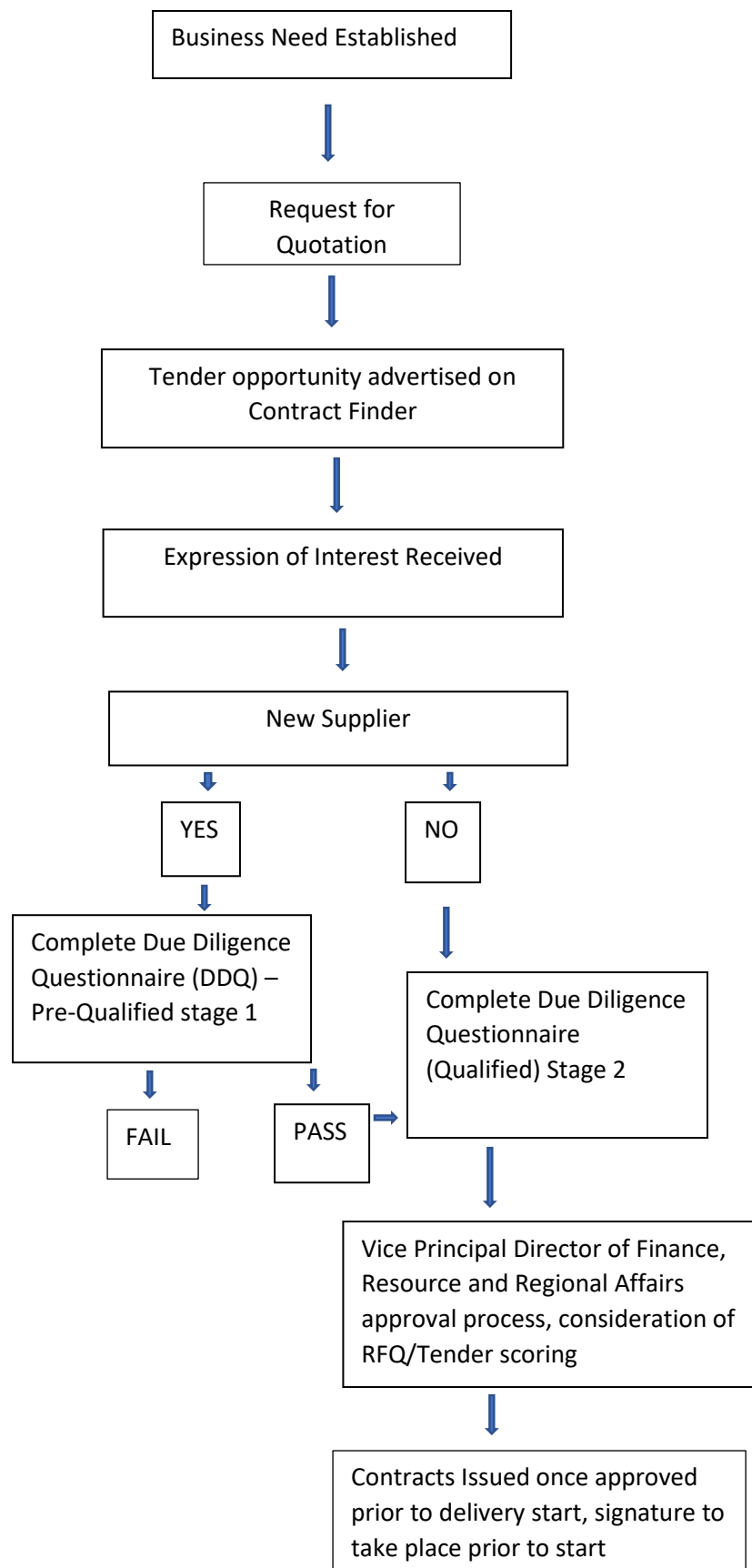
If 16-19 provision ensure Whole Programme Subcontracting approval sought from the ESFA in advance of contracting.

The College ensures it remains below the 25% threshold for subcontracting per funding model.

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/>)
- Companies House [Companies House - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

## 2.3 Selecting a Subcontractor/Due Diligence process Flowchart



## [Procurement - Petroc College](#)


Petroc has an obligation to ensure value for money from its external expenditure therefore the decision to award contracts will usually be based upon the most economically advantageous tender which will take into account a number of factors including price, quality, sustainability, social value and running costs to establish the full life cycle costs. Tenders will usually advise what criteria will be used when selecting a supplier.

Petroc will endeavour to advise all those who have quoted the outcome of a tender process. Prior to submitting a quote, it is important that you read all of the tender documentation to ensure that you fully understand our requirements, the specification for the goods or services and the timescales involved. We will endeavour to publish contract opportunities on these pages including where possible any pre-qualification requirements.


### Further information

<a href="#">UK procurement regulations</a>	+
<a href="#">Payment terms</a>	+
<a href="#">Contract opportunities</a>	+
<a href="#">Petroc's Subcontractor Framework</a>	+
<a href="#">Contact us</a>	+

Invoice Payment Performance

[Download](#) 

Subcontracting Expression of Interest

[Download](#) 

Procurement Terms and Conditions

[Download](#) 

This Due Diligence questionnaire will be reviewed by the Vice Principal Finance, Resources and Regional Affairs who will decide whether to issue contracts, the scoring from Request to Quotation and Tender is also considered at this point.

The scoring criteria for tender approvals is:

- Price dependent on actual cost - 20%
- Maintain Quality of provision to ensure high quality and low risk to public funds - 65%
- Timescales for Completion 15%

The engagement and management of delivery Subcontractors will be carried out by the Subcontracting Management Group, contract managers, Directors, Programme Managers and the Quality Team.

## Contract Compliance

### 3.1 Audit & Data compliance

A key element of the audit trail is the process undertaken to sub contract with a new Subcontractor. To this end the following evidence is required:

- Details of sub-contract, which includes the:
  - What is the nature of the provision and the contractual relationship
  - Data sharing protocols
  - Ensuring the College, the appointed auditors and the Education Skills Funding Agency have access to all information
- What is the rationale behind the College's decision to appoint a sub- contractor

The Education and Skills Funding Agency have the right to audit all documentation in relation to the subcontracted provision. A satisfactory audit is essential to avoid loss of funding through claw back or termination of contracts. The College's audit principles include:

- All paperwork from Subcontractors must be originals
- PDSATS will be used to test integrity of data submitted by the Subcontractor

Controls to ensure no double funding include:

- Gaining information on other prime contractors at due diligence stage
- Personal Learner Record checks/Regular PDSATS testing

The Head of Registry and Funding and the Administration Manager for Apprenticeships will ensure the relevant teams undertake the audit compliance and funding checks required throughout the life of the contract and at key ILR submission dates.

### 3.2 Contract Compliance

Apprenticeships:

In order to ensure we have up-to-date contracts each year we obtain the latest AOC Subcontracting contract issued as follows which indicates the terms and conditions required.

<https://www.aoc.co.uk/policy/education-policy/apprenticeship-employer-engagement>

16-19 Provision/Adult Education Funding:

Solicitors are commissioned to provide an up-to-date subcontracting contract for our 16-19/Adult Education Funding. Originals of all subcontractor contracts will be held centrally in the Executive Office.

All subcontracts will need to ensure that they:

- Meet the agreed educational needs
- Are achievable and affordable
- Address the desired outcome(s) of the subcontract, the possible alternatives, including existing contracts, the risks including the extent and where they may fall,



- Identify any contingent needs and ramifications of proceeding
- Meet the Data Protection Laws to maintain the security of processing and storing data

& follow the requirements of the relevant funding rules.

The sub-contractor management group will ensure all contracts are monitored regularly throughout the whole life of the contract during their scheduled monthly meetings.

### **3.3 Contract Fees & payment**

As part of the College's funding agreement with the Agency, the College is required to submit details of sub-contracting arrangements by submitting a returning the '**Subcontractor Declaration**' on the Skills Funding Service website.

All Subcontractors will have a standard profile of payments throughout the term of the contract, all invoices will be paid within 30 days. Payments are signed off by the Apprenticeship Compliance Manager or the Head of Registry and Funding

### **3.4 Funding rules compliance**

**Apprenticeships:** The college will continue to deliver a substantial proportion of the apprenticeship programme and will continue to maintain the employer relationship at all times

**All funding models:** We reserve the right to take appropriate action in line with the funding higher risk organisations policy, not only if we deem it is necessary, but also where ESFA requires us to take appropriate action

Management fees will be set according to the level of risk associated with the Subcontractor. All contracts will include a list of all services we will provide and the associated costs for doing so. This will include a list of individually itemised, specific costs for managing the subcontractor, specific costs for quality monitoring activities and specific costs for any other support activities offered.

Management fees cover the costs of the below:

- The College provides a Contract Manager to manage the relationship with the subcontractor.
- The College provide as Quality Lead to ensure that the quality of subcontractor's delivery meets its expectations and to support the continuous improvement of the subcontractor's provision.
- The College provides administration support to ensure the timely recording of learner information on the College's ILR.
- The College undertakes a regular and substantial programme of quality assurance checks on the education and training provided by subcontractors, including visits at short or no notice and face-to-face interviews with staff and learners. These checks include whether the learners exist and are eligible, and involve direct observation of initial guidance, assessment and delivery of learning programmes. Where required arrangements are implemented to provide internal verification support to the subcontractor.

- The College ensures that all of the subcontractor's delivery meets the Education & Skills Funding Agency's Funding Rules.
- The College ensures that any Apprenticeship provision delivered by subcontractors meets all of the required standards and specific ESFA funding rules.

Also included in the contract is a description of how each specific cost is reasonable and proportionate to the delivery of the subcontracted teaching or learning and how each cost contributes to delivering high quality learning.

The subcontracting fees and charges policy is available via the following link:

[Subcontracted Provision - Petroc College](#)

### **3.5 Policies**

Subcontractors will be asked to supply a copy of their policies as listed in the due diligence form. These will be checked by qualified staff within the organisation to ensure current and up-to-date. This will include but not limited to, Health and Safety, Safeguarding including prevent/extremism, Equality & Diversity, Complaints, Quality Assurance, GDPR, Business Continuity, Modern Slavery Act 2015.

Subcontracting partners need to ensure they are up-to-date with and have read Keeping Children Safe in Education where 16-19 learners are studying with them. As well as ensuring learners have information about and access to 16-19 Bursary and other student support funding, information, advice and guidance and access to learning support if required.

[Keeping children safe in education - GOV.UK \(www.gov.uk\)](#)

### **3.6 Communication Strategy**

The main principles of communicating with Subcontractors are in line with Relationship Charter:

- ✦ Regular scheduled meetings set up
- ✦ Subcontractor provides a named contact to the College
- ✦ Notes / minutes of meetings kept on file and shared with Subcontractor
- ✦ Records of e-mails, correspondence etc kept on file
- ✦ Data provided on request/or as and when required for audit monitoring/funding reporting purposes in regular meetings.

### **3.7 European Social Fund**

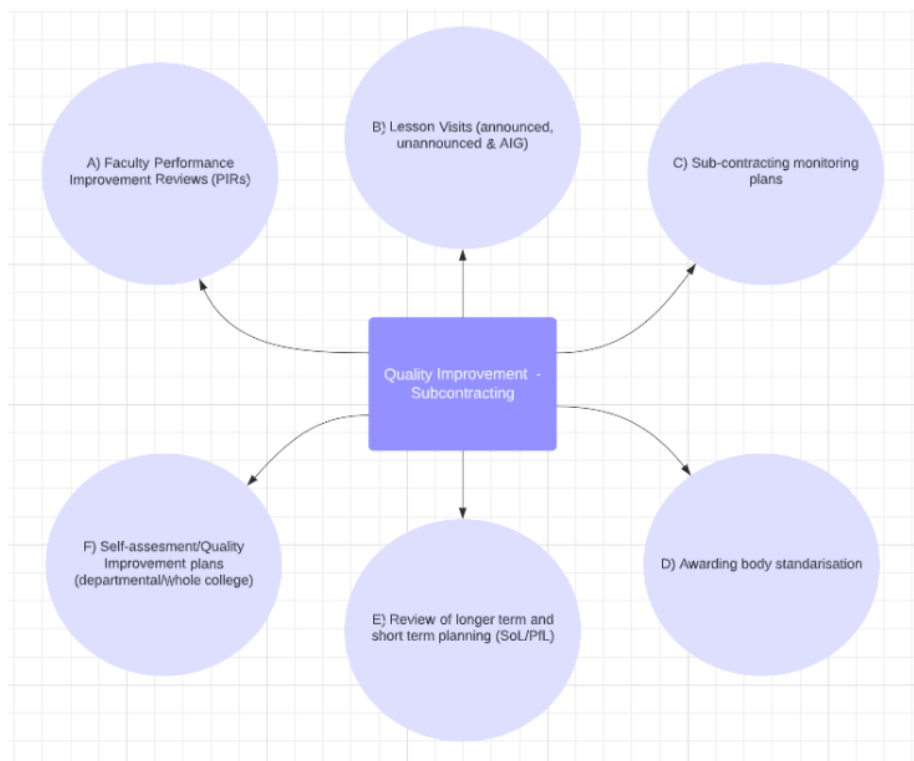
In order to comply with ESF funding rules. All subcontractors will be required to have an Equality and Equal Opportunities policy, and a Sustainable Development Policy.

Subcontractors will also be expected to display the ESF funding plaque in all their delivery premises.

## Section 4 – Contract management of performance

### 4.1 Contract Quality Assurance Process

#### Petroc Quality Improvement monitoring - subcontracting



#### 1. PIR Performance Improvement Reviews

Faculty led termly reviews of performance. This cycle of PIRs scrutinises attendance, achievement, retention benchmark statistics and the quality around teaching, learning and assessment. Subcontracting provision is covered within relevant faculties.

#### b) Lesson Visits

Lesson visits for subcontracting provision covers both announced, arranged lesson visits of teaching, learning and assessment along with observations of IAG and unannounced lesson visits. The template is the same form used across college for non-subcontracted provision:

**c) Subcontracting monitoring plans**

Scheduling/records of observations/lesson visits, records of discussions, QA/QI notes

**d) Awarding body standardisation**

IV plans, IQA sampling, reports

**e) SoL/PfL reviews**

Longer term plans: schemes of learning and lesson plans reviews during visits, discussions around curriculum planning to ensure a coherent well-structured curriculum that builds knowledge/skills in a logical order.

**f) SAR/QIP**

Cross college Self-Assessment Reviews and Quality Improvement plans identify areas for improvement with both non-subcontracting and subcontracting provision. SAR/QIP are fed by PIRs, departmental reflection, attendance, achievement and retention data analysis along with platforms to capture student feedback through the whole life of the contract.

**Section 5 – Contract Termination and dispute resolution**

**5.1 Termination of sub-contracting provision & managing disputes**

**5.1.1 Disputes and problem resolution**

Provision for resolving disputes is contained within the contract. This sets out how disputes will be resolved and the escalation procedures followed.

In the event of a complaint by the subcontracting partner they can submit via the following link:

[Petroc-Complaints-Form-2022.docx \(live.com\)](#)

**5.1.2 Termination:**

Provision for termination of a contract is contained within the contract

**5.1.3 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 audits, annual financial review

and regular contact with the account manager. 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.

#### **5.1.4 Contractual changes**

All contract variations during the whole lifespan of the contract will only be authorised by the principal or delegated authority following discussion and approval from the Vice Principal Director of Finance, Resources and Regional Affairs. Copies of signed contract variation agreements will be kept on file in the Executive Office.

#### **5.1.5 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 enrolment/learning agreement and/or Training Plan if an apprentice including End Point Assessment.

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.

# Appendices

Table 1: Data submission Deadlines to the ESFA

1. Pre-contract checks
  - a. Pre-Qualification Questionnaire Stage One
  - b. Due diligence Questionnaire Stage Two
2. Due diligence checklist
3. Observation forms
4. Performance Management Framework
5. Contingency Plan for continuity of delivery
6. ESFA Guidance on sub-contracting
7. Enrolment forms/Learning Agreement

**TABLE 1: Data Deadline Schedule 2022/2023**

Each month data is sent to the ESFA in order to provide up-to-date funding data, it is the requirement of the subcontractor to ensure they provide any updates to data in a timely manner and ensure their registers are kept up-to-date in order for us to monitor the learners effectively and to ensure funding is claimed accurately. When the final ILR is submitted this is the final opportunity to ensure the data is correct. It is essential the data remains up-to-date in order to ensure the ESFA Declarations are accurate.

<b>Return Period/Month</b>	<b>ESFA ILR Deadline Date</b>	<b>Enrolment Start Month</b>	<b>Latest date ensure paperwork/amendments are included in the next available ILR</b>
R01	05.09.22	August	<b>22.08.22</b>
R02	05.10.22	September	<b>19.09.22</b>
R03	03.11.22	October	<b>20.10.22</b>
R04	05.12.22	November	<b>21.11.22</b>
R05	02.01.23	December	<b>15.12.22</b>
R06	06.02.23	January	<b>23.01.23</b>
R07	06.03.23	February	<b>20.02.23</b>
R08	03.04.23	March	<b>19.03.23</b>
R09	08.05.23	April	<b>16.04.23</b>
R10	05.06.23	May	<b>21.05.23</b>
R11	06.07.23	June	<b>18.06.23</b>
R12	07.08.23	July	<b>23.07.23</b>
R13	11.09.23	Aug	<b>End Aug 23</b>
R14	16.10.23	Final return	<b>End Sept 23</b>

## Appendix 1A

### Stage One – Pre-qualified questionnaire



#### **Petroc's Subcontractor Framework**

#### **STAGE ONE: PRE-QUALIFIED QUESTIONNAIRE (PQQ)**

##### **DUE DILIGENCE**

Notes for completing your PQQ

Before you begin completing this PQQ, please ensure you have thoroughly read the Subcontracting Fees and Charges Policy. Please ensure you read any subsequent communications, including, but not limited to, amendments to the process.

Do not leave your response to the last minutes/hours before any stated deadlines. If you experience problems and are unable to submit your response by the stated deadline, your response will not be considered in respect of any Invitations to Tender (ITTs) relating to the deadline, and you may not be invited to tender.

Petroc will only subcontract to a legal entity. Please ensure that at all times, all information provided relates to the entire legal entity that is responding to this PQQ.

The PQQ process includes verifying your organizational details. Please take care when entering your organizational details and ensure that all information is reflective of the entity that is applying. If we are unable to verify your details, there is a risk that your application will not be evaluated.

When responding to a question, please ensure that your answer only includes the information requested. Additional information is not reviewed. If any questions are not applicable, please type or select 'NA' in the box provided.

Any questions relating to this PQQ should be sent to Graham Greatorex via [graham.greatorex@petroc.ac.uk](mailto:graham.greatorex@petroc.ac.uk)

Do not contact any individual member of Petroc staff about this PQQ by telephone or email.



Frequently asked questions may be published on the Procurement page of our website:  
<https://www.petroc.ac.uk/college-information/about-the-college/procurement>

Reference	Declaration	Response
1.1.1	I/We confirm that we have read, understood and accept all of the above requirements and notes	Choose an item.

Reference	Organization Details	Response
2.1.1	Full legal name of the entity completing the PQQ	
2.1.2	Please state your trading name if applicable	
2.1.3	Please provide your UK Provider Reference Number (UKPRN) supplied by UK Register of Learning Providers (UKRLP). Please do not enter any other reference number or the UKPRN of your lead provider if you are a subcontractor. If you do not have a UKPRN, please type 'NA'.	
2.1.4	Registered Company Number	
2.1.5	Registered Charity Number	
2.1.6	Registered VAT Number	
2.1.7	If your organization is not incorporated in the UK, BUT is incorporated or registered overseas, then please give the country in which it is incorporated or registered and the registration number	
2.1.8	If your organization is part of a group of companies incorporated or registered outside the UK, please state: The registered name of your parent company; The organization with which it is registered; The country in which it is registered and the registration number.	
2.1.9	Please select the relevant option to indicate your trading status: a) a public limited company; b) a limited company; c) a limited liability partnership; d) other partnership; e) sole trader; f) Community Interest Company (CIC); g) Statutory Corporation eg Further Education College; h) Charitable Incorporated Organization (CIO); i) Other (please specify)	Choose an item.
2.1.10	If you have selected 'other', please specify here:	
2.1.11	Please indicate your organization type from the list below: a) General Further Education (GFE) College; b) Training organization (excluding those that are either an ATA or a GTA); c) Local Authority; d) Sixth Form College; e) University funded by OFS; f) A GTA or an ATA g) An Academy; h) Other.	Choose an item.
2.1.12	If you have selected 'other' please specify here:	
2.1.13	Please select the relevant boxes to indicate whether any of the following classifications apply to your organization:	Choose an item.

	<p>a) Voluntary, Community and Social Enterprise (VCSE) or third sector organization;  b) Small or Medium-sized Enterprise (SME);  c) Sheltered Workshop;  d) Public Service Mutual;  e) None of the above;</p> <p>Definition of SME:  <a href="#">BEIS small and medium enterprises (SMEs) action plan: 2022 to 2025 (accessible webpage) - GOV.UK (www.gov.uk)</a></p>	
2.1.14	Please give the name of the individual who has responsibility for the overall executive management of your organization and details of positions this individual holds with other organizations	
2.1.15	<p>Please name all company directors of the organization making this application along with their individual shareholding in the organization (if any).  Your response must include the following for each director:  First Name;  Last Name;  Date of Birth (DD/MM/YYYY);  The percentage of shares the director holds within the organization (numerical value between 0 and 100).  If your organization does not have company directors, please type 'NA'.</p>	
2.1.16	<p>Please give the details of any other shares or assets these individual(s) hold in other organizations. You should include:  First Name and Last Name;  Percentage of shares the individual holds within other organization(s);  The name of the company/ies;  The Companies House number(s).</p>	
2.1.17	Please list the first name, last name and job title of senior management personnel in your organization.	
2.1.18	<p>Is your organization a direct contract holder, or subcontractor to an organization that receives funding from, the Education Skills Funding Agency (ESFA), Department for Work and Pensions (DWP) or Office for Students (OFS)</p> <p>Please list all applicable options:  a) ESFA – Prime Contractor;  b) ESFA – Subcontractor;  c) DWP – Prime Contractor;  d) DWP – Subcontractor;  e) OFS – Prime Contractor;  f) OFS – Subcontractor;  g) Other government department;  h) Not applicable as my organization does not directly or indirectly receive funding from the departments listed above.</p>	
Reference	Grounds for Mandatory Exclusion	Response
3.1.1	You will be excluded from the procurement process if there is evidence of convictions relating to specific criminal offences including, but not limited to, bribery,	

	corruption, conspiracy, terrorism, fraud, money laundering, or if you have been the subject of a binding legal decision which found a breach of legal obligations to pay tax or social security obligations (except where this is disproportionate eg only minor amounts involved)	
3.1.2	<p>Within the past five years, has your organization, Directors or partner or any other person who has powers of representation, decision or control been convicted of any of the following offences:</p> <ul style="list-style-type: none"> <li>a) Conspiracy within the meaning of section 1 or 1A of the Criminal Law Act 1977 or article 9 or 9A of the Criminal Attempts and Conspiracy (Northern Ireland) Order 1983 where that conspiracy relates to participation in a criminal organization as defined in Article 2 of Council Framework Decision 2008/841/JHA on the fight against organized crime;</li> <li>b) Corruption within the meaning of section 1(2) of the Public Bodies Corrupt Practices Act 1889 or section 1 of the Prevention of Corruption Act 1906;</li> <li>c) The common law offence of bribery;</li> <li>d) Bribery within the meaning of sections 1, 2 or 6 of the Bribery Act 2010; or section 113 of the Representation of the People Act 1983;</li> <li>e) Any of the following offences, where the offence relates to Fraud Act 2006</li> <li>f) Any offence listed in the Counter Terrorism and Security Act 2015</li> <li>g) Money laundering within the meaning of sections 340(11) and 415 of the Proceeds of Crime Act 2002;</li> <li>h) An offence in connection with the Criminal Justice Act 2003</li> <li>i) An offence under section 4 of the Asylum and Immigration (Treatment of Claimants etc) Act 2004;</li> <li>j) An offence under section 59A of the Sexual Offences Act 2003;</li> <li>k) An offence under section 71 of the Coroners and Justice Act 2009;</li> <li>l) An offence in connection with the proceeds of drug trafficking within the meaning of section 49,50 or 51 of the Drug Trafficking Act 1994</li> </ul>	Choose an item.
3.1.3	<p>If you have answered yes to any of the above, please provide supplementary information which should include:</p> <ul style="list-style-type: none"> <li>• Dates;</li> <li>• A brief Summary;</li> <li>• Any outstanding judgements or legal proceedings.</li> </ul>	
3.1.4	Has it been established by a judicial or administrative decision having final and binding effect in accordance with the legal provisions of any part of the United Kingdom or the legal provisions of the country in which your organization is established (if outside the UK), that your organization is in breach of obligations related to the payment of tax or social security contributions?	Choose an item.

3.1.5	If you have answered Yes to question 3.1.4, please confirm whether you have paid, or have entered into a binding arrangement with a view to paying, including, where applicable, any accrued interest and/or fines?	
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Reference	Grounds for Discretionary Exclusion	Response
4.1.1	Petroc may exclude organizations who answer 'Yes' in any of the following situations set out below:	
4.1.2	<p>Within the past three years, please indicate if any of the following situations have applied, or currently apply, to your organization:</p> <ul style="list-style-type: none"> <li>a) Your organization has violated applicable obligations referred to in regulation 56 (2) of the Public Contracts Regulations 2015 in the fields of environmental, social and labour law established by EU law, national law, collective agreements or by the international environmental, social and labour law provisions listed in Annex X to the Public Contracts Directive as amended from time to time;</li> <li>b) Your organization is bankrupt or is the subject of insolvency or winding-up proceedings, where your assets are being administered by a liquidator or by the court, where it is an arrangement with creditors, where its business activities are suspended or it is in any analogous situation arising from a similar procedure under the laws and regulations of any State;</li> <li>c) Your organization is guilty of grave professional misconduct, which renders its integrity questionable;</li> <li>d) Your organization has entered into agreements with other economic operators aimed at distorting competition;</li> <li>e) Your organization has a conflict of interest within the meaning of regulation 24 of the Public Contracts Regulations 2015 that cannot be effectively remedied by other, less intrusive measures;</li> <li>f) The prior involvement of your organization in the preparation of the procurement procedure has resulted in a distortion of competition, as referred to in regulation 41, that cannot be remedied by other, less intrusive measures;</li> <li>g) Your organization has shown significant or persistent deficiencies in the performance of a substantive requirement under a prior public contract, a prior contract with a contracting entity, or a prior concession contract, which led to early termination of that prior contract, damages or other comparable sanctions;</li> <li>h) Your organization: <ul style="list-style-type: none"> <li>i. Has been guilty of serious misrepresentation in supplying the information required for the verification of the absence of grounds for exclusion or the fulfilment of the selection criteria; or</li> </ul> </li> </ul>	Choose an item.

	<ul style="list-style-type: none"> <li>ii. Has withheld such information or is not able to submit supporting documents required under regulation 59 of the Public Contracts Regulations 2015; or</li> <li>i) Your organization has undertaken to <ul style="list-style-type: none"> <li>i. Unduly influence the decision-making process of the contracting authority; or</li> <li>ii. Obtain confidential information that may confer upon your organization undue advantages in the procurement procedure;</li> <li>iii. Your organization has negligently provided misleading information that may have a material influence on decisions concerning exclusion, selection or award.</li> </ul> </li> </ul>	
4.1.3	<p>Petroc reserves the right to use its discretion to exclude an organization where it can demonstrate the organization's non-payment of taxes/social security contributions where no binding legal decision has been taken. Please provide details of any occasion of Tax Non-Compliance, or type 'NA' if not applicable.</p> <p>"Occasion of Tax Non-Compliance" means:</p> <p>Any tax return of the organization submitted to a Relevant Tax Authority on or after 1 October 2012 is found to be incorrect as a result of:</p> <ol style="list-style-type: none"> <li>1. Relevant Tax Authority successfully challenging the organization under the General Anti-Abuse Rule or the Halifax Abuse Principle or under any tax rules or legislation that have an effect equivalent or similar to the General Anti-Abuse Rule or the Halifax Abuse Principle;</li> <li>2. The failure of an avoidance scheme which the organization was involved in, and which was, or should have been, notified to a Relevant Tax Authority under the Disclosure of Tax Avoidance Scheme (DOTAS) or any equivalent or similar regime; and/or</li> <li>3. The organization's tax affairs give rise on or after 1 April 2013 to a criminal conviction in any jurisdiction for tax related offences which is not spent at the Effective Date or to a penalty for civil fraud or evasion.</li> </ol>	
4.1.4	From 1 April 2013 onwards, have any of your organization's tax returns submitted on or after 1 October 2012 given rise to a criminal conviction for tax related offences which is unspent, or to a civil penalty for fraud or evasion?	Choose an item.
4.1.5	<p>From 1 April 2013 onwards, have any of your organization's tax returns submitted on or after 1 October 2012 been found to be incorrect as a result of:</p> <ul style="list-style-type: none"> <li>- HMRC successfully challenging it under the General Anti-Abuse Rule (GAAR) or the "Halifax" abuse principle; or</li> </ul>	Choose an item.

	<ul style="list-style-type: none"> <li>- A Tax Authority in a jurisdiction in which the legal entity is established successfully challenging it under any tax rules or legislation that have an effect equivalent or similar to the GAAR of the "Halifax" abuse principle; or</li> <li>- The failure of an avoidance scheme which the organization was involved in and which was, or should have been, notified under the Disclosure of Tax Avoidance Scheme (DOTAS) or any equivalent or similar regime jurisdiction in which the organization is established.</li> </ul>	
4.1.6	<p>If you have answered "Yes" to either 4.1.4 or 4.1.5 above, please provide details of any mitigating factors that you consider relevant. This could include for example:</p> <ul style="list-style-type: none"> <li>• Corrective action undertaken to date;</li> <li>• Planned corrective action to be taken;</li> <li>• Changes in personnel or ownership since the Occasion of Non-Compliance (OONC);</li> <li>• Changes in financial, accounting, audit or management procedures since the OONC;</li> <li>• A brief description of the occasion, the tax to which it applied, and the type of "non-compliance" eg whether HMRC of the foreign Tax Authority has challenged pursuant to GAAR, the "Halifax" abuse principles etc;</li> <li>• Where the OONC relates to a DOTAS, the number of the relevant scheme;</li> <li>• The date of the original "non-compliance" and the date of any judgement against the organization, or the date when the return was amended;</li> <li>• The level of any penalty or criminal conviction applied.</li> </ul>	

Reference	Financial Health Assessment	Response
5.1.1	Please provide a copy of the final (audited, if applicable) accounts for your organization for the last 3 years	Choose an item.
5.1.2	Please provide a copy of the current management accounts for your organization	Choose an item.

Reference	Technical & Professional Ability (Compliance)	Response
6.1.1	In the last three years, has any finding of unlawful discrimination been made against your organization by an Employment Tribunal, an Employment Appeal Tribunal or any other court (or in comparable proceedings in any jurisdiction other than the UK)?	Choose an item.
6.1.2	In the last three years, has your organization had a complaint upheld following an investigation by the Equality and Human Rights Commission or its predecessor (or a comparable body in any jurisdiction other than the UK), on grounds of alleged unlawful discrimination?	Choose an item.
6.1.3	If you have answered "yes" to either 6.1.1 or 6.1.2, please provide a summary of the nature of the investigation and an explanation of the outcome of the investigation to date.	

	<p>If the investigation upheld the complaint against your organization, please explain what action (if any) you have taken to prevent unlawful discrimination from reoccurring. You may be excluded if you are unable to demonstrate to Petroc's satisfaction that appropriate remedial action has been taken to prevent similar unlawful discrimination reoccurring.</p> <p>If you did not answer "yes" to either 6.1.1 or 6.1.2, please type "NA".</p>	
6.1.4	Is your organization in a state of insolvency, voluntary administration, company voluntary arrangement, compulsory winding up, receivership, composition with creditors or subject to equivalent proceedings?	Choose an item.
6.1.5	<p>If you have selected "yes" to 6.1.4, please provide further details, including the type of proceedings and the dates, and if repaying debts, how you are repaying the debt as well as the date the debt will be cleared.</p> <p>If you did not answer "yes" to 6.1.4, please type "NA".</p>	
6.1.6	Has any member or trustee of your organization been investigated or removed by the Charities Commission or appear on the Register of Removed Trustees?	Choose an item.
6.1.7	<p>If you have selected "yes" to 6.1.6, please provide details together with the name(s) of those involved and the dates.</p> <p>If you did not answer "yes" to 6.1.6, please type "NA".</p>	
6.1.8	Are any of the individual directors of your organization or any other person who has powers of representation, decision or control of the organization in a state of un-discharged bankruptcy or composition with creditors, or subject to any such proceedings, or in any form of dispute?	Choose an item.
6.1.9	<p>If you have selected "yes" to 6.1.8, please provide supplementary information, which should include:</p> <ul style="list-style-type: none"> <li>- Dates;</li> <li>- A brief summary;</li> <li>- Any outstanding judgements or legal proceedings.</li> </ul> <p>If you did not answer "yes" to 6.1.8, please type "NA".</p>	
6.1.10	<p>Please identify from the list below what applies to your organization, any of its directors or any other person who is a shareholder, senior employee or has powers of representation, decision or control of your organization:</p> <ul style="list-style-type: none"> <li>a) Previous activities have resulted in repayment of £100,000 or 5 per cent of contract value, whichever is the higher, to a public body, this includes funding paid to a subcontractor for the delivery of services;</li> <li>b) Failure to repay funding due to a public body;</li> <li>c) Failure to repay funding due under a subcontract to deliver services funded by a public body;</li> <li>d) Two or more instances where a public body's staff have audited provision of the provider and</li> </ul>	

	<p>identified issues of non-compliance with conditions of funding;</p> <p>e) Ongoing investigation relating to suspicion of fraud or irregularity, or possible failure to comply with conditions of funding under an existing funding agreement or subcontract;</p> <p>f) Termination of a funding agreement or a subcontract to deliver services funded by a public body;</p> <p>g) Withdrawal of funding following the failure to comply with a Notice of Withdrawal of Funding or failure to remedy a serious breach of contract;</p> <p>h) None of these.</p>	
6.1.11	<p>If you have selected any option other than H as your response to question 6.1.10, you will need to provide supplementary information to support your selection.</p> <p>Please type "NA" if this does not apply to your organization.</p>	
6.1.12	Has your organization had any contract from a public body withdrawn in the last three financial years?	Choose an item.
6.1.13	<p>If you have selected "yes" to question 6.1.12, please provide brief details including:</p> <ul style="list-style-type: none"> <li>- The public body involved;</li> <li>- The contract type;</li> <li>- The date(s) the contract(s) was/were withdrawn;</li> <li>- The value(s) of the contract(s);</li> <li>- The reason(s) the contract(s) was/were withdrawn.</li> </ul> <p>If you did not answer "yes" to 6.1.12, please type "NA".</p>	
6.1.14	Have you withdrawn early from a contract within the last three years?	Choose an item.
6.1.15	<p>If you have selected "yes" to question 6.1.14, please provide brief details, including:</p> <ul style="list-style-type: none"> <li>- The name of the organization from whose contract you have withdrawn;</li> <li>- The contract type;</li> <li>- The date you withdrew;</li> <li>- The value(s) of the contract(s);</li> <li>- The reason you withdrew.</li> </ul> <p>If you did not answer "yes" to 6.1.14, please type "NA".</p>	
6.1.16	<p>If you have had to repay public money, can you confirm you have repaid or have an agreement to repay that funding:</p> <p>(a) I can confirm we have repaid any outstanding public money;</p> <p>(b) I can confirm we have an agreement to repay outstanding public money and are currently making payments;</p> <p>(c) We have outstanding public money which we have not yet repaid;</p> <p>(d) This question is not applicable to my organization as there is no public money to be repaid.</p>	
6.1.17	If you have selected (a) or (b) to question 6.1.16, please state the amount you have repaid/are repaying, the	



	<p>reason for repayment, the date of repayment, and whether or not the debt has been cleared.</p> <p>If you have answered (c) to question 6.1.16, please state the amount to be repaid, the reason for repayment and whether or not the debt will be cleared.</p> <p>If you have answered (d) to question 6.1.16, please type "NA".</p>	
6.1.18	Does your organization have any outstanding or ongoing legal disputes that could prevent you from delivering a contract for us?	Choose an item.
6.1.19	<p>If you have answered "yes" to question 6.1.18, please provide brief details including dates.</p> <p>If you did not answer "yes" to 6.1.18, please type "NA".</p>	
6.1.20	It is a legal requirement that all companies hold Employer's (Compulsory) Liability Insurance of £10 million as a minimum. Please note this requirement is not applicable to Sole Traders. Do you hold Employer's (Compulsory) Liability Insurance of £10 million as a minimum?	Choose an item.

Reference	Technical & Professional Ability (Delivery)	Response
7.1.1	<p>It is a funding requirement that your organization is registered with the Information Commissioner's Office (<a href="http://ico.org.uk">ico.org.uk</a>) for the processing of personal data for delivering education and training. Do you hold this registration?</p> <p>(a) Yes – we hold this registration;  (b) No – we do not hold this registration;  (c) Not applicable – my organization does not deliver education and training and will not do so in the future.</p>	Choose an item.
7.1.2	<p>If you have selected "a" to question 7.1.1, please provide your ICO registration number.</p> <p>Please type "NA" if this does not apply to your organization.</p>	
7.1.3	<p>It is a requirement that all the provision we subcontract takes place in safe, healthy and supportive environments, which fully meet the needs of participants, including those participants who require additional support. Where subcontracted activity takes place in an environment outside our direct control, we are required to ensure the health and safety of participants. Can you confirm you have suitable policies and procedures in place? As a minimum, this should include the following, policies compliant with current legislative requirements as applicable: Health &amp; Safety Policy; Safeguarding Policy; Equal Opportunities Policy; Quality Assurance Policy; Environmental Sustainability Policy.</p> <p>(a) Yes  (b) No</p>	Choose an item.

	(c) Not applicable – my organization does not deliver provision to participants and will not do so in the future.	
7.1.3.1	Please provide a copy of your Health & Safety Policy.	Choose an item.
7.1.3.2	Please provide a copy of your Safeguarding & Prevent Policy.	Choose an item.
7.1.3.3	Please provide a copy of your Equal Opportunities Policy.	Choose an item.
7.1.3.4	Please provide a copy of your Quality Assurance Policy.	Choose an item.
7.1.3.5	Please provide a copy of your Environmental Sustainability Policy.	Choose an item.
7.1.4	Is your organization currently under any sanctions from an awarding organization?  (a) Yes (b) No	Choose an item.
7.1.5	If you have answered “yes” to question 7.1.4, please provide the following information:  <ul style="list-style-type: none"> <li>- The name of the awarding organization;</li> <li>- The qualification, level and skills affected;</li> <li>- Information on the sanction, including the reason for sanction;</li> <li>- If the sanction has been lifted, please provide the date it was lifted;</li> <li>- If your organization remains under sanction, please include the date the sanction was applied and how it impacts your ability to deliver a contract for education and training;</li> </ul> <p>If there is more than one sanction, you need to provide the above information for each sanction.</p> <p>If you did not answer “yes” to question 7.1.4, please type “NA”.</p>	
7.1.6	Has an awarding body identified significant irregularities resulting in action in the last 3 academic years in the award of a qualification?  (a) Yes (b) No	Choose an item.
7.1.7	If you have answered “yes” to question 7.1.6, please provide the following information:  <ul style="list-style-type: none"> <li>- The name of the awarding organization;</li> <li>- The qualification, level and skills affected;</li> <li>- Information on the irregularities identified including an explanation;</li> </ul>	

	<ul style="list-style-type: none"> <li>- If this resulted in a sanction and it was lifted, please provide the date it was lifted;</li> <li>- If this resulted in a sanction and it is outstanding, please include the date the sanction was applied and how it impacts your ability to deliver a contract for education and training;</li> </ul> <p>If there is more than one irregularity, you need to provide the above information for each sanction.</p> <p>If you did not answer "yes" to question 7.1.6, please type "NA".</p>	
7.1.8	<p>Has your organization's awarding organization(s) approval(s) status been suspended or withdrawn within the last 3 academic years?</p> <p>(a) Yes (b) No</p>	Choose an item.
7.1.9	<p>If you have answered "yes" to question 7.1.8, please provide the following information:</p> <ul style="list-style-type: none"> <li>- The name of the awarding organization;</li> <li>- The qualification, level and skills affected;</li> <li>- Information on the suspension or withdrawal including an explanation;</li> <li>- If this resulted in a sanction and it was lifted, please provide the date it was lifted;</li> <li>- If this resulted in a sanction and it is outstanding, please include the date the sanction was applied and how it impacts your ability to deliver a contract for education and training;</li> </ul> <p>If there is more than one irregularity, you need to provide the above information for each sanction.</p> <p>If you did not answer "yes" to question 7.1.8, please type "NA".</p>	

Reference	Capacity & Capability - Generic	Response
8.1.1	<p>Describe how you would performance manage your contract to ensure that you successfully deliver a contract with Petroc. If you do not have a performance management framework, describe the steps you would take to implement one, and how it would work. Your response must address/include the points below as a minimum:</p> <ul style="list-style-type: none"> <li>- Describe the key indicators that you use to manage performance, how these would be applied and at what intervals;</li> <li>- How you address underperformance;</li> <li>- How you identify and mitigate against any risks that may affect the delivery of a contract.</li> </ul> <p>(Max 2,000 characters)</p>	
8.1.2	<p>Please identify from the list below the statement(s) that best describe how your quality assurance systems and processes are used to inform and underpin improvement</p>	

	<p>in the delivery and management of your services OR the services you offer:</p> <p>A – The quality assurance systems and processes used by the organization inform any decision made regarding our performance of programme management and delivery;</p> <p>B – The quality assurance systems and processes used by the organization to measure the programme management and delivery performance are those recognised by the awarding of an appropriate British Standard (or equivalent);</p> <p>C – The quality assurance systems and processes for the management and delivery of a funded programme are embedded into the organizations own quality systems;</p> <p>D – Although the organization seeks to measure its programme management and delivery performance with the intention of improving as required, it does so outside of the rigour of formal quality assurance systems and processes;</p> <p>E – The organization is in the process of adopting formal quality assurance and processes in order to measure where and how and, indeed, if its programme management and delivery performance require improvement;</p> <p>F – The organization does not currently have nor intends to have formal quality assurance systems and processes in place in the foreseeable future.</p>	
8.1.3	<p>Please identify from the list below the statement(s) that best describe how your quality assurance systems and processes are used to inform and underpin improvement in the delivery and management of your services OR the services you offer – from a user perspective:</p> <p>A – Our quality assurance systems and processes require us to meet regularly with user forums as well as individuals in order to seek out when, where and how our performance from a programme management and delivery perspective can be improved;</p> <p>B – Under the remit of the British Standard (or equivalent) Quality assurance systems we have adopted we are required to regularly carry out internal audits on all aspects of programme management and delivery and take appropriate corrective action which arises as a result;</p> <p>C – Using our embedded continuous improvement process we are always seeking to challenge the methodology used and outcomes derived from our programme management and delivery performance particularly from a user’s perspective with a view to taking required steps to improve;</p> <p>D – We regularly assess user’s performance and outcomes and any that fall below our accepted benchmarks are investigated to see if it is due to our programme management and delivery performance and any corrective action necessary is taken at the earliest convenient opportunity;</p> <p>E – Although we do not currently have a formal quality assurance process in place, nevertheless, we have quarterly meetings to assess delivery performance and</p>	

	<p>programme management with a view to introducing any required changes at the earliest opportunity;</p> <p>F – Should we be successful in securing a subcontract, we will then introduce the requisite quality assurance system to ensure that from a user’s perspective, we can measure where, when and how improvements are required;</p> <p>G – We do not feel it is necessary to have formal quality assurance systems in place, as we put the user’s needs first.</p>	
8.1.4	I/We understand that it is a condition of any contract that we ensure equality of opportunity is built into all aspects of our services, business planning processes and self-assessment processes.	Choose an item.
8.1.5	I/We understand that it is a condition of any contract that we monitor equality and diversity data and review this information to inform future planning within our organization.	Choose an item.
8.1.6	In order to receive funding from us, it is a funding requirement that your organization has all appropriate insurances. Please indicate you fully understand this.	Choose an item.
8.1.7	<p>Does your organization currently have Matrix Standard accreditation?</p> <p>A – Yes  B – No, but we will take the necessary steps to obtain Matrix Standard accreditation within the first six months of receiving a contract if one of the main objectives is to deliver information and advice. If the information and advice is embedded as part of the delivery of provision, we will take the necessary steps to obtain Matrix Standard accreditation with the first twelve months of receiving contract;  C – No, we do not have intentions of achieving Matrix Standard accreditation.</p> <p>Please refer to the following link for further information:  <a href="https://www.gov.uk/government/publications/sfa-the-matrix-standard">https://www.gov.uk/government/publications/sfa-the-matrix-standard</a></p>	Choose an item.
8.1.8	<p>Do you have a Business Continuity Plan? (We may ask for this document at a later stage of the procurement process)</p> <p>A – we have a Business Continuity Plan and regularly review and test this;  B – We are in the process of developing a Business Continuity Plan which will be reviewed and tested;  C – We do not have a Business Continuity Plan and will not be developing one.</p>	Choose an item.
8.1.9	<p>I/We declare that we are aware of our organization’s responsibilities under the Safeguarding Vulnerable Groups Act 2006 [and its succeeding legislation]. I/We are also aware of customer organizations’ responsibilities under the Safeguarding Vulnerable Groups Act 2006 [and its succeeding legislation] and will take all necessary steps to comply with this legislation.</p> <p>A – Yes;  B – No;</p>	Choose an item.

	C – Not applicable – I/We do not wish to deliver to the groups/individuals provided for under the Safeguarding Vulnerable Groups Act 2006 [and its succeeding legislation].	
8.1.10	Please describe the geographical areas in which you are interested in delivering a contract.	

Reference	Quality	Response
9.1.1	<p>Has your organization had a full inspection or re-inspection by Ofsted?</p> <p>The Inspection must relate specifically to your organization; it does not include delivering as a subcontractor to an organization that has had an Ofsted Inspection and using their grade.</p> <p>A – Yes, and I am currently a direct contract holder to the Education and Skills Funding Agency (ESFA),  B – Yes, but I am not currently a direct contract holder to either the ESFA;  C – No.</p>	Choose an item.
9.1.2	<p>If you have answered “A” or “B” to question 9.1.1, you must provide a link to your Ofsted inspection report, which will be listed on the Ofsted website:</p> <p><a href="http://reports.ofsted.gov.uk/">http://reports.ofsted.gov.uk/</a></p> <p>Please type “NA” if this question is not applicable.</p>	
9.1.3	<p>Please indicate the grade that was awarded for ‘Quality of teaching, learning and assessment’ at your last full inspection or re-inspection. If you do not have a grade under this category but were assessed prior to September 2012 and have a grade for ‘Quality of Provision’, please use this:</p> <p>A) Grade 1 – Outstanding  B) Grade 2 – Good  C) Grade 3 – Requires Improvement (previously Satisfactory)  D) Grade 4 – Inadequate  E) Have not been inspected by Ofsted or not applicable</p>	Choose an item.
9.1.4	<p>Please indicate the grade that was awarded for ‘Overall Effectiveness’ at your last full inspection or re-inspection:</p> <p>A) Grade 1 – Outstanding  B) Grade 2 – Good  C) Grade 3 – Requires Improvement (previously Satisfactory)  D) Grade 4 – Inadequate  E) Have not been inspected by Ofsted or not applicable</p> <p>NB If you have been awarded a Grade 4 for Overall Effectiveness, your organization may be placed on PSF (subject to satisfactory completion of all other sections of</p>	Choose an item.

	the PQQ), but is unlikely to be invited to tender at stage two until a minimum of Grade 3 has been achieved.	
9.1.5	<p>Please indicate the grade that was awarded for 'Leadership &amp; Management' at your last full inspection or re-inspection:</p> <p>A) Grade 1 – Outstanding  B) Grade 2 – Good  C) Grade 3 – Requires Improvement (previously Satisfactory)  D) Grade 4 – Inadequate  E) Have not been inspected by Ofsted or not applicable</p>	Choose an item.

Reference	Information Technology	Response
10.1.1	The question below is for organizations interested in the delivery of education and training as well as the delivery of information, advice and guidance:	
10.1.2	<p>Please select the option that best describes your organization's readiness to meet the Skills Funding Agency's data and information requirements.</p> <p>A – Fully meet – ILR compliant MI system;  B – Fully meet – ILR Learner Entry Tool (please note this is only supported for up to 500 learners);  C – New to Agency-funded activity – will purchase ILR compliant MI system;  D – New to Agency-funded activity – will use ILR Learner Entry Tool (please note this is only supported for up to 500 learners)  E – Not applicable.</p>	Choose an item.
10.1.3	<p>An ILR Learner Entry tool is available for download which supports returns for up to 500 learners. This software is supplied free of charge to organizations who will submit ILR data to the Education Skills Funding Agency in the funding year 2022 to 2023 but who do not have access to a data management system.</p> <p>You can download the ILR Learner Entry tool from the useful links area on the front page of the Hub:  <a href="https://hub.imservices.org.uk/Pages/default.aspx">https://hub.imservices.org.uk/Pages/default.aspx</a></p>	
10.1.4	<p>If you have selected A, B or C for question 10.1.2, please state the name of your MI system.</p> <p>If this question is not applicable to your organization, please type "NA".</p>	

Reference	Delivery of Services	Response
11.1.1	<p>Please identify from the list provided all of the areas of activity in which you are interested in being considered for delivery:</p> <p>(a) 16-18 Apprenticeships  (b) 19+ Apprenticeships  (c) 16-19 Funding  (d) Adult Education Funding</p>	

	(e) Community Learning (f) ESOL (g) 24+ Advanced Learning Loans (h) Other; (i) None of the above.	
11.1.2	If you have answered "Other" to question 11.1.1 above, please provide brief details here:	
11.1.3	In order to receive Education Skills Funding Agency funding from Petroc for the delivery of education and training services, it is a funding requirement that an organization has the required awarding organization (AO) status to deliver the qualifications they are contracted to deliver. Please confirm that you understand that if your status changes and/or you are subject to any AO sanctions in the future you must inform us.	Choose an item.
11.1.4	<p>We will only contract with those organizations that have suitably qualified staff to deliver the services we have procured; this includes compliance to the relevant awarding organization and other authority requirements. Can you confirm that you understand and accept this &amp; provide an organizational chart including professional/commercial affiliations?</p> <p>Please also provide supporting information regarding experience and track record including subcontracting approach past and present.</p>	Choose an item.

Reference	Declarations	Response
12.1.1	I/We certify that the information within this questionnaire is accurate to the best of my knowledge and accept the conditions and undertakings requested in this questionnaire	Choose an item.
12.1.2	I/We understand that Petroc may reject our submission if there is a failure to answer all relevant questions fully or if I/we provide false/misleading information. It is understood that false information may result in exclusion from future exercises, may result in the withdrawal of any existing subcontracting agreement(s), and result in civil or criminal proceedings.	Choose an item.
12.1.3	I/We understand that information cannot be amended or submitted in support of my application after any relevant deadlines. I/We also accept that Petroc may at its sole discretion use information it already holds, obtains from Government Bodies or which is already in the public domain to validate part or all of any answer we have given in this submission.	Choose an item.
12.1.4	I/We understand that any organization that directly or indirectly attempts to influence any member of staff or governor of Petroc may be disqualified from the procurement process and result in civil or criminal proceedings. This also includes the influence of financial or legal advisors concerning the award of a contract to which this PQQ relates, or who engage in a corrupt practice involving a member of staff or governor of Petroc or their advisors.	Choose an item.



12.1.5	I/We also understand that it is a criminal offence, punishable by imprisonment to give or offer any gift or consideration whatsoever as an inducement or reward to any servant of a public body, and that any such action will empower Petroc to cancel any contract currently in force and will result in my/our exclusion from this tendering exercise.	Choose an item.
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Reference	Authorisation of Submission	Response
13.1.1	Please include the name and job title of the person named as authoriser. This must be the Chief Executive, your Principal or the person who is authorised by your organization to sign the declarations on your behalf.	
13.1.2	Due Diligence Questionnaire completed by:  Name; Role in Organization; Date.	

## APPENDIX 1b: Due Diligence Questionnaire



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**Due Diligence Questionnaire 2022/23**

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## DUE DILIGENCE QUESTIONNAIRE FOR \*\*\*

("the Organisation")

For a potential subcontract of the provision of further education to the Organisation (the "proposed transaction"), please supply the following information to Kate Moore in respect of the Organisation. We suggest that you retain photocopies of the documents you send us.

Where the information to be supplied may constitute "personal data" or "sensitive personal data" pursuant to the Data Protection Act 2018, please ensure that, unless appropriate consent has been obtained from the data subject, the data is anonymised prior to its supply.

<b>1</b>	<b>Your Organisation</b>	
1.1	Please confirm your legal constitution:	
1.2	Is your organisation incorporated under the Companies Act in the UK? If so, please confirm the Company Registration Number and name (with Companies House). If registered in another country please confirm the country & registration number.  Please provide your UK Provider Reference Number (UKPRN)	
1.3	Is your organisation a registered charity? If so, please also provide the Registered Charity Number and name.	
1.4	Is your organisation part of a group of companies?	
	If yes, please supply a summary of the Organisation Group Structure (if applicable) showing parent & subsidiaries & any holdings/interests in other companies & businesses	
1.5	Is your organisation a joint-venture company for the purpose of providing training provision?	
	If yes, please detail the names & registration numbers for all relevant organisations in the joint venture. If they are not incorporated through Companies House please provide their legal constitution – please note further details may be required.	
1.6	Please confirm the number of employees/volunteers in your organisation:	
1.7	Please confirm how many years actively trading, and if trading in a different name.	
1.8	Please confirm that the Organisation has the power, capacity & capability to enter into the proposed transaction?	
1.9	Please confirm your registration number with the Information Commissioner's Office (ICO):	
1.10	Are you approved for delivery on the Register of Apprenticeship Training Providers (ROATP)?	

	If yes, please confirm status & start date:	
1.11	Please confirm that there are no matters that could negatively affect the reputation of Petroc if it enters the proposed transaction with the Organisation?	
	If yes, please provide details:	

<b>2.</b>	<b>Your Leaders &amp; Managers</b>				
2.1	Please indicate if, within the past five years you, your organisation or any other person who has powers of representation, decision or control in the organisation been convicted anywhere in the UK of any of the offences:				
	a) Participation in a criminal organisation b) Corruption c) Fraud d) Terrorist offences or offences linked to terrorist activities e) Money laundering or terrorist financing f) Child labour and other form of trafficking human beings g) None of the above				
	If you have confirmed anything please provide further supplementary information to confirm dates, a summary & any outstanding judgements or legal proceedings.				
2.2	Please provide a management hierarchy/chart for the proposed delivery:				
2.3	Please confirm the details of the staff within the following roles relating to the proposed delivery:				
	Principal/CEO	Name		Position	
		Time in role		Who report to?	
		Email		Phone	
	Senior Manager	Name		Position	

		Time in role		Who report to?	
		Email		Phone	
	Operational / Delivery Manager	Name		Position	
		Email		Phone	
	Administration	Name		Position	
		Email		Phone	
	Other Key Staff	Name		Position	
		Email		Phone	
2.4	<b>Conflicts of Interest</b>				
	Please confirm to the best of your knowledge and belief any actual, perceived or potential conflicts between private and/or business interests have been fully disclosed in this form with Petroc:				

<b>3.</b>	<b>Please supply a copy of the relevant policies/procedures relating to the following</b>	
3.1	Health & Safety	
3.2	Data Protection	
3.3	Equality / Equal Opportunities	
3.4	Environmental / Sustainability	
3.5	Safeguarding including Extremism	
3.6	Prevent Duty	
3.7	Quality Assurance & Monitoring	
3.8	Modern Slavery Act 2015 and Slavery & Human Trafficking Statement	
3.9	Fraud Prevention	
3.10	Business Code of Ethics	
3.11	Complaints Procedure	
3.12	Disciplinary & Grievance	

3.13	Business Continuity Plan	
3.14	In the last 5 years has your organisation been prosecuted under the Health & Safety legislation or been served prohibition or improvement notices by an Enforcing Agency such as the Health & Safety Executive?	
	If yes, please provide details	
3.15	Have you had any grievances or complaints made by learners and/or your employees (including volunteers) relating to a discrimination claim on the grounds of gender, race, disability, age, sexual orientation and religion or belief?	
	If yes, please provide details	

<b>4.</b>	<b>Financial Health &amp; Insurances</b>	
4.1	Please supply a copy of the last three years audited accounts in line with the ESFA Financial Health guidance below:  <u><a href="http://www.gov.uk">Financial health guidance for organisations contracting with or applying to ESFA - GOV.UK (www.gov.uk)</a></u>	
4.2	Please supply a copy of the management accounts (or equivalent records) since the end of the last accounting period.	
4.3	Please confirm that the Organisation is solvent:	
4.4	Please provide details of all mortgages, charges or other security documentation affecting the Organisation and copies of any documentation which may affect the transaction.	
4.5	Please confirm the tax status of the Organisation.	
4.6	Details of the financing arrangements of the Organisation including particulars of all overdrafts, loans and other indebtedness and facilities affecting the Organisation (this includes any liabilities which are relevant to the Organisation or the proposed transaction).	
4.7	Details of all relevant grants, subsidies, payments or allowances taken out by or granted to the Organisation in relation to the proposed transaction (this includes any state or public sector funding including the ESFA).	
4.8	Details of all third party rights in relation to the Organisation relevant to the proposed transaction.	
4.9	Please supply a copy of the insurance arrangements for the Organisation relating to the proposed transaction - Employer Liability, Public Liability and Professional Indemnity.	

4.10	Confirmation provided by the subcontracting partner they are defined as high quality and low risk to public funds and confirm do not fall into any of the mandatory or discretionary exclusions (4 & 5 via the link below)?  <a href="https://www.gov.uk/government/publications/esfa-policy-on-funding-higher-risk-organisations-and-subcontractors/funding-higher-risk-organisations-and-subcontractors-policy">https://www.gov.uk/government/publications/esfa-policy-on-funding-higher-risk-organisations-and-subcontractors/funding-higher-risk-organisations-and-subcontractors-policy</a>	
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<b>5.</b>	<b>Property</b>	
5.1	Confirmation that the Organisation owns all its own real property (and that there have been no environmental issues or hazards) which may affect the proposed transaction.	

<b>6.</b>	<b>Intellectual Property</b>	
6.1	Confirmation that the Organisation owns all intellectual property rights of its staff and employees which may affect the proposed transaction.	

<b>7.</b>	<b>Regulatory</b>	
7.1	Copies of all permits, authorities, registrations, licences, approvals and consents (whether granted by public or private authorities or otherwise) held by the Organisation and necessary to carry on both the Organisation or the proposed transaction. Please list relevant items being provided below:	

<b>8.</b>	<b>Litigation</b>	
8.1	Please provide details of any of the following which is current, or which is known to be pending, threatened or possible in relation to the Organisation or the proposed transaction:	
	any litigation or arbitration proceedings (whether as claimant or defendant) (this includes any ongoing grievances, disciplinary cases and existing or potential employment tribunal claims with any of the Organisation's employees)	
	any prosecution	
	any investigation or inquiry by a governmental or official body	

<b>9.</b>	<b>Quality Assurance</b>	
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9.1	Please provide details below of which awarding body & qualifications you plan to use within the proposed transaction:			
	<b>Award Body</b>	<b>Qualification</b>	<b>Learning Aim</b>	<b>Claim Status</b>
9.2	Please provide details below of any awarding body sanctions you have been issued:			
	<b>Award Body</b>	<b>Qualification</b>	<b>Sanction</b>	<b>Timescale</b>
9.3	<b>OFSTED</b>			
	Please enclose the latest copy of your SAR/QIP/quality improvement documents			
	<b>Date of last visit:</b>		<b>Grade awarded:</b>	
9.4	<b>Quality Certificates</b>			
	If you have any other quality accreditation please list and enclose a copy such as Matrix/STEM			

<b>10.</b>	<b>Other Contracts</b>			
10.1	Please provide details below of any other relevant contracts that you currently hold:			
	<b>Contract Party</b>	<b>Contracted Provision</b>	<b>Value</b>	<b>Contract Dates</b>
10.2	Have you had any contract from a public body for education & vocational training products and/or services withdrawn in the last three years?			
	If yes, please provide details			





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<b>12.</b>	<b>Declarations</b>	
12.1	I confirm that the information provided within this questionnaire is accurate to the best of my knowledge.	
12.2	I confirm that the named staff in section 11 are in the direct employment of the organisation & subject to a contract of employment.	
12.3	I confirm that the organisation makes necessary NI contributions & pays income tax on behalf of the named staff in section 11.	
12.4	I understand that any contract entered into on the basis of this information will be terminated and any funds paid would be due back to Petroc should any information supplied be found to be inaccurate.	
12.5	I confirm ESFA funding will not be used to make bids, or claims from any European funding on our own behalf or on behalf of the ESFA or use ESFA funding as matching funding for ESF projects	
12.6	I confirm our safeguarding policies and practices complies with all sections of the most up-to-date "Keeping Children Safe in Education Policy" (currently 2022)	
12.7	I confirm that all our staff at our setting have read the safeguarding policy and fully observe its expectations	
12.8	I confirm that our setting complies with the PREVENT duty and all staff have received training input around their responsibilities	
12.9	I confirm no second level contracting will take place	
12.10	I confirm that I am duly authorised to confirm the information supplied in this questionnaire.	
	Name	
	Position	
	Contact Number	
	Email Address	
	Signature	

Summary of Documents to return:

- ☐ 1.4: Organisation Group Structure if relevant
- ☐ 2.2: Management Hierarchy/Chart
- ☐ 3 : Copies of all relevant policies
- ☐ 4.1: Audited Accounts for last three years
- ☐ 4.2: Latest Management Accounts
- ☐ 4.9: Insurance Policies
- ☐ 7: Copies of any relevant documents (permits/registrations/licences etc)
- ☐ 9.3: Copy of latest SAR/QIP
- ☐ 9.4: Copy of any relevant Quality Accreditations
- ☐ 11: Copies of Staff CVs & Certificates

## Appendix 2: Due Diligence Checklist

Due Diligence Checklist 2022/2023			
<b>Sub-contractor:</b>			
<b>Company Number:</b>			
<b>Charity Number:</b>			
<b>UKPRN:</b>			
<b>Funding Stream:</b>			
<b>Organisation Checks</b>	<b>Status</b>	<b>Links / Actions</b>	<b>Comments</b>
Has the Due Diligence Questionnaire been completed?	FALSE		
Organisation Structure Chart	FALSE	<a href="#">Insert link to file</a>	
Active on Companies House		<a href="#">Insert Screen Print Link</a>	
Company Snapshot Report (Companies House)	FALSE	<a href="#">Insert link to file</a>	
Charity Snapshot Report (Charities Commission)	FALSE	<a href="#">Insert link to file</a>	
Are the statutory accounts overdue?			
Are any listed directors disqualified?		If Yes - refer to Bill Blythe for approval.	
Is there a resolution to wind up the company?			
Are there any matters declared to be considered?		If Yes - refer to Bill Blythe for approval.	
Are they listed on the UKLRP	FALSE	<a href="#">Insert Screen Print Link</a>	
Listed on ROATP	FALSE	<a href="#">Confirm Version dated &amp; save copy</a>	
Listed on ROTO	FALSE	<a href="#">Confirm Version dated &amp; save copy</a>	
Have all Organisational Checks been completed & requirements met?	FALSE	Confirmed by	
<b>Insurance</b>			
Employer Liability Insurance (minimum cover £10 million)	FALSE	<a href="#">Insert link to file</a>	
Public Liability Insurance (minimum cover £10 million)	FALSE	<a href="#">Insert link to file</a>	
Professional Indemnity Insurance (minimum cover £5 million)	FALSE	<a href="#">Insert link to file</a>	
Trustee Indemnity Insurance	FALSE	<a href="#">Insert link to file</a>	
Have all insurance checks been completed & requirements met?	FALSE	Confirmed by	
<b>Policies (where policy not held or not sufficient must sign statement to comply with Patron)</b>			
Equality Act 2010	FALSE	<a href="#">Insert link to file</a>	
Health & Safety	FALSE	<a href="#">Insert link to file</a>	
Data Protection	FALSE	<a href="#">Insert link to file</a>	
ISO Registered	FALSE	<a href="#">Insert screen print</a>	
Environmental/Sustainability	FALSE	<a href="#">Insert link to file</a>	
Safeguarding	FALSE	<a href="#">Insert link to file</a>	
Prevent	FALSE	<a href="#">Insert link to file</a>	
Quality Assurance and Monitoring	FALSE	<a href="#">Insert link to file</a>	
Modern Slavery Act 2015 (Slavery & Human Trafficking St)	FALSE	<a href="#">Insert link to file</a>	
Fraud Prevention	FALSE	<a href="#">Insert link to file</a>	
Business Code of Ethics	FALSE	<a href="#">Insert link to file</a>	
Disciplinary & Grievance	FALSE	<a href="#">Insert link to file</a>	
Complaints Procedure	FALSE	<a href="#">Insert link to file</a>	
Have all policies been checked & requirements met?	FALSE	Confirmed by	
<b>Financial</b>			
Full Audited Accounts	FALSE	<a href="#">Insert link to file</a>	
Financial Health Rating / Credit Rating		<a href="#">Insert link to report</a>	
Latest Copy of Management Accounts	FALSE	<a href="#">Insert link to file</a>	
Has the organisation met all Financial Health requirements?	FALSE	Confirmed by	
<b>Quality</b>			
Quality Assurance Policy / Procedures	FALSE	<a href="#">Insert link to file</a>	
Have they received an Ofsted Grade?		<a href="#">link to report</a>	confirm grade
Are they Matrix Accredited?		<a href="#">Insert link to file</a>	
Is there a Track Record for their delivery?		<a href="#">Link to file / add comments</a>	
Do they have any Award Body Sanctions?		<a href="#">Link to file / add comments</a>	
Staffing Declaration provided	FALSE	<a href="#">Insert link to file</a>	
Copy of Staff CVs provided	FALSE	<a href="#">Insert link to file</a>	
Have all quality requirements been checked & met?	FALSE	Confirmed by	
Has all due diligence been completed & approved?	FALSE		
Is the Organisation approved to act as a sub-contractor?			
Confirmed by:			
Date:			

## APPENDIX 3 – Observation forms



Learning Observation Report 2022-23 subcontracting

Date/ Time:	Course Code/level: Entry / pre-entry	Observer:
Department/Faculty:		
Observation type <u>e.g.</u> unseen, video...: In-person		
Observer:	Moderator:	No of students present (with lanyard):
Key: Learner's knowledge/skill development (K) Learner's challenge/teach to the top and scaffold (C) Learner's attitudes to learning ( <u>A</u> )		
Description of session:  <i>55.2 Involve direct observation of initial guidance, assessment and delivery of learning <del>programmes</del> training and/or direct observation of assessment.</i>  Observe team giving initial guidance to their learners on the suitability of the course and their eligibility for this:  Scheme of work? Lesson Plans?  Are there assessors in place - who are the teams assessing? Are they moderating <u>each others</u> marking with feedback?  Can we check assessing qualifications? Working toward.		
Key strengths observed, which relate to teacher's pedagogical practice (to be reviewed during the annual appraisal process):		
Suggested pedagogical development/CPD to attend (to be reviewed within 8 weeks and at annual appraisal).		

Date/ Time:	Course Code/level:	Observee:
Department/Faculty:		
Observation type <u>e.g.</u> face to face, digital, video...:		
Observer:		No of students present (with lanyard):
Reflections and review - (review of progress since last coaching conversation/observation)		
Focus area for improvement - what area of my practice would I like to develop and receive feedback on:		
Reflection/Feedback ( <i>Educator writes</i> ):		
Key strengths, which relate to teacher's area of focus with impact on learning (to be reviewed during the annual appraisal process):		
Suggested pedagogical development with impact on learning/actions to be taken/CPD to attend (to be reviewed at agreed intervals and at annual appraisal).		

## Appendix 4 Performance Review Framework



### **The subcontracting framework for Performance Management**

#### 1. Introduction

#### 2. Performance Management:

2.1 Lesson Observations (initial guidance, assessment and delivery of learning programmes, training/and or direct observation of assessment)

#### 2.2 Lesson planning

#### 2.3 Awarding bodies standardisation

#### 2.4 Recording files/folders for quality assurance

#### 3. Quality contacts

[Quality@petroc.ac.uk](mailto:Quality@petroc.ac.uk) -



## **1. Introduction**

As Petroc is the lead provider with direct contractual and compliance obligations with ESFA, we have provided an overview of our expectations and performance management to ensure we identify internal and external processes to meet Petroc and external quality standards. This will require documentation to support the performance management throughout the delivery of the qualifications.

Please refer to subcontracting standard ("the standard")

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1007581/subcontracting\\_standard\\_guidance.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1007581/subcontracting_standard_guidance.pdf)

## **2. Performance Management/Contract Management Plan**

### **2.1 Lesson Observations**

As per our internal policy Learning and Teaching Observation/Coaching Policy under the Quality directive, lesson observations will be carried out to observe teaching and assessment.

Please refer to our internal policy for further information regarding support and development of pedagogical practice.

Scheduling of observations will be carried throughout the academic year. Two observations will be carried out for subcontractors, one announced and one unannounced. Petroc will require a list of the full timetables for all teaching staff to enable the scheduling to take place. Please note that support meetings will take place in addition to the observations if and when required. Any meetings held will be minuted and shared with the subcontractor providing actions if required and monitored internally to evaluate if further training for staff is required.

Lesson observations may be conducted by the Faculty Manager or another senior member of staff from within the same industry/subject area, and/or the Head of Quality and Performance.

The following criteria will be recorded on the subcontractors learning observation report form which will be shared with the staff member being observed. This provides constructive and supportive feedback with an action plan for improvement or actions for further training/CPD if required.

The observation criteria to include evidence to be observed and recorded:

- Observation of initial guidance to learners
- Assessment and delivery of learning programmes in process
- Observation of learning (announced)
- Observation of learning (unannounced observation)
- Observation of scheme of works and lesson plans
- Interviews with staff including feedback and training requirements if applicable to support their delivery and development of the courses
- Interviews with learners which will provide feedback on their experience of the course delivery to support any further action required for improvements

## **2.2 Lesson planning**

Quality requirements for ensuring delivery of the qualification to include the following evidence at the beginning of the academic year:

- Scheme of work and lesson plans
- Qualifications of assessors delivering the courses to meet the quality standards internally and externally
- Register of all students including their updated profile for disadvantaged students where adaptations may be appropriate

## **2.3 Awarding bodies**

Where subcontractors are delivering qualifications with an award board, Petroc will be responsible for registering the students. All students should be enrolled on our Petroc systems with identification. Once students have been confirmed the exams department is responsible for updating the external award board with the registrations for the correct academic year.

- All new qualifications will need to be approved via our business development board to support the rationale for delivery (this should be submitted/discussed with the relevant Petroc Faculty Manager/Director for the area/industry required)
- Subcontractor to provide the registers to the exam board at the beginning of the academic year
- The quality department will provide information to the relevant internal departments of Petroc regarding course specification/links to the external bodies quality assurance
- Petroc will require a list of all staff in relation to their role in delivery of the qualification before the start of the academic year. Staff will need to be qualified and comply with internal and external quality assurance. An internal lead IV will need to be identified along with the assessing team.
- Petroc will be the contact for all external award boards for the qualifications being delivered. Communication will be provided from [quality@petroc.ac.uk](mailto:quality@petroc.ac.uk)
- External verification will be supported by the quality team regarding reviews/reports/actions. Quality will work with the relevant departments/subcontractors to provide support and follow up on any actions.
- Additional coaching is available to all subcontractors to support the assessment process. If required, an action plan will be provided with clear outcomes of expectations and deadlines.
- Standardisation meetings will take place with the lead internal verifier and assessors and minutes provided with actions

## **2.4 Recording files/folders for quality assurance**

Continuous monitoring will take place throughout the academic year. A central filing system is in place to record and evaluate the quality of delivery. Quality review meetings are held internally each term and will

capture the action points from minutes of meetings and the external exam boards. Any actions required will be shared with the subcontractors including the external exam report. Our central system for quality assurance includes:

- Records of learners
- All correspondence internal/external
- Links to the relevant award boards covering quality assurance/specifications/forms
- Minutes of meetings internally and externally
- Standardisation meeting minutes
- Risk assessment/recommendations
- Action plans internal/external
- Organisational charts for verification purposes
- Improvement action plans
- Documented review meetings

## Appendix 5 Contingency Plan



### **Subcontractor Contingency Plan – 2022/2023**

In the event that Petroc needs to withdraw from the subcontract arrangement, the subcontractor withdraws from the arrangement, or the subcontractor goes into liquidation or administration, the steps that Petroc will undertake to ensure provision is made to preserve the continuity of the provision & learners involved are able to complete their qualifications the contingency plan below outlines how we will seek to continue the provision - in order of priority:

1. To seek to deliver the provision directly
2. To seek to deliver the provision through an existing subcontracting arrangement
3. To seek to deliver the provision through a new subcontracting arrangement
4. To seek an alternative provider to transfer the provision to

The steps to outline the & manage the implementation of the contingency plan are as follows:

Action	Responsibility
Review Specific Learner Progress	Director of Curriculum
Identify the necessary staff to form a Contingency Implementation Group (CIG)	Subcontractor Management Group (SMG)

Consider the contingencies outlined above & identify appropriate route	Contingency Implementation Group
Develop suitable action plan with clear timescales for contingency implementation	Contingency Implementation Group
Inform & communicate with learners &/ employers	Contingency Implementation Group
Inform Funding Agency of the change to the subcontracting arrangement	Principal/CEO

The Subcontractor Management Group and Contingency Implementation Group \*\*:

- Vice Principal, Finance, Resources & External Affairs
- Head of Registry & Funding
- Head of Quality Improvement & Assurance
- Head of Finance
- Apprenticeship Admin Manager
- Head of Business Development
- Quality Coordinator - Assurance

\*\* Deputy Principal Education and Learners, Principal, Director, Faculty Manager and Curriculum lead – would join where required.

## Appendix 6 ESFA Guidance on Sub-Contracting

1.1 The College is obliged to provide the Services to the ESFA in accordance with the Funding Requirements. The Subcontractor shall therefore deliver the Services to the College as the College's Subcontractor and in accordance with the latest versions of the Funding Requirements:

1.1.1 The ESFA's:

- (a) Subcontracting rules (2022-23)16-19, Adult Education Funding  
<https://www.gov.uk/government/publications/subcontractingfunding-rules-for-esfa-funded-post-16-funding-excludingapprenticeships/subcontracting-funding-rules-for-esfa-fundedpost-16-funding-excluding-apprenticeships>
- (b) Apprenticeship funding and performance-management rules for training providers Aug 2022 – July 2023

[Microsoft Word - 2223 Provider Rules Version 2 Final Updated030423 \(publishing.service.gov.uk\)](#)

- (c) Adult Education Budget: Funding and Performance management rules, For the 2022-2023 funding year

[Adult education budget \(AEB\) funding rules 2022 to 2023 - GOV.UK \(www.gov.uk\)](#)

- (d) ESFA Subcontracting controls;

[Assurance reviews of the subcontracting standard for post-16 providers.pdf \(publishing.service.gov.uk\)](#)

[ESFA financial health assessment - GOV.UK \(www.gov.uk\)](#)

[Subcontracting ESFA post-16 education and training for the first time - GOV.UK \(www.gov.uk\)](#)

[Funding higher risk organisations and subcontractors policy - GOV.UK \(www.gov.uk\)](#)

## Appendix 7 Enrolment form/Learning Agreement

### College Enrolment form 2022/23

# PETROC

## ENROLMENT FORM AND LEARNING AGREEMENT

**2022/23**

**HOW TO FILL IN THIS FORM**  
Please fill in the form correctly - failure to do so will delay your enrolment.  
Complete the form clearly using **block capital letters**.  
Do not use a pencil or correcting fluid; only use blue or black ink.  
Ensure that you sign the enrolment form.  
Complete sections A - L. Do not complete sections with a grey background as they are for college/partner use only.

### SECTION A - PERSONAL DETAILS

Please note these names must be your legally known names as they will appear on all exam certificates

SURNAME	
FIRST NAME(S)	
TITLE Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Dr <input type="checkbox"/> Rev <input type="checkbox"/> Mx <input type="checkbox"/> Other (Please state)	SEX Male <input type="checkbox"/> Female <input type="checkbox"/>
GENDER IDENTITY Male <input type="checkbox"/> Female <input type="checkbox"/> Non-binary <input type="checkbox"/> Gender fluid <input type="checkbox"/> Agender <input type="checkbox"/> Prefer not to say <input type="checkbox"/> Other (Please state)	
PREVIOUS SURNAME	<input type="checkbox"/> MARK BOX IF YOU ARE A MEMBER OF COLLEGE STAFF
DATE OF BIRTH DD/MM/YYYY	AGE AT 31 AUGUST 2022
NI NUMBER	
ADDRESS LINE 1	
ADDRESS LINE 2	
TOWN	
COUNTY	
CURRENT POSTCODE	TIME AT CURRENT ADDRESS (Years/Months)
MOBILE	TELEPHONE (include code)
EMAIL	
UNIQUE LEARNER NUMBER (if known)	

### SECTION B - ELIGIBILITY

Mark box if you are enrolled at any other educational institution (i.e. college/training provider) ☐ (If yes, please complete Enrolled at Another Institution Form)

HAVE YOU BEEN PERMANENTLY LEGALLY RESIDENT IN THE UK FOR THE WHOLE OF THE LAST 3 YEARS Yes <input type="checkbox"/> No <input type="checkbox"/> IF NO	DATE OF ARRIVAL IN THE UK DD/MM/YYYY
IF YES PLEASE STATE USUAL COUNTRY OF RESIDENCE England <input type="checkbox"/> Wales <input type="checkbox"/> Scotland <input type="checkbox"/> Northern Ireland <input type="checkbox"/> Other (please state)	PREVIOUS COUNTRY OF RESIDENCE
Are you originally from outside the UK Yes <input type="checkbox"/> No <input type="checkbox"/> Go to Section C	
IF YES Please provide previous country of residence:	
Has your main reason for residence in the UK for any part of the last 3 years been for attendance at a fee-paying or non-maintained school? Yes <input type="checkbox"/> No <input type="checkbox"/>	
Have you been resident in the UK on a student visa for any part of the last 3 years? Yes <input type="checkbox"/> No <input type="checkbox"/>	
Please describe the type of evidence you hold to reside in the UK. You will be required to complete an assessment form which will determine your eligibility to enrol and fee status.	
Please provide this evidence at enrolment	You will be required to complete an assessment form which will determine your eligibility to enrol and fee status

### COLLEGE/PARTNER USE ONLY

LEARNER REFERENCE NUMBER	CL <input type="checkbox"/>
SUB-CONTRACTING PARTNER	Apps/WPL <input type="checkbox"/>
ENTERED BY	Projects <input type="checkbox"/>
SCANNED <input type="checkbox"/>	Other <input type="checkbox"/>
Levy <input type="checkbox"/>	
Non Levy <input type="checkbox"/>	

FUNDING TEAM STAMP ONLY

ACTIONED BY

PREPRINT NO

www.petroc.ac.uk



SECTION C - EMERGENCY CONTACT DETAILS Someone other than yourself who we could contact in an emergency

SURNAME		FIRST NAME	
TITLE Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Mx <input type="checkbox"/> Other <input type="checkbox"/>		TELEPHONE <small>(include code)</small>	
RELATIONSHIP TO YOU Parent <input type="checkbox"/> Guardian <input type="checkbox"/> Partner/Spouse <input type="checkbox"/> Other <small>(Please State)</small>			

SECTION D - LEARNING DIFFICULTIES, DISABILITIES OR HEALTH PROBLEMS

If you do not consider yourself to have a disability, learning difficulty or other need, leave this section blank. If you prefer not to provide this information, please tick here: ☐

<input type="checkbox"/> Allergies that have serious side effects	<input type="checkbox"/> Hearing Impairment/Deaf	OTHER DISABILITY/NEEDS <small>(Please state)</small>	Moderate <input type="checkbox"/> Severe <input type="checkbox"/> Learning Difficulty <input type="checkbox"/> Maths <input type="checkbox"/> Reading <input type="checkbox"/> Writing <input type="checkbox"/>  OTHER SPECIFIC LEARNING DIFFICULTY <small>(Please state)</small>
<input type="checkbox"/> Asperger's Syndrome	<input type="checkbox"/> Mental Health Difficulty		
<input type="checkbox"/> Asthma	<input type="checkbox"/> Other Physical Disability		
<input type="checkbox"/> Autism Spectrum Disorder	<input type="checkbox"/> Profound Complex Disabilities		
<input type="checkbox"/> Diabetes	<input type="checkbox"/> Social and Emotional Difficulties		
<input type="checkbox"/> Disability Affecting Mobility	<input type="checkbox"/> Speech, Language and Communication Needs		
<input type="checkbox"/> Dyscalculia	<input type="checkbox"/> Temporary Disability		
<input type="checkbox"/> Dyslexia	<input type="checkbox"/> Other (Injury or accident)		
<input type="checkbox"/> Epilepsy	<input type="checkbox"/> Vision Impairment		
	<input type="checkbox"/> Not corrected by glasses or contact lenses		

If you have indicated more than one learning difficulty, disability or other need, please state which of the above you feel is your primary need:

SECTION E - ETHNICITY

HOW WOULD YOU DESCRIBE YOUR ETHNIC ORIGIN		
WHITE	ASIAN/ASIAN BRITISH	OTHER ETHNIC GROUP
<input type="checkbox"/> English/Welsh/Scottish/Northern Irish/British	<input type="checkbox"/> Indian	<input type="checkbox"/> Arab
<input type="checkbox"/> Irish	<input type="checkbox"/> Pakistani	<input type="checkbox"/> Any Other Ethnic Group
<input type="checkbox"/> Gypsy or Irish Traveller	<input type="checkbox"/> Bangladeshi	
<input type="checkbox"/> Any Other White Background	<input type="checkbox"/> Chinese	
MIXED/MULTIPLE ETHNIC GROUP	<input type="checkbox"/> Any Other Asian Background	
<input type="checkbox"/> White and Black Caribbean	BLACK/AFRICAN/CARIBBEAN/BLACK BRITISH	
<input type="checkbox"/> White and Black African	<input type="checkbox"/> African	
<input type="checkbox"/> White and Asian	<input type="checkbox"/> Caribbean	
<input type="checkbox"/> Any Other Mixed/Multiple Ethnic Background	<input type="checkbox"/> Any Other Black/African/Caribbean Background	

SECTION F - PRIOR ATTAINMENT LEVEL

MARK THE BOX WHICH RELATES TO THE HIGHEST LEVEL OF QUALIFICATION YOU HAVE REACHED PRIOR TO STARTING THIS COURSE	PLR checked <input type="checkbox"/>
No Qualifications <input type="checkbox"/> No Qualifications	
Entry Level <input type="checkbox"/> e.g. Basic/Foundation Level, QCF Entry Level Award/Certificate, Functional Skills or RQF Entry Level Qualifications	
Level 1 <input type="checkbox"/> e.g. GCSE/O Level grades D-G or 3-1 or fewer than 5 grades A*-C or 9-4, 1 A5 Level (regulated before 1 September 2015), CSE grades 2 and 3, GNVQ Foundation, QCF Level 1 Award/Certificate/Diploma, NVQ Level 1, Functional Skills, Introductory Certificate/Diploma or RQF Level 1 Qualifications	
Level 2 <input type="checkbox"/> Vocational and technical qualifications at Level 2 not on the Level 2 and Level 3 legal entitlement list, Functional Skills or ESOL (Skills for Life)	
Full Level 2 <input type="checkbox"/> e.g. 5 or more GCSE/O Levels at grades A*-C or 9-4, 1 A Level, 3/3 A5 Levels (regulated before 1 September 2015), 5 or more CSE grade 1s, GNVQ Intermediate, QCF Diploma Level 2, QCF Certificate Level 2 at 13 or 14 credits undertaken before 2014/15, QCF Certificate Level 2 at 15 credits and above, NVQ Level 2 or from 01 August 2015 vocational qualifications of 150 gh or more that are on the Level 2 and Level 3 legal entitlement list	
Level 3 <input type="checkbox"/> e.g. Vocational and technical qualifications at Level 3 not on the Level 2 and Level 3 legal entitlement list, Technical qualifications (part of T Levels), components of international baccalaureate or pre-U qualifications	
Full Level 3 <input type="checkbox"/> e.g. 4 or more A5 Levels (regulated before 1 September 2015), 2 or more A Levels, BTEC Diploma, BTEC Extended Diploma, QAA Access to Higher Education, QCF Diploma Level 3, QCF Certificate at Level 3 which is 30-36 credits, NVQ Level 3 or from 01 August 2015 vocational qualifications of 300 gh or more	
Level 4 <input type="checkbox"/> e.g. Higher National Certificate (HNC), Certificates of Higher Education, QCF Level 4 Award/Certificate/Diploma, NVQ Level 4 or RQF Level 4 Qualifications	
Level 5 <input type="checkbox"/> e.g. Foundation Degree, Higher National Diploma (HND), QCF Level 5 Award/Certificate/Diploma or RQF Level 5 Qualifications	
Level 6 <input type="checkbox"/> e.g. Bachelors Degree, Professional Graduate Certificate in Education (PGCE), QCF Level 6 Award/Certificate/Diploma or RQF Level 6 Qualifications	
Level 7 and above <input type="checkbox"/> e.g. Doctorate, Masters Degree, Post Graduates, QCF Level 7+ Award/Certificate/Diploma, Specialist Award or RQF Level 7+ Qualifications	
Other Qualifications <input type="checkbox"/> Level Not Known	

STATE YOUR ACTUAL HIGHEST GRADES

Mandatory for EPA funded learners aged 16-24  
If applicable, disclose equivalent GCSE qualifications in Maths & English using the space provided. Provide the name of the qualification, for example 'Certificate in English':

GCSE English Language/Literature	Grade	Achieved in Year 11? <input type="checkbox"/> Yes <input type="checkbox"/> No	GCSE Maths	Grade	Achieved in Year 11? <input type="checkbox"/> Yes <input type="checkbox"/> No
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SECTION G - HOUSEHOLD SITUATION

MARK WHICH OF THE FOLLOWING STATEMENTS APPLY (ONE OR MORE MAY APPLY)	<input type="checkbox"/> I wish to withhold this information
<input type="checkbox"/> No household member is in employment and the household includes one or more dependent children (those aged 0-17 years old or 18-24 year olds if in full time education or are economically inactive)	
<input type="checkbox"/> No household member is in employment and the household does not include any dependent children	
<input type="checkbox"/> Learner lives in a single adult household (individual aged 18 or above) with dependent children (those aged 0-17 years old or 18-24 year olds if in full time education or are economically inactive)	
<input type="checkbox"/> None of these statements apply	

COURSE INFORMATION/LEARNING GOALS				COLLEGE/PARTNER USE ONLY	
TITLE				DELIVERY POSTCODE	
PROGRAMME CODE		<input type="checkbox"/> RETAKE <input type="checkbox"/> RESTART		TOTAL GLH	TUITION FEE *
QUALIFICATION CODE		Off the Job Hours		ANNUAL GLH	EXAM FEES *
START DATE	END DATE	EPA ORG ID	PROJECTS	<input type="checkbox"/> Include <input type="checkbox"/> Exclude	SUPPLEMENT/ASSESSMENT FEE *
TITLE				DELIVERY POSTCODE	
PROGRAMME CODE		<input type="checkbox"/> RETAKE <input type="checkbox"/> RESTART		TOTAL GLH	TUITION FEES *
QUALIFICATION CODE		Off the Job Hours		ANNUAL GLH	EXAM FEES *
START DATE	END DATE	EPA ORG ID	PROJECTS	<input type="checkbox"/> Include <input type="checkbox"/> Exclude	SUPPLEMENT/ASSESSMENT FEE *
<b>FEES PAYMENT</b>				<input type="checkbox"/> Extra courses have been entered on an Enrolment Continuation Form	
WHO IS PAYING THE FEES				SUB TOTAL *	
<input type="checkbox"/> LEARNER/SOURCE OTHER THAN EMPLOYER <input type="checkbox"/> EMPLOYER <input type="checkbox"/> ADVANCED LEARNER LOAN				MINUS REMISSION *	
				TOTAL TO PAY *	
<b>ADVANCED LEARNER LOAN</b>				CRN	
				LOAN AMOUNT *	
<b>RECEIPTS</b>					
RECEIPT NUMBER		<input type="checkbox"/> CASH <input type="checkbox"/> CARD	<input type="checkbox"/> CHEQUE <input type="checkbox"/> BACS	INITIALS	DATE
RECEIPT NUMBER		<input type="checkbox"/> CASH <input type="checkbox"/> CARD	<input type="checkbox"/> CHEQUE <input type="checkbox"/> BACS	INITIALS	DATE
RECEIPT NUMBER		<input type="checkbox"/> CASH <input type="checkbox"/> CARD	<input type="checkbox"/> CHEQUE <input type="checkbox"/> BACS	INITIALS	DATE
<b>INVOICES</b>					
INSTALMENT/AGREEMENT REF		<input type="checkbox"/> LEARNER <input type="checkbox"/> EMPLOYER <input type="checkbox"/> OTHER		INITIALS	DATE
INVOICE REF				INITIALS	DATE
<b>OTHER</b>					
LSF VOUCHER REF				INITIALS	DATE
JOURNAL REF				INITIALS	DATE
<b>CREDITS</b>					
CREDIT/REFUND REF		TYPE	INITIALS	DATE	AMOUNT *
CREDIT/REFUND REF		TYPE	INITIALS	DATE	AMOUNT *
OTHER REF		TYPE	INITIALS	DATE	AMOUNT *
<b>NOTES</b>					
<div></div> <div><input type="checkbox"/> Payment Method Complete</div>					
<b>REMISSION DETAILS</b> (For completion if claiming a remission) <small>subject to change due to changes in Government policy</small>					
<div><div><div><input type="checkbox"/> 16-18 (includes 19+ continuing learners) <input type="checkbox"/> 19-24 HNS (S+CP) <input type="checkbox"/> JSA <input type="checkbox"/> ESA <input type="checkbox"/> Universal Credit (take-home pay is less than £484 a month (£507 from 1 April 2022) (individual claim) or £762 a month (£388 from 1 April 2025) (joint claim) <input type="checkbox"/> AFUL Wider Benefit Offer (includes 'other' state benefits. Take-home pay is less than £484 a month (£507 from 1 April 2022) (individual claim) or £762 a month (£388 from 1 April 2025) (joint claim) <input type="checkbox"/> 16-18 (includes 19+ continuing learners)</div><div><input type="checkbox"/> Traineeship 16-18 <input type="checkbox"/> Traineeship 19-24 <input type="checkbox"/> Maths (Grade <input type="text"/>) <input type="checkbox"/> English (Grade <input type="text"/>) <input type="checkbox"/> Entry/Level 1 Entitlement 19-23 (post flexibility) <input type="checkbox"/> First Full Level 2 19-23 <input type="checkbox"/> First Full Level 3 19-23 <input type="checkbox"/> Offenders (RoFL)</div><div><input type="checkbox"/> Essential Digital Skills <input type="checkbox"/> Level 3 Free Courses for Jobs Offer 19-23 <input type="checkbox"/> Level 3 Free Courses for Jobs Offer 24+ <input type="checkbox"/> Low Wage Flexibility (earning less than £16,525 annual gross salary) Evidence seen: <div></div></div></div></div>					
FEE MANAGEMENT STATEMENT NUMBER/CODE		AUTHORISED SIGNATURE		PRINT NAME	
FEE MANAGEMENT STATEMENT NUMBER/CODE		AUTHORISED SIGNATURE		PRINT NAME	

## SECTION H - STATUS PRIOR TO ENROLMENT

<b>EMPLOYMENT/EDUCATION STATUS</b> In Paid Employment: <input type="checkbox"/> 0-10 hours per week <input type="checkbox"/> 11-15 hours per week <input type="checkbox"/> 16-20 hours per week <input type="checkbox"/> 21-30 hours per week <input type="checkbox"/> 31 or more hours per week <input type="checkbox"/> Full Time Education or Training Length of Employment: Apprentices Only <input type="checkbox"/> Up to 3 months <input type="checkbox"/> 4-6 months	<b>*Also complete Section I</b> Self-Employment: <input type="checkbox"/> 0-10 hours per week <input type="checkbox"/> 11-15 hours per week <input type="checkbox"/> 16-20 hours per week <input type="checkbox"/> 21-30 hours per week <input type="checkbox"/> 31 or more hours per week <input type="checkbox"/> Volunteer ESF Only <input type="checkbox"/> 7-12 months <input type="checkbox"/> More than 12 months	<b>NOT IN WORK/RETIRED STATUS</b> <input type="checkbox"/> Not in paid employment, looking for work and available to start work <input type="checkbox"/> Not in paid employment, not looking for work and/or not available to start work <input type="checkbox"/> Improving skills to go back into work <input type="checkbox"/> Made Redundant <input type="checkbox"/> Retired (not looking for work) AFUL not available <b>LENGTH OF TIME NOT IN WORK/RETIRED</b> <input type="checkbox"/> Less than 6 months <input type="checkbox"/> 6-11 months <input type="checkbox"/> 12-23 months <input type="checkbox"/> 24-35 months <input type="checkbox"/> 36 months or more
<b>BENEFIT STATUS</b> In receipt of: <input type="checkbox"/> ESA <input type="checkbox"/> JSA <input type="checkbox"/> Universal Credit <input type="checkbox"/> Take-home pay is less than £345 a month (individual claim) or £352 a month (joint claim)		

## SECTION I - IF EMPLOYED OR SELF-EMPLOYED

<b>ORGANISATION/COMPANY NAME AND ADDRESS</b> <input type="checkbox"/> Address same as front page	<b>TYPE AND SIZE OF EMPLOYER</b> <input type="checkbox"/> Micro SME (0-9 employees) <input type="checkbox"/> Small SME (10-49 employees) <input type="checkbox"/> Medium SME (50-249 employees) <input type="checkbox"/> Large Organisation (250-999 employees) <input type="checkbox"/> Large Organisation (1000+ employees)
<b>POSTCODE</b> EDRS	<b>EMPLOYER RELATED STUDIES</b> <input type="checkbox"/> In work <input type="checkbox"/> In own time

## SECTION J - FEEDBACK

HOW DID YOU HEAR ABOUT THE COURSE(S) YOU ARE ENROLLING ON

## SECTION K - PROTECTION OF CHILDREN AND ADULTS AT RISK

Petroc has a responsibility to safeguard its learners and staff. If you have any criminal convictions, cautions, warnings or community resolutions for an offence of a sexual, violent or drug-dealing nature please contact the Safeguarding team on (0271) 852370 to discuss in confidence. Failure to disclose any relevant information may jeopardise your college place. Information requested is solely for the purpose of inclusion and support and not for excluding potential learners. Our aim is to provide a safe, enjoyable learning environment for all.

## SECTION L - DECLARATIONS, SIGNATURES AND DATA PROTECTION

**If claiming a benefit remission**  
I declare that I am in receipt of the benefit indicated overleaf if claiming Universal Credit or a benefit included as part of the additional flexibilities for the unemployed wider benefit offer I confirm that my take-home pay (including Universal Credit payments and other benefits) is less than £424 a month (£517 from 1 April 2023) (sole adult benefit claim) or £782 a month (£988 from 1 April 2023) (joint benefits claim with partner). If part of the additional flexibilities for the unemployed wider benefit offer I believe that skills training will help me enter employment or progress into more sustainable employment and the course is directly relevant to my employment prospects and the needs of the local labour market.

**If claiming an English/Maths remission**  
I declare that I do not already have a grade A\*-C or 9-4 in the relevant subject.

**If claiming an Entry/Level 1 entitlement remission**  
I declare that I do not already have a full Level 2 or above qualification and need this as an additional step in order to progress to a full Level 2.

**If claiming a first full Level 2 entitlement remission**  
I declare that I do not already have a full Level 2 or above qualification. I confirm that I intend to continue my learning programme to achieve a full Level 2 qualification.

**If claiming a first full Level 3 entitlement or Level 3 free courses for jobs offer 10-23/24+ remission**  
I declare that I do not already have a full Level 3 or above qualification. I confirm that I intend to continue my learning programme to achieve a full Level 3 qualification.

**If claiming a low wage flexibility remission**  
I declare that I am employed/self-employed and earn less than £18,505 annual gross salary.

**If claiming an essential digital skills remission**  
I declare that my digital skills have been assessed at below Level 1.

**Employer's Agreement to Pay**  
I accept and understand that if my employer fails to complete the Agreement To Pay form, or to produce payment for my training within 4 weeks of my activity starting, I will be liable for the cost. Should my employer fail to make payment in full, I accept liability for any outstanding fees.

**Advanced Learner Loan**  
I accept and understand that if I withdraw after the initial liability point, which is two weeks after learning has started, my loan will be withdrawn and Petroc will claim loan payments up to that date. Petroc will charge me the remaining total course fee not covered by the Advanced Learner Loan.

### How We Use Your Personal Information

This privacy notice is issued by the Education and Skills Funding Agency (ESFA) on behalf of the Secretary of State for the Department of Education (DfE) to inform learners about the Individualised Learner Record (ILR) and how their personal information is used in the ILR. Your personal information is used by the DfE to exercise our functions under article 6(7)(e) of the UK GDPR and to meet our statutory responsibilities, including under the Apprenticeships, Skills, Children and Learning Act 2009.

The ILR collects data about learners and learning undertaken. Publicly funded colleges, training organisations, local authorities, and employers (if providers) must collect and return the data to the ESFA each year under the terms of a funding agreement, contract or grant agreement. It helps ensure that public money distributed through the ESFA is being spent in line with government targets. It is also used for education, training, employment, and well-being purposes, including research. We retain ILR learner data for 3 years for operational purposes and 66 years for research purposes. For more information about the ILR and the data collected, please see the ILR specification at [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/670000/individualised-learner-record.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/670000/individualised-learner-record.pdf).

ILR data is shared with third parties where it complies with DfE data sharing procedures and where the law allows it. The DfE and the English European Social Fund (ESF) Managing Authority (or agents acting on their behalf) may contact learners to carry out research and evaluation to inform the effectiveness of training.

For more information about how your personal data is used and your individual rights, or, if you would like to get in touch with the DfE please refer to:

• <https://www.petroc.ac.uk/college-information/about-the-college/policies/privacy-notice>

The information you supply is used by the Learning Records Service (LRS). The LRS issues Unique Learner Numbers (ULN) and creates Personal Learning records across England, Wales and Northern Ireland, and is operated by the Education and Skills Funding Agency, an executive agency of the Department for Education (DfE). For more information about how your information is processed, and to access your Personal Learning Record, please refer to:

• [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/670000/individualised-learner-record.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/670000/individualised-learner-record.pdf)

I confirm I have received appropriate pre-entry advice and guidance. As a result of this I understand the implications of choosing the programme of study, the entry requirements, my suitability for the programme, details of financial or other support, including additional support with learning or disabilities to help me be successful, and know what I will gain as an outcome.

I have had clear and full information on the cost of the programme and I understand that fees are only refundable under specific circumstances. I agree to pay fees as appropriate and I accept liability for any unpaid fees relating to my studies. I understand that I am liable for full course fees regardless of any subsequent withdrawal, where my attendance has been for more than 2 weeks (more than 14 days). More details are available via <https://www.petroc.ac.uk/support-help/guide-to-apprenticeship>. I understand course fees are payable on enrolment and my place is not guaranteed until payment has been received, an instalment plan set up, a completed employer's agreement received, a loan confirmed or fee remission evidence has been provided. However, in the event of non-payment of fees when they are due I understand the debt will be pursued. Please note that any unpaid fees may be passed to a Debt Recovery Agency and any additional costs incurred will be added to the debt.

I understand that if I have declared false information, which may be checked formally, the college/partner may take action against me to reclaim the tuition fee(s) and any other associated costs and I may not be allowed to continue my course(s). Please note returning learners who have an outstanding debt from a previous academic year must settle the debt in full prior to re-enrolment.

### College Permissions

Petroc feels it is important to maintain strong links with local schools and if you are a young learner we would like to share details of your achievements, including destinations, progression and results, with your previous school.

☐ Mark box to opt in to sharing this data with your previous local school



This activity may have been directly or indirectly  
paid for by the European Union through the  
European Social Fund - helping develop employment by  
promoting employability, business spirit and equal  
opportunities, and investing in human resources.

I confirm that the data on this form is correct and I agree to the conditions stated on this form and Learning Agreement. Please make sure you read the Learning Agreement before signing this form.	
<b>LEARNER SIGNATURE</b>	<b>SIGNED ON BEHALF OF THE COLLEGE/PARTNER</b>
<b>ENROLMENT DATE</b>	<b>STAFF NAME</b> CAPITALS



## LEARNING AGREEMENT 2022/2023

# PETROC™

The Learning Agreement is a contract between you, Petroc and Wings South West. It lets you know what you can expect from us and what we expect from you. When the Enrolment Form is signed the Learning Agreement is accepted by all parties.

Before signing your Enrolment Form please read through this information

**IT IS IMPORTANT THAT YOU ARE SATISFIED YOU HAVE RECEIVED ADEQUATE ADVICE AND GUIDANCE BEFORE SIGNING THE ENROLMENT FORM**

### BY SIGNING THE ENROLMENT FORM YOU:

Confirm that the information on the Enrolment Form is correct and you agree to inform Petroc and Wings South West of any change to the personal details recorded on it.

Accept our help in supporting you to achieve during your time at Petroc and Wings South West.

Agree to Petroc and Wings South West processing and sharing personal data contained on the Enrolment Form, or other data which Petroc and Wings South West may obtain from you or other people while you are a learner, for any purpose connected with your studies, your health and safety, or for safeguarding our learners and staff, whilst on the premises or for any other legitimate purpose. This includes the learner resources card photo. If you have any concerns about this please raise them before having your photo taken.

Agree that it is your intention to fully complete the qualifications for which you have enrolled and understand the requirement for accreditation, which means you will be registered with the appropriate Examining/Awarding Body.

It is the responsibility of ALL learners to ensure that, with the support of Petroc and Wings South West, you are entered for examination/registration/certification and that you pay any related fees in full (where applicable). We reserve the right to charge examination entry/registration fees for which the provider has paid where reasonable conditions of attendance or completion of work has not been met, or where a learner fails without good reason to sit the examination.

### Fee Liability (excluding Higher Education & Apprenticeships)

Students are liable for full course fees regardless of any subsequent withdrawal, where attendance has been for more than 2 weeks (more than 14 days). This does not apply to Distance Learning courses. More details are available via <https://www.petroc.ac.uk/support-help/guide-to-applying>

If learners in receipt of an Advanced Learner Loan withdraw after the initial liability point, which is two weeks after learning has started, their loan will be withdrawn and Petroc will claim loan payments up to that date. Petroc will charge the learner the remaining total fee not covered by the Advanced Learner Loan in that academic year.

Any unpaid fees may be passed to a Debt Recovery Agency and any additional costs incurred will be added to the debt. Any declared false information, which may be checked formally, may result in Petroc/Partner taking action to reclaim the tuition fee(s) and any other associated costs. In exceptional circumstances continuation on the course(s) may not be allowed.

Petroc has a policy for course refunds. Fees are only refundable under specific circumstances (please ask for details if you require further information).

Petroc and Wings South West is committed to provide a safe place to work and study.

### WE WILL:

- Show you respect in all our dealings with you while you are in your learning environment
- Help you choose a ~~programme~~ of study that suits your needs
- Provide access to advice, information and counselling on any educational or ~~personal~~ support and development
- Mark your work promptly and return it to you to allow your developmental progress
- Provide a safe learning environment
- Ensure you will be taught by suitably qualified and ~~well~~ ~~experienced~~ staff
- Give you the opportunity to feedback to us on your experiences
- Respect the differences of all in our community
- Be clear about the data that we hold on you in connection with your ~~programme~~ of study
- Ensure that opportunities to study and participate in enrichment activities are available to you, regardless of age, disability, gender, race, sexual orientation, belief/non-belief or transgender identity

### YOU WILL:

- Show respect to your fellow students, Petroc and Wings South West staff and your learning environment
- Attend all your timetabled sessions and on time
- Avoid taking holidays in term time
- Submit assigned work on time
- Show commitment and be determined to achieve
- Work with staff to review your progress
- Seek help and support if you need it
- Follow Health and Safety guidelines
- Respect the diversity of all in our community
- Attend all the exams and assessments that you have been entered for
- Provide feedback on your experience
- Not bring any alcohol or illegal drugs onto the premises or attend under the influence of these
- Abide by the IT Security Policy (available on our website [www.petroc.ac.uk](http://www.petroc.ac.uk))
- Take personal responsibility for library books and other college materials that you borrow
- Ensure that all personal data provided to Petroc and Wings South West is accurate and up to date
- Pay any fees agreed at enrolment and any other costs as required during your course
- Declare any criminal convictions, cautions or final warnings of a sexual, violent or drug dealing nature
- Please see attached further supplementary information on Wings South West Code of Conduct to complete at enrolment.

Petroc and Wings South West reserves the right to make changes, including the addition, withdrawal or restriction of qualifications/courses as may be deemed necessary. Any such change may result in a difference to the course fee indicated. In some cases where there are insufficient enrolments, you may be offered the chance to pay a higher fee for the course to continue. ~~Also~~ In some cases due to changes in funding from the Government, fees may need to be changed.



**If you want to know more or require this information in an alternative format please contact the Business Manager, North Devon Campus on 01271 852422 Paul Bowser CEO Wings South West on 01237 472000**

#### EQUALITY, DIVERSITY AND INCLUSION

Petroc is committed to equal opportunities for all. We believe that our commitment to diversity and inclusion helps nurture a positive learning environment. Every student should feel part of the college community and able to achieve their full potential, regardless of age, disability, gender, race, sexual orientation, belief/non-belief or transgender identity.

#### EXTRA HELP

Petroc provides a wide range of support to ensure you receive all the encouragement and help you need during your studies. To discuss any extra support you feel you may need whilst at college, please contact our Advice and Guidance Centres: for North Devon and Brannams Campus courses contact 01271 852422 or for Mid Devon Campus courses contact 01884 235245.

#### ACCESSIBILITY

Our campuses are accessible for wheelchair users with ramps and lifts situated throughout the college. Fixed and portable loop systems are available to assist those who wear a hearing aid and we can supply written materials in different formats, including large print, electronic or audio.

#### LEARNING RESOURCE CENTRES

We have fantastic resource centres including libraries, Tech Hubs and various study spaces where you borrow books, journals, chromebooks and media equipment. Our dedicated staff will also be on hand to help you find relevant and reliable information to support your studies as well as providing support when using the college's online tools.

#### LEARNING & STUDENT SUPPORT

Our specialist team is on hand to help you with any areas of support that you may need to help you gain your qualification. We also offer a range of confidential support services which can be accessed either as a self-referral drop in or on a more formal and structured one-to-one basis to suit your needs - helping you to maximise your potential.

#### PROTECTION OF CHILDREN AND ADULTS AT RISK

Petroc has a responsibility to safeguard its learners and staff. If you have any criminal convictions, cautions, final warnings or community resolutions of a sexual, violent or drug dealing nature please contact the Safeguarding team on 01271 852370 to discuss in confidence. **Failure to disclose any relevant information may jeopardise your college place.**

Information requested is solely for the purpose of inclusion and support and not for excluding potential learners. Our aim is to provide a safe, enjoyable learning environment for all.

#### PRIVACY NOTICE 2022/2023

At Petroc we do all we can to respect your rights to privacy and the protection of your personal information.



The information we use and where we get it from

We collect and process various types of personal information. Most of the information will have been provided by you.

How we use your information

We will only use your information where it is necessary for us to lawfully carry out our business activities.

Sharing your information outside Petroc

We keep your information confidential and will only share your information for the purposes mentioned in our privacy notice.

Security

We are committed to ensuring that your information is secure with us and with the third parties who act on our behalf.

How long we will keep your information

We will only keep your personal information for as long as we need it after which it will be securely destroyed.

For further information, including your rights, please read our full privacy notice at:

<https://www.petroc.ac.uk/privacy-notice>.

Other relevant links include:

Education and Skills Funding Agency (ESFA) Privacy Notice: Explains what learner personal data is collected by the Department for Education, through the Education and Skills Funding Agency, and how it is handled.  
<https://www.gov.uk/government/publications/esfa-privacy-notice>

Learning Records Service (LRS) Privacy Notice: Explains to learners how their qualification data is used.  
<https://www.gov.uk/government/publications/lrs-privacy-notice>

**NORTH DEVON CAMPUS** - Old Sticklepath Hill, Barnstaple, EX31 2BQ. Tel: 01271 346291.  
**MID DEVON CAMPUS** - Bolham Road, Tiverton, EX16 6SH. Tel: 01884 235200.  
**BRANNAMS CAMPUS** - Oakwood Close, Roundswell Business Park, Barnstaple, EX31 3NJ. Tel: 01271 852335  
Website: [www.petroc.ac.uk](http://www.petroc.ac.uk)