



Skills Funding
Agency

The Register of Training Organisations

Frequently Asked Questions June 2013

June 2013

Of interest to colleges and training organisations

Before referring to this document, please ensure that the “Read Me First” – Guidance for Completion has been reviewed.

Please be aware that for the purposes of this document:

Training organisations, lead providers, employers and subcontractors are all covered under the heading of “provider”, unless separately cited.

The Skills Funding Agency, the Agency and the Chief Executive refer to the Chief Executive of Skills Funding

If you are already listed on the Register, you do not need to take any action at this opening. There will be a ‘refresh’ later in the year and we will inform you of the date once it has been agreed.

General

What is the Register of Training Organisations?

In its simplest form, the Register is a single list of providers that the Agency does or can fund and/or contract with.

Those listed on the Register will be considered for future contracting opportunities for all types of training provision, including European Social Fund (ESF).

Where can I find a copy of the Register?

The Register of Training Organisations (the Register) closed for a fourth time on the 01 March 2013 at 17.00.

The new Register is available to view via the web page listed below. In line with the Government’s transparency agenda, the Agency publishes a list of all organisations which have been approved to enter the Register. The list and information about the Register is available at the following web page:

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

When will the Register re-open?

The Register of Training Organisations will re-open to all providers on 14 June 2013, with a deadline for completion by 17:00 on 05 July 2013.

Where will I find the information about the next Due Diligence Assurance Gateway re-opening?

Communication about re-openings of the Due Diligence Assurance Gateway will be via the Agency’s Update newsletter and website:

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

Who can enter the Register?

As long as they are a legal entity and have a valid UKPRN, any provider can apply to join the Register.

Which providers must complete the Due Diligence Assurance Gateway process?

Providers should complete the Due Diligence Assurance Gateway if they are not currently listed on the Register of Training Organisations and one or more of the following apply:

- They have an existing funding agreement with us for delivery of education and training.
- They want to be selected to be invited in the future to tender for education and training provision being commissioned by the Agency.
- They are a subcontractor holding contracts with an aggregate value of £100,000 or above per annum.

Please note it is now a Funding Requirement for **2013/14** that prime contractors **must not** appoint subcontractors who have an aggregate contract value of £100,000 for 2013/14, with one or more directly funded providers, who are not listed on the Register in such cases, the subcontractor must be listed on the Register before you enter into a subcontract with them.

Lead providers should liaise with their subcontractors to ensure they are aware of and complete the Due Diligence Assurance Gateway process but it is a subcontractor's responsibility to make that application.

There are no restrictions on a training organisation applying to enter the Register of Training Organisations.

How do I enter the Register?

Providers must apply to enter the Register by completing and passing the Due Diligence Assurance Gateway, which is a transactional process designed to ensure that providers are financially and technically sound. It is made up of 2 parts – 1) Online Questionnaire and 2) Financial Health Assessment. Both parts must be passed for providers to be deemed "Approved to enter the Register."

We have previously applied to enter the Register but were unsuccessful as we failed the Online Questionnaire. We passed the Financial Assessment so if we apply again, do we still need to submit our financial statements?

Yes – each application to the Register is separate so both the online questionnaire and financial statements must be fully submitted each time. If either part is not fully completed/submitted, it would constitute a fail. Passes from previous applications **cannot** be considered for future applications.

How likely is it that my organisation will pass the Due Diligence Assurance Gateway?

As the Due Diligence Assurance Gateway is part of our formal procurement process, we are unable to provide advice to organisations in advance as to whether they would pass the Due Diligence Assurance Gateway.

However, before applying, organisations must seriously consider whether their commercial and financial status is robust enough for assessment. We advise you refer to the Read me First and accompanying financial health assessment documents which provide further guidