



Skills Funding  
Agency

# The Register of Training Organisations (Register) Refresh

## **Due Diligence Assurance Gateway**

### Read Me First – Guidance for Completion

September 2013

Of interest to all colleges and training organisations that wish to deliver education and training services



**European Union**  
**European Social Fund**  
Investing in jobs and skills

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# **1. About the Skills Funding Agency**

The Skills Funding Agency (the Agency) is a partner organisation of the [Department for Business, Innovation and Skills](#) (BIS). Our job is to fund adult further education (FE) and skills training in England, including [Traineeships](#) and [Apprenticeships](#), in a way that supports economic growth.

## **What we do**

We deliver £4.1 billion of skills training through contracts with over 1,000 colleges, private training organisations and employers. Our highly effective supply chain ensures that FE meets local need in the most cost-effective way, reaching into every sector of the economy. We are also a co-financing body for the European Social Fund (ESF).

Within the Agency, there are two customer-facing services:

1. The National Apprenticeship Service (NAS)
2. The National Careers Service

For further information, please refer to the [Agency's website](#).

## **What are our priorities for purchasing?**

Each year BIS sets out its policy priorities for the skills sector in a [Skills Funding Statement](#) (SFS), detailing the overall level of funding available to the sector to deliver the policy intentions of government.

The Agency's task is to implement BIS's policy, as set out in the SFS, consistent with the Chief Executive's statutory duty to secure reasonable adult FE in England. To achieve this, we influence and support the capacity and quality of the FE system so we can fund the expected demand for high-quality skills training.

Useful links:

<http://www.bis.gov.uk/policies/further-education-skills>

<http://readingroom.lsc.gov.uk/SFA/SkillsFundingAgency-P-130089.pdf>

## **2. The Services We Fund**

We fund delivery of adult education and training services, including:

- Apprenticeships
- Traineeships
- English for Speakers of Other Languages (ESOL)
- Skills for life
- Workplace learning
- Pre-employment training
- Offender Learning and Skills Service (OLASS)
- Community Learning
- Employer Ownership Pilot

The Chief Executive of Skills Funding enters into funding agreements with colleges, employers and training organisations that can deliver one or more of these services. We commission education and training services based on government priorities and the associated funding made available to us.

Some of the delivery we commission will include education and training that the ESF funds. We do not use a separate process for procuring this ESF-funded provision, therefore organisations interested in delivering this provision will need to be listed on the [Register of Training Organisations](#).

Occasionally, funding becomes available for initiatives outside of the planned procurement cycle. The Agency will only invite organisations to compete for funding that have:

- |         |  |
|---------|--|
| Stage 1 | Successfully entered the Register of Training Organisations and have   |
| Stage 2 | Successfully demonstrated they have the ability to deliver the<br>education and vocational skills training service for which we wish to<br>tender. |

If, in exceptional circumstances, funding becomes available for new provision which we have not tested through our procurement process, we will invite all those organisations listed on the Register of Training Organisations to tender for this service. This ensures that we are equitable and impartial to all organisations.

Please note that the policies and programmes referred to in this document are correct at the time of publication. However, this information may be subject to change as appropriate. We recommend that you check our website periodically for the latest information: <http://www.skillsfundingagency.bis.gov.uk>.

You should also look at the qualifications that we fund currently:  
<http://skillsfundingagency.bis.gov.uk/providers/programmes/qcf/>.

For information on Apprenticeships, please refer to their website:  
<http://www.apprenticeships.org.uk/types-of-apprenticeships.aspx>.

### **3. The Register of Training Organisations**

#### **Introduction**

The Register of Training Organisations (the Register) is a single register of organisations that have passed our Due Diligence Assurance Gateway (the Gateway). They are eligible to progress to the next stage of our procurement process and have demonstrated that they are financially robust. It is the only market entry point for those organisations wishing to be considered to deliver education and vocational skills training services for the Chief Executive of Skills Funding (the Chief Executive).

Entry on the Register means that your organisation will become **eligible** to receive funding; it **does not guarantee** that you will receive funding from the Chief Executive. If you decide to progress in our procurement process, you will be tested at a later stage to determine whether your organisation has the capability to tender in the future and be considered for funding. We will evaluate your organisation against the provision type you selected in your Gateway online questionnaire submission.

Organisations choose to progress in our procurement process. If you do not want to compete for funding but wish to appear on the Register, then you can state this in your Gateway online questionnaire submission.

## **Terminology**

For the purposes of this document:

- Organisations are identified as colleges, local authorities, private training organisations, employers, public sector bodies and all those organisations that deliver education and training funded by the Chief Executive.
- The Register means the Register of Training Organisations.
- The Gateway means the Due Diligence Assurance Gateway.
- We, us, the Agency, the Chief Executive, refers to the Chief Executive of Skills Funding.
- Lead Provider means an organisation that has the direct funding agreement with the Chief Executive.
- Learners mean persons for whom education and training is provided and includes employees.
- Subcontractors mean organisations that have a subcontract with a Lead Provider to deliver education and training funded by the Chief Executive.

## **Background**

The procedure we use when procuring education and vocational skills training services is consistent with European Union (EU) procurement principles. The first stage is the Gateway, to ensure that only suitable organisations are invited to complete a qualification questionnaire.

The Gateway includes financial and technical assessments, We have designed these to ensure that organisations are commercially sound in these areas. The assessments also establish an organisation's ability to deliver to the required standard before they progress in our procurement process for education and vocational training activity.

Only organisations that are on the Register are eligible to receive funding from the Chief Executive for education and vocational training services. Similarly, we will continue to ensure that organisations listed on the Register remain eligible for the funding they receive.

## Purpose

The Register has three distinct purposes:

1. To enable us to confirm that organisations with which we have an existing funding agreement for the delivery of education and vocational training are suitable for us to continue to fund.
2. To provide us with a list of organisations that are eligible to progress in our procurement process and, if successful, invite them to tender in the future for the provision of education and vocational training services.
3. To enable us to support the sector in subcontracting provision, by requiring subcontractors intending to enter subcontracts in excess of £100,000 in aggregate, to pass the Gateway prior to entering into any subcontracting arrangements.

## Appearing on the Register of Training Organisations

Please note organisations that pass the Gateway and enter the Register will **not** receive a registration number and are **not** entitled to use our logo.

Also, appearing on the Register does not imply that we endorse you as an organisation and it is not a ‘kite mark’ nor an ‘award’.

As a government department, we do not provide references for organisations.

For guidance on logos and design, please refer to the following section of the Agency’s website:

<http://skillsfundingagency.bis.gov.uk/providers/logoanddesignguidance/>

## 4. Register Refresh

This document provides guidance on the Register. Your organisation’s appearance on the Register is subject to it continuing to pass the Gateway at set ‘refresh’ points. It is a **funding requirement** that you refresh your Register information when required.

**All organisations listed on the Register must NOW refresh their application in September even if the information remains unchanged. If you entered the Register in June 2013, you must also refresh your information.**

Organisations will need to refresh both their online questionnaire and resubmit their latest full Financial Statements.

There is no change in process for the refresh. Like any other opening of the Register, if you fail either part we will assess your organisation as failing the Gateway process.

As indicated in paragraph 327 of the [Funding Rules 2013/14](#) your organisation must complete the Gateway successfully when required as part of our refresh process. If your organisation fails, or does not apply at the refresh, you must apply at the next opening of the Gateway. During this period your organisation will not be:

- listed on the Register
- eligible to take part in tenders
- considered for growth cases

**NOTE:** The above information applies to subcontractors with an aggregate contract value of £100,000 or more. We will suspend any growth cases submitted by the lead provider in relation to the subcontractor. This is because the delivery model may not be working effectively and funds could be at risk. If the subcontractor fails the Gateway after their second opportunity to apply, the lead provider will end their subcontract.

**There is no right of appeal. The outcome of the Gateway evaluation is final.**

If you do not apply, or fail the Gateway process, at the next opening that follows the refresh we will review your funding arrangements and we may remove your organisation from our supply chain.

The Gateway is also open to applications from new organisations, so organisations not listed on the Register have the opportunity to apply at this opening.

## **Timetable**

The timetable for this opening of the Gateway is set out in the table below:

|  |                                  |
|--|----------------------------------|
| Launch date and Register opens                                 | 27 September 2013                |
| Deadline for completion and submission of online questionnaire | <b>25 October 2013 at 5.00pm</b> |
| Feedback provided from Skills Funding Agency to organisation.  | End of December 2013             |
| Register published   | Early January 2014               |

**IMPORTANT:** Dates for feedback and the publication of the Register are a guide only.  
Exact dates depend on the volume of applications we receive.

## **5. Organisational Changes**

If you change your legal structure you must inform us immediately through the relevant message board on the e-tendering portal. You must then apply to the Register at the next opportunity in line with your new legal structure and/or status.

## **6. Publication of the Register**

We will publish information about the Register, including the Register itself, on our website at <http://skillsfundingagency.bis.gov.uk/providers/programmes/register/>

## **7. Subcontractors**

### **New Funding Rule 2013/14**

It is a funding requirement that all subcontractors in our supply chain with an aggregate contract value of £100,000 and above enter the Register.

In line with paragraph 335 of the Funding Rules 2013/14, from 1 August 2013 subcontractors must enter the Register **before** agreeing contracts with lead providers that would take them beyond the £100,000 threshold.

The Agency understands that subcontractors change during the contract year but lead providers must not contract with an organisation until they enter the Register successfully. Failure to comply may result in us contacting the lead provider(s) to request that they terminate the agreement.

## **8. Due Diligence Assurance Gateway**

### **Introduction**

The Gateway process consists of two distinct parts:

1. Online questionnaire.
2. Financial health assessment.

Organisations must check that they have completed and submitted their online questionnaire to us accurately and that they are satisfied with the content.

Applications should reflect the whole of an organisation, and not just a particular department or individual. Subcontractors must apply in their own right and not use the information or Bravo account of their lead provider(s). Similarly, lead providers should not apply on behalf of their subcontractor(s). Agree the submission of applications at the appropriate level in your organisation before you submit them to us.

**None of your responses for the online questionnaire will be pre-populated.**

The financial health assessment is based on the financial statements uploaded as part of completing the online questionnaire.

We will evaluate your responses to the online questionnaire and assess your financial statements to determine whether you pass or fail the Gateway. You must pass both parts to enter the Register.

**Only those organisations that are able to demonstrate they are financially robust will enter the Register.**

### **Before you start the Due Diligence Assurance Gateway process**

Before making an application ensure that:

- Your organisation is a legal entity.
- Your organisation is included on the UK Register of Learning Providers (UKRLP) and has a valid UK Provider Reference Number (UKPRN).

**NOTE:** The name listed on UKRLP should be the full legal name as registered with Companies House (if applicable).

You also need to check the following:

- Important documents on our webpage:  
<http://skillsfundingagency.bis.gov.uk/providers/programmes/register>.
- Funding Rules for 2013/14  
<http://skillsfundingagency.bis.gov.uk/providers/fundingrules/>
- Funding agreements for 2013/14  
<http://skillsfundingagency.bis.gov.uk/providers/fundingdocuments/>

## **Who should complete the Due Diligence Assurance Gateway?**

It is a funding requirement that all organisations in our supply chain, either direct contract-holders who receive funding from the Chief Executive or subcontractors with an aggregate contract value of £100,000<sup>1</sup> or above must appear on the Register.

Your organisation should complete the Gateway if it is not already on the Register and one or more of the following apply:

- You have an existing funding agreement with us for the delivery of education and vocational training.
- Your organisation wants to be selected to compete in future tenders for education and vocational skills training provision and wishes to hold a direct contract with us.
- You wish to enter into a subcontract with an existing lead provider for the delivery of education and vocational skills training, where the aggregate value of the contract would be £100,000 or more.

## **National Apprenticeship Service Direct Grant Large Employers**

It is a funding requirement that large employers that receive, or are in the process of applying for grant funding from the NAS, apply to the Gateway and enter the Register.

Please contact your NAS Account Manager for advice before completing the Due Diligence Assurance Gateway.

## **How many times can I apply to the Due Diligence Assurance Gateway?**

Organisations that are in our supply chain have two consecutive opportunities to pass the Gateway and enter the Register. Any organisation failing to enter the Register after two consecutive openings will result in the Agency terminating their agreement. In the case of subcontractors the Agency will contact the lead provider(s) to request they end the subcontracting arrangement.

Those organisations that do not have a current contract and are not in our supply chain, but wish to be considered for future funding and be invited into procurement, do not have a restricted number of opportunities to apply. An organisation needs to consider if they

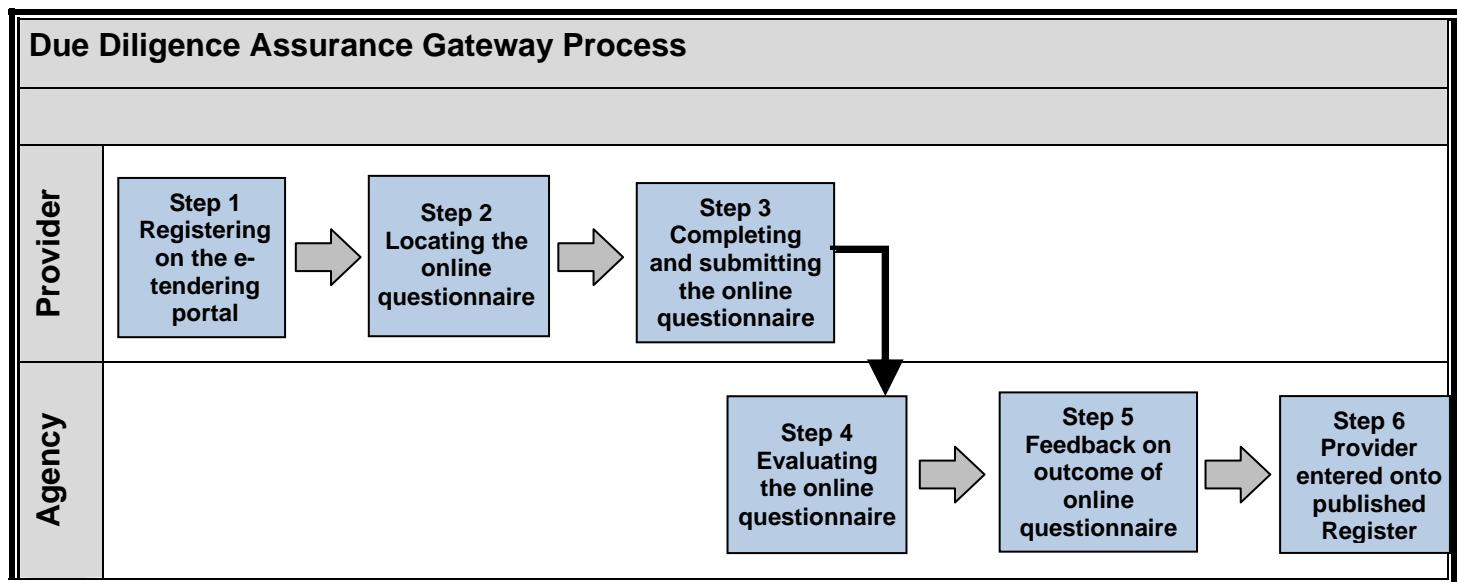
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<sup>1</sup> According to the latest version of the Agency's Subcontracting Register  
<http://skillsfundingagency.bis.gov.uk/providers/Subcontracting>

repeatedly fail the Gateway whether or not a further application is appropriate. Applicants need to reflect on their commercial and financial status before they apply, especially if their circumstances have not changed since their previous submission.

## 9. The Application Process

The process for the Due Diligence Assurance Gateway is as follows:



Please see the accompanying 'Quick Reference Support Guide for the e-tendering portal' for technical information for Steps 1-3, which is available on the Register section of the Agency's website:

<http://skillsfundingagency.bis.gov.uk/providers/programmes/register/>

### Registering on the Bravo e-Tendering Portal (Step 1)

Organisations that have yet to register with Bravo on the e-tendering portal will need to do this to access the online questionnaire. Organisations can register at any time, even if the Gateway is not open. For more information, please refer to the [BRAVO email account](#) guidance note.

If your organisation has already registered on the e-tendering portal, then you do not need to do it again. You can use your current username and password.

If you are not sure whether your organisation already has a username and password, please contact [help@bravosolution.co.uk](mailto:help@bravosolution.co.uk) rather than attempting to re-register.

The name of the organisation you enter on your Bravo account for e-tendering portal must be your organisation's full legal name, as registered with Companies House (if applicable) and also match your entry on the UKRLP. This will ensure there is consistency with the legal name and UKPRN listed across Bravo, Companies House and UKRLP. This is critical as your organisation will appear on the Register under the name in which the application is made, which is determined by the name against the Bravo account.

**If we cannot match your organisation's name on the portal to its legal name, you may fail the Due Diligence Assurance Gateway.**

It is your responsibility to ensure that your e-tendering portal registration details are current and accurate. It is important that you monitor the email address you register on the e-tendering portal, as this is how we will communicate with you. You need to maintain and monitor your email address on the e-tendering portal.

We will communicate with organisations about the Gateway through the e-tendering portal's built-in messaging service. This directs alerts and messages to the email address you specify. Once you have registered on the e-tendering portal, you may wish to add more than one email address to your registration details so that more than one person can access any alerts and messages we send. Please note that all the email addresses added to the e-tendering portal will receive the alerts and messages we send.

**Please note that registering your details on the e-tendering portal does not constitute a submission to the Gateway.**

## **Locating the Online Questionnaire for the refresh (Step 2)**

The Gateway's online questionnaire is available at our e-tendering portal:

<https://skillsfundingagency.bravosolution.co.uk>.

## **Completing and Submitting the Online Questionnaire (Step 3)**

Questions **will not be pre-populated** for the refresh. The questions for the refresh are not the same as those in previous online questionnaires and therefore the pre-qualification questionnaire (PQQ) will NOT be pre-populated with any answers.

Please refer to the Definitions Appendix at the end of this document before completing the online questionnaire.

Most of the questions are prefixed with a **red asterisk (\*)** because they are mandatory. If you do not answer all of them, the e-tendering portal will not allow you to publish your response and we will not be able to evaluate your questionnaire.

#### **REMEMBER:**

- You should leave plenty of time between submitting your online questionnaire and the closing date, in case you experience difficulties that you subsequently need time to resolve.
- When we ask a closed question, we may ask for additional text based information to support your response. Ensure the information you provide is appropriate to the response you have selected.
- We reserve the right to modify, amend or provide further clarification on the online questionnaire at any time prior to the deadline for completion, by notification either directly to each organisation or as a broadcast message to all organisations:
  - Where such modifications constitute a significant change, we may, at our discretion, extend the deadline for completion of the online questionnaire.
  - If there are any changes, we will publish a document alongside the opening of the Gateway to highlight them.
  - Should we make any changes to any part of the online questionnaire **whilst it is live**, any submitted responses are “unsubmitted” by this action. We will send an email alert advising that we have made changes to organisations’ registered email addresses. Organisations will then have to read the details of the change(s) and if necessary amend their submissions. Whether the change(s) affect an organisation’s submission or not they will still have to resubmit their response for us to evaluate it.

**IMPORTANT:**

- You need to ensure that your answers are correct before you submit your application; we cannot accept any information or changes after the closing date or outside of the process.
- Please be aware that the Register team will verify information submitted within the questionnaire to ensure that it is a true reflection of your organisation's situation. If subsequently we find that your organisation has supplied us with incorrect answers or intentionally misleading information, we will remove your organisation from the Register.
- Organisations need to be aware that we will share responses across the Agency and with the NAS as part of our efforts to reduce unnecessary bureaucracy, and as part of our risk management strategy.
- If required, we will share your responses with other government agencies, in particular the Education Funding Agency, the Department of Work and Pensions and others as appropriate, to ensure public funds are safeguarded.

## **10. Evaluating the Online Questionnaire (Step 4)**

We will download and evaluate all online questionnaires submitted and received by 5.00pm on the closing date.

The Agency is **unable to accept** any information after the closing date. We have allocated a score to each of the possible responses to the questions contained within the online questionnaire, with the exception of the financial health assessment, for which there is a separate evaluation process.

The questions within the online questionnaire fall into three categories:

- scored questions
- an organisation's capability to deliver the services we fund
- self-declaration

For each response we will evaluate an organisation as:

- **satisfactory** where that organisation is able to provide the required assurance in the areas which have been tested, receiving a score of **0**
- **unsatisfactory** receiving the maximum score allocated for that question, **up to - 100, in multiples of 25**. The precise score that we allocate to each response depends on the significance of that response to the overall due diligence process.

**NOTE:** All organisations begin with a score of 0 (zero), with unacceptable answers generating a negative score. It is important to remember that we deduct marks for the online questionnaire rather than award them. **Therefore, a total score of 0 is the highest score possible for the online questionnaire.**

After evaluating the response to each question, we aggregate the individual scores into a total score for the online questionnaire:

- If your total score for the online questionnaire is greater than (but not including) - 100, you will pass the online questionnaire.
- If your organisation's total score for the online questionnaire is -100 or less, you will fail the online questionnaire and therefore the Due Diligence Assurance Gateway.

**NOTE:** You must pass both the Financial health assessment and the online questionnaire in order to pass the Due Diligence Assurance Gateway and be deemed as 'Approved' to enter the Register of Training Organisations.

## **11. Structure of the Online Questionnaire**

We have organised the online questionnaire into two envelopes: a qualification envelope and a technical envelope. The qualification envelope contains three sections: the first two contain important information about the questionnaire and the third section is a declaration to confirm that you have read these notes. **Read the contents of the qualification envelope and accept the declaration before starting to complete the technical envelope.**

For the purposes of completing the online questionnaire, please ignore any references to **eVM** (e-Vendor Management) in the section titles on the e-tendering portal.

The technical envelope contains the following sections:

**Organisational details:**

This section focuses on fundamental information about your organisation, including your [UKPRN](#), legal form, structure, size and directors.

These questions enable us to confirm that each organisation submitting the online questionnaire is a legal entity and we have a record of their essential details.

We may use some of the information in this section for reporting and monitoring purposes.

You must enter a valid UKPRN or you will fail the online questionnaire automatically. It is critical that you check this before finalising your submission. Organisations must state their **full** legal name and any applicable trading names in separate questions and these should match their entry in Companies House (if applicable) and the UKRLP. Please **do not** use abbreviations.

If your organisation is incorporated under the Companies Act 2006 in the UK, you will be asked for your Company Registration Number; it is important that this information relates to your organisation and is accurate.

**Details of your organisation structure:** We expect you to upload an organisation chart which shows your organisation's management personnel.

**Training organisation type:** This section asks for further information about your organisation as it relates to the delivery of education and vocational training.

**Delivery model:** In this section we will look at how you intend to deliver a contract for us. We will seek an assurance on how you intend to manage your subcontractors.

**Financial management:** In this section we will ask you about the make up of your organisation's annual income and your financial statements. We need to ask these questions to ensure that all organisations that pass the Gateway have an appropriate level of financial health. Additionally, we need to assess the risk to the Agency of contracting

with organisations which are reliant on public funding. We are seeking assurance on the internal controls that support your financial management. As administrators of public funding, only those organisations that are able to demonstrate that they are financially robust and present a low risk to the Agency will enter the Register. Please consider this before submitting your application.

Please note the detailed information below regarding the required financial statements.

## **Exemptions**

The following organisations are exempt from submitting financial statements:

- central government departments, executive agencies or non-departmental public bodies
- local authorities, including Local Education Authority (LEA) schools
- an Academy or Free School
- NHS trusts, fire authorities, universities
- major national charities and voluntary organisations, for example OXFAM and the Red Cross
- established Public Listed Companies and other registered companies for whom Agency funding is incidental to their business, if they are training their own staff only. For these purposes Agency funding will be “incidental” if Agency contract values are no more than 5% of annual turnover. They should still supply a copy of their most recent accounts to demonstrate this.
- the Agency also exempts large publicly listed employers funded by an NAS Grant, for whom Agency funding is incidental to their business (that is, Agency contract values are no more than 5% of annual turnover), and which:
  - are seeking to deliver education and vocational training services to only their own employees,
  - employees of their subcontractors, and/or
  - employees of organisations which are 100% in their supply chain

However, the Agency may download the accounts from Companies House to confirm exempt status. The Agency will only fund organisations that can demonstrate that they are financially robust.

**Organisations that are exempt from submitting financial statements must attach a document to question [ROTO-FM- 08A] outlining the reasons for the exemption – without an attachment, the e-tendering portal will not allow you to submit a response.**

For a template, please refer to the Register section of the Agency's website:

<http://skillsfundingagency.bis.gov.uk/providers/programmes/register/>

## Compliance

In this section we are seeking an assurance to determine your compliance with legislative requirements associated with public sector procurement, such as fraud, [tax](#), outstanding court action and any investigations you have been subject to.

These are in line with the [Public Contracts Regulations 2006](#), which set out the criteria for the rejection of organisations. We need to ensure that only organisations suitable for us to fund and/or invite to tender will pass the Due Diligence Assurance Gateway.

**NOTE:** Responses to certain questions in this section can incur an automatic failure of the online questionnaire and therefore result in an overall application status of 'Not Approved'.

## Quality

In this section we are looking to test the quality of service you are able to deliver for us, including questions around [Ofsted](#).

The **matrix** Standard is the unique quality framework for the effective delivery of information, advice and/or guidance on learning and work. It promotes the delivery of high-quality information, advice and/or guidance by ensuring that organisations review, evaluate and develop their service, encourage the take-up of professionally recognised qualifications and the continuous professional development of their staff. The purpose of the **matrix** Standard is to provide a benchmark for organisations to assess/measure their advice and support services, which ultimately support individuals in their choice of career,

learning, work and life goals. For more information, please refer to the matrix Standard website: <http://matrixstandard.com/the-standard/the-standard/>.

### **Awarding Organisation Status**

In this section we ask questions about your awarding organisation status. To receive a contract from us organisations must have the necessary awarding organisation status to deliver the qualifications we fund. For more information, please refer to the [Regulatory actions and interventions](#) section of Ofqual's website.

### **Information Commissioner's Office**

We require you to be registered for the processing of personal data for educational purposes. More information on the Information Commissioner's Office can be found at: <http://www.ico.org.uk/>

### **Insurance**

To receive funding from us you must have adequate insurance.

### **Learner health, safety and welfare**

To receive funding from us you must have appropriate and adequate processes to ensure learner health, safety and welfare. For more information, please refer to the [Students and young people](#) section of the Health and Safety Executive's website.

### **Equality**

To receive funding from us you must have appropriate and adequate internal systems to comply with the [Equality Act 2010](#).

### **Social Value – the Public Services (Social Value) Act 2012**

When evaluating your application we will take account of the Public Services (Social Value) Act 2012. The Act requires procurers of public services to consider how what is to be procured may improve social, environmental and economic well-being of the relevant area in order to obtain best value. For more information on the Act, please refer to the [Procurement policy note 10/12: The Public Services \(Social Value\) Act 2012 - Publications - GOV.UK](#).

We also expect organisations to take account of the Government's [Greening Government Commitments](#) in the delivery of our contracts.

## **Declarations**

We ask you to confirm that you are giving us true and accurate information. This is the point at which you are validating that all of your information is correct.

Certain declarations will relate to and reinforce the themes identified throughout the online questionnaire.

Within the qualification envelope, organisations are asked to sign a declaration confirming that they will resubmit their response if a change is made to the settings and questionnaire area of a live tender, as per section 9 above.

The Chief Executive reserves the right to remove any organisation from the Register; we will inform organisations of the reason for their removal.

## **Authorisation of submission**

We ask you to state the name of the individual authorised to sign your submission on behalf of your organisation. An electronic signature (typed) here will be acceptable.

## **Submitting attachments**

If you would like to upload more than one file, for example in response to [ROTO-FM-08a], you can do this by submitting a zip file. A zip file is an archiving system that allows you to pack together one or more files into a single file or folder. If you choose to upload a zip file please ensure that this is not password protected.

You must also consider the format of the files you submit. For example PDF and Word documents are widely recognisable formats, but we are unable to open Mac equivalent files or extensions.

## **12. Financial Health Assessment**

- Organisations with a current direct funding agreement with the Chief Executive of Skills Funding for the delivery of education and training**

There is **no** requirement to submit financial statements for the purposes of the Due Diligence Assurance Gateway process if you have already submitted these, or are in the process of submitting them, as part of your funding agreement with us. You must upload a note in the space reserved for uploading financial statements in the online questionnaire to confirm that you have a current funding agreement. **We have provided a template on the Register section of our website:**

<http://skillsfundingagency.bis.gov.uk/providers/programmes/register/>. However, if you have newer financial statements filed with Companies House that we have not yet seen, you **must** upload them now or you will fail the financial health assessment.

- **Organisations already on the Register but without a current direct funding agreement with the Chief Executive of Skills Funding for the delivery of education and vocational training**

If we have already seen your most recent statutory financial statements you do not need to resubmit them. If you have newer ones that have been filed at Companies House which we have not yet reviewed, you must upload them to the reserved space in the online questionnaire.

- **Organisations not currently on the Register of Training Organisations**

You must upload your latest full statutory financial statements in the reserved space in the online questionnaire.

## **Required Documents**

For **all** organisations applying to the Register: if you are not submitting any financial statements, you must include a note to explain why (for example, because we have already assessed your most recent accounts or you consider yourself to be exempt). For all other organisations, the documents we require are the following:

- **You are required to supply your latest full statutory financial statements** (not abbreviated accounts). Please supply the full accounts, not just an extract or selected pages.
- Statutory financial statements are those prepared using generally accepted accounting principles in accordance with the legislative requirements of the organisation type. For example, a limited company's accounts are prepared in accordance with the

Companies Acts; a registered charity's accounts are prepared in accordance with the requirements of the Charity Commission.

- **If you are not required to publish statutory financial statements** you should supply a 12-month profit and loss account, balance sheet and related notes or narrative and breakdowns of balances such as creditors and borrowings.
- **If you are part of a wider company group** you must provide the latest financial statements of the UK ultimate parent company, as well as your own full financial statements. In assessing the financial health of an organisation that is part of a group of companies the Agency will consider the financial standing of the group as a whole.
- **If your organisation is a subsidiary company** you should also consider whether submitting a parental guarantee together with your organisation's and parent company accounts would enhance your application. The guarantee form is on our website at:  
<http://skillsfundingagency.bis.gov.uk/providers/programmes/register/>
- **If you are a parent company that does not produce consolidated accounts,** please also supply the financial statements of your non-dormant subsidiaries for review.
- **If you are unable to supply statutory financial statements because you have not traded for a sufficient period you should supply your first 12 months' forecast figures,** including management accounts to date. As a minimum this should consist of a profit and loss account, balance sheet, cashflow forecast and narrative of key assumptions made.
- **If you are a new business not yet trading** you must supply a fully costed business plan. As a minimum this should consist of a 12-month budgeted profit and loss account, balance sheet, cashflow forecast and narrative of key assumptions made, indicating clearly the specific period to which the plan relates.
- **If you believe that you may be exempt** because Agency funding would be incidental to your business (that is, Agency contract values of no more than 5% of annual turnover), please still submit accounts to demonstrate this.
- **If you have previously applied to the Register with non-statutory documents,** such as a business plan or management accounts, then you must now provide full financial statements (if available) or updated management accounts and forecasts.

- **If you are a sole trader or partnership** we require the full accounts. These should consist of, as a minimum, profit and loss account, balance sheet and notes to the accounts.

**NOTE: If you upload insufficient or incomplete financial statements** to the online questionnaire, or **if you do not submit the financial statements most recently submitted to Companies House**, you will **FAIL** the financial health assessment and therefore the Due Diligence Assurance Gateway.

Organisations must ensure that the Agency can evaluate the information you submit to us, as you will not be able to resubmit information after the Register closes. Therefore, please ensure that it is in the form of a Word, Excel or PDF document and do not password protect your information – if we cannot access the information it will lead to a fail.

### Assessment of Financial Statements

We will assess your financial statements according to the criteria specified in the financial health assessment guidance available on our website at

<http://skillsfundingagency.bis.gov.uk/providers/finance/financialassurance/financialhealthassessment>.

Financial health is a measure of financial status in terms of your financial performance and ability to meet ongoing financial commitments.

In common with other organisations, we assess your financial health to help determine the extent to which funding may be awarded. We do this to help manage risk and also to provide an assessment of your ability to deliver and grow provision of a suitable standard. The aim is to safeguard public funds, together with our interests, yours and those of your learners.

Where you pass the financial health assessment we will give your organisation a recommended funding limit. The Chief Executive will normally only award your organisation funding up to this limit.

You will receive an initial grade assessment of Outstanding, Good, Satisfactory or Inadequate; only organisations assessed as Outstanding, Good or Satisfactory will be deemed to have passed the financial health assessment.

The outcome of your financial health assessment is final. We will not accept additional information in support of your application after the closing date. You must ensure that the information you submit is current, correct and demonstrates financial performance and your ability to meet ongoing financial requirements.

If we assess your organisation as a FAIL on the financial health assessment, this is because:

- You provided insufficient financial information
- the financial statements were not the latest available
- the financial health assessment produced an Inadequate grade

A grade assessment of Inadequate for an existing college or training organisation, funded through the Financial Memorandum or Conditions of Funding, will trigger the Provider Risk Assessment and Management process; we will issue a Notice of Concern and they will enter stage 1 of the intervention escalation process.

## **13. Feedback (Step 5)**

We will provide written feedback to all organisations following evaluation of the Online Questionnaire and the financial health assessment, which will be compliant with EU procurement regulations. We will provide this feedback through a message sent from the Bravo message board to the email address(es) you have registered against your Bravo account. You will receive an email notification that you have a message on Bravo, and you will then need to log in to access the message.

Your feedback will set out:

- overall Status of Application - APPROVED or NOT APPROVED to enter the Register
- outcome of the online questionnaire – PASS or FAIL
- your score for each section of the online questionnaire, in particular the areas which resulted in a negative assessment, if applicable, and also the total score.
- outcome of the financial health assessment – PASS or FAIL
- Financial health assessment grade

If you fail the online questionnaire, we regret that we are unable to provide you with further information about the specific questions you failed on. If we did this, it could assist you with any subsequent attempt that you may make to complete the Gateway, as the response to select to score well would likely become self-evident. This would compromise the open, competitive and transparent nature of the due diligence process.

If you fail the financial health assessment, the Agency will not accept supplementary financial information in support of your application after the closing date. The Agency will not enter into a dialogue about your submission and we will not provide feedback outside of this process.

## **THERE IS NO RIGHT OF APPEAL. THE OUTCOME OF THE EVALUATION IS FINAL**

### **14. Help and Support**

In the first instance, please submit any questions or queries in relation to the Register or the Gateway through the 'Messages' function on the e-tendering portal.

If you are not registered on the e-tendering portal, or have a query outside of the Gateway opening, please direct it to [Registerhelp@skillsfundingagency.bis.gov.uk](mailto:Registerhelp@skillsfundingagency.bis.gov.uk), quoting your UKPRN in the subject field. This email address is solely for generic questions relating to the Register.

Please **do not** contact us about the process using any other method. If you do, the probity of the Gateway process may be put at risk. We will not respond to queries raised through other methods, such as by telephone, and we will advise you to re-route your question through the e-tendering portal.

We aim to respond to your query within two working days of receipt, however, during busy periods in the Register process there may be a delay in our response. We may also stop responding to queries two working days before the closing date for the completion of the online questionnaire.

When answering questions, we may choose to anonymise your query and publish the response to it as part of our regular updates to the Frequently Asked Questions (FAQs).

The Agency will make every reasonable effort to resolve queries and provide clarification to feedback, responding fully within the context of the contents of this document.

We will not respond to queries regarding a past Due Diligence iteration when the new Due Diligence Assurance Gateway reopens, this includes responding to previous message boards relating to earlier PQQs.

## **15. Resubmissions**

If you were unsuccessful in your previous submission to the Due Diligence Assurance Gateway and wish to reapply, you can do so at this opening. If you decide to reapply, we advise you to review your previous responses and consider whether your commercial and financial status is robust enough for assessment, especially if your situation/information has not changed since the previous submission.

If you were unsuccessful with your previous submission and you are a direct contract-holder, or a subcontractor with an aggregate contract value of £100,000 or more, then you are expected to take action at this opening. This opening is considered as your final opportunity to apply and failure to enter the Register will result in us terminating our agreement with you (in the case of subcontractors we will contact your lead provider(s) to do the same). In the meantime organisations will be suspended from growth and excluded from future procurements.

### **Deemed ‘Not Approved’ due to failing the Online Questionnaire**

If you were deemed as ‘Not Approved’ due to unsatisfactory responses to the online questionnaire, the responses you provide at this opening must be based on the actual circumstances of your organisation.

### **Deemed ‘Not Approved’ due to failing the Financial Health Assessment**

If you were deemed as ‘Not Approved’ because you failed the financial health assessment, you cannot pass until a subsequent set of financial statements is available and is subject to a successful financial health assessment. However, where new financial statements are

unavailable, you are able to submit other documents for consideration but organisations should remember that the Agency does not compromise on the financial health assessment, and only the most financially robust organisations will pass the evaluation and enter the Register.

Where the financial statements of a college or training organisation have resulted in the failure of the financial health assessment and new financial statements are unavailable, it is recommended that your organisation reviews the [Due Diligence Assurance Gateway Additional Financial Information](#) document.

Please find below additional supporting financial information which you may submit.

Before their next accounting year-end:

- business plan forecast for the current year including:
  - income and expenditure forecast for the year (monthly not required)
  - balance sheet forecast for the year (monthly not required)
  - cash flow forecast for the year (monthly where available)
  - detailed narrative to substantiate each of the above financial forecasts
- management accounts showing the actual performance to date, including income and expenditure and balance sheet.

If their next accounting year-end has passed:

- where the submission is after the college or training organisation's year-end but prior to the formal financial statements being available:
  - draft financial statements for that year
- or where draft financial statements are unavailable:
  - final management accounts for that year, incorporating income and expenditure, balance sheet and commentary

Director or Parental Guarantee: The college or training organisation may also wish to consider providing a Director or Parental guarantee, which we will consider alongside the other financial information supplied.

## **16. Removal of Organisations from the Register**

The Chief Executive reserves the right to remove any college or training organisation from the Register. The grounds for removal of organisations reflect the circumstances described in the Agency's Funding Higher Risk Providers and Subcontractors Policy and Provider Risk Assessment and Management Policy:

[http://readingroom.skillsfundingagency.bis.gov.uk/sfa/funding\\_higher\\_risk\\_providers\\_august\\_2012.pdf](http://readingroom.skillsfundingagency.bis.gov.uk/sfa/funding_higher_risk_providers_august_2012.pdf)

[http://readingroom.lsc.gov.uk/sfa/Provider\\_Risk\\_Assessment\\_and\\_Management\\_-\\_July\\_2012.pdf](http://readingroom.lsc.gov.uk/sfa/Provider_Risk_Assessment_and_Management_-_July_2012.pdf)

If we find you have made false declarations in your Gateway responses, we will remove your organisation from the Register.

## **17. Company Name Change**

If there is a change to your company name only, with no other legal or organisational change, you must amend your details on the e-tendering portal accordingly.

If your organisation's name on the e-tendering portal is not correct and/or does not match the name against your UKPRN, it is important that you update this information by following the process detailed above, depending on your relationship with the Agency.

### **If you already have a funding agreement with us**

You need to advise your Relationship Manager first, providing evidence in the form of Companies House and UKRLP certificates, which will notify the Register Team by emailing [registerhelp@skillsfundingagency.bis.gov.uk](mailto:registerhelp@skillsfundingagency.bis.gov.uk) and confirm the situation. Subcontractors should contact the Relationship Manager of their lead provider.

### **If you are entered on the Register and do not hold a current funding agreement with us**

If you are not a current contract-holder and your organisation's name changes with no other legal or organisational change, you must notify the Register Team by emailing [registerhelp@skillsfundingagency.bis.gov.uk](mailto:registerhelp@skillsfundingagency.bis.gov.uk), providing evidence in the form of Companies

House and UKRLP certificates. Once we are satisfied that it is a name change only, we will advise Bravo to amend this against your account.

**The name listed on your Bravo account should be the full legal name of your organisation, as registered with Companies House (if applicable). This in turn should be the name listed on UKRLP against your UKPRN.**

Organisations should ensure that any name changes are also updated against their UKPRN so that it continues to match the name on the Register.

Please be aware that organisations are listed on the published Register according to the name they have registered on the e-tendering portal, which should be their full legal name. If you are already listed on the Register at the point that your name changes, it will be amended when the latest version of the Register is next published.

**Any applications where the legal name and UKPRN do not match as per UKRLP, will incur an automatic fail.**

If you are a **sole trader/partnership**, you need to register as 'Your name trading as Your Business Name' (for example, John Smith trading as John Smith Training).

## **18. Accompanying Guidance Documents**

Guidance documents listed below are aimed at supporting organisations and are available on the Register section of our website:

<http://skillsfundingagency.bis.gov.uk/providers/programmes/register/>

### **Quick Reference Support Guide for the e-tendering portal**

For technical and operational hints and tips on how to navigate the Bravo e-tendering portal to access and complete the online questionnaire.

### **Frequently Asked Questions**

Examples of Frequently Asked Questions (FAQs) that we receive in relation to the Register and the Due Diligence Assurance Gateway, which we hope will assist organisations with their application to the Register.

## **19. Freedom of Information**

We are subject to the Freedom of Information Act 2000 (FOIA). Under the provision of the FOIA, we are required to provide information we hold in response to a request made in accordance with the FOIA. This includes information about third parties. Organisations are referred to the Freedom of Information Policy available on our website at <http://skillsfundingagency.bis.gov.uk/foi>

If you believe that some of your submission is classed as Commercial in Confidence, you should advise us of this fact in a message on the Due Diligence Assurance Gateway message board. We will then check the submission and if appropriate (under FOI legislation) we will seek a redaction to not publish that particular information if requested.

## **20. Appeals and Complaints**

There is **no right of appeal** to the decision reached on each organisation's Due Diligence Assurance Gateway submission.

If you are unhappy with the outcome, the Agency's complaints procedure is available at <http://skillsfundingagency.bis.gov.uk/aboutus/contactus/complaints/>.

## **21. Links to Helpful Information**

To assist your application the following links may be useful:

Bravo e-tendering portal – <https://skillsfundingagency.bravosolution.co.uk>

Copy of the Chief Executive's terms and conditions

<http://skillsfundingagency.bis.gov.uk/providers/fundingdocuments/>

European Social Funding [Skills Funding Agency - Providers - Our programmes - European Social Fund - European Social Fund](#)

Funding Higher Risk Providers and Subcontractors

[http://readingroom.skillsfundingagency.bis.gov.uk/sfa/funding\\_higher\\_risk\\_providers\\_august\\_2012.pdf](http://readingroom.skillsfundingagency.bis.gov.uk/sfa/funding_higher_risk_providers_august_2012.pdf)

Funding Rules - <http://skillsfundingagency.bis.gov.uk/providers/fundingrules/>. Note:  
Updated annually.

Health and Safety Executive - <http://www.hse.gov.uk/>

Provider Risk Assessment and Management

[http://readingroom.lsc.gov.uk/sfa/Provider\\_Risk\\_Assessment\\_and\\_Management\\_-\\_July\\_2012.pdf](http://readingroom.lsc.gov.uk/sfa/Provider_Risk_Assessment_and_Management_-_July_2012.pdf)

Skills Funding Agency Register of Training Organisations:

<http://skillsfundingagency.bis.gov.uk/providers/programmes/register>

Skills Investment Statement - <http://www.bis.gov.uk/assets/biscore/further-education-skills/docs/s/11-1374-skills-investment-statement-2011-2014.pdf>

Subcontracting Register – <http://skillsfundingagency.bis.gov.uk/providers/Subcontracting/>

Matrix standard <http://matrixstandard.com/the-standard/the-standard/>

National Apprenticeship Service - <http://www.apprenticeships.org.uk/About-Us/National-Apprenticeship-Service.aspx>

Ofsted - <http://www.ofsted.gov.uk/>

Ofqual - <http://www.ofqual.gov.uk/>

Department for Business, Innovation and Skills - <http://www.bis.gov.uk/>

UK Register of Learning Providers (UKRLP) - <http://www.ukrlp.co.uk/>

24 + Advanced Learning Loans - [24+ Advanced Learning Loans](http://24pluslearningloans.com)

## **22. Definitions Appendix**

**Academy** – is a school directly funded by central government (specifically the Department for Education) and independent of direct control by local government.

**Business continuity** – the regular activities performed by an organisation to ensure that critical business functions remain available to customers, suppliers, regulators, and other entities that must have access to those functions.

**Batch** – Provider Batch is a web-based system which enables colleges and training organisations to enter learner data on their own management information system and then upload the learner data themselves to the Data Collections web portal.

**Business Continuity Process** – an organisation's response planning that sets out how the business will operate following an incident and how it expects to return to 'business as usual' in the quickest possible time afterwards.

**Consortium** – a consortium is an association of two or more providers engaged in a business enterprise. This relationship is legally binding by a written and signed agreement, and explicitly requires each member organisation to be joint and severally liable with the consortium for the obligations of the consortium and the wrongful acts or omissions of a co-member of the consortium.

**Continuous Improvement Process** – the process to demonstrate how regular small changes and improvements to the service delivered are implemented controlled and recorded.

**European Social Fund** – the European Social Fund (ESF) was set up to improve employment opportunities in the European Union (EU) and so help raise standards of living. It aims to help people fulfil their potential by giving them better skills and better job prospects. As one of the EU's structural funds, ESF seeks to reduce differences in prosperity across the EU and enhance economic and social cohesion.

### **Financial Statements**

- Where available, audited financial statements which are submitted to Companies House. The financial statements as a whole are required; an extract is insufficient.

- Where an organisation produces abbreviated financial statements, we require the full accounts from which the abbreviated accounts are extracted. These should consist of, as a minimum, profit and loss account with turnover figure, balance sheet and notes to the accounts.
- Where the company has taken advantage of audit exemption, we require the financial statements as a whole; an extract is insufficient.

**General Further Education College** – an institution conducted by a corporation established under the Further and Higher Education Act 1992.

**Joint venture** – a joint venture is a legal entity that is owned or governed (for example in the case of a company limited by guarantee) by two or more organisations for the purpose of submitting a common bid for funding.

**Notice of Concern** – issued to a college that has fallen below standards in relation to financial health, financial control, Ofsted judgement or Minimum Levels of Performance.

**POL** – Provider On Line is a web-based system which enables providers to enter learner data directly in the Data Collections web portal.

**Skills Investment Strategy** – owned by BIS, this sets out how we will reduce bureaucracy; remove unnecessary interference from intermediary agencies, whether local, regional or national; streamline the organisational skills landscape; remove unnecessary regulation and introduce new freedoms and flexibilities. Collectively, these measures will ensure the sector is better able to meet the needs of individuals, businesses and local communities.

**Small or medium-sized enterprise** – please refer to the EU definition here: [What is an SME? - Small and medium sized enterprises \(SME\) - Enterprise and Industry](#).

For statistical purposes, the Department of Trade and Industry uses the following definitions:

- micro firm: 0 - 9 employees
- small firm: 0 - 49 employees (includes micro)
- medium firm: 50 - 249 employees

**Statutory Financial Statements** – are those prepared using generally accepted accounting principles in accordance with the legislative requirements of the organisation type. For example, a limited company's accounts are prepared in accordance with the Companies Acts. A registered charity's accounts are prepared in accordance with the requirements of the Charity Commission.

**Third Sector** – the Third Sector has been defined by HM Treasury as organisations which:

- are non-governmental
- are “value driven” in that they are primarily motivated by the desire to further social, environmental and cultural objectives rather than make a profit
- reinvest surpluses, principally to further their social, environmental or cultural objectives

**Training Provider** – for the purposes of this document, colleges, local authorities, private training organisations and employers are all identified as training providers.

**UKRLP** – the UK Register of Learning Providers is a database that is a register of the legal entity details of learning providers in the United Kingdom. It is designed to link together existing data sources on training providers and give access to the information to learners, employers, training providers and government agencies.

**UKPRN** – the UK Provider Reference Number is a unique eight-digit number assigned to all training providers on verification. The number does not provide endorsement by the UKRLP.

**UPIN** – a UPIN is the Unique Provider Identification Number. This is the unique number allocated by the Skills Funding Agency to each individual training organisation with which it holds a contract.



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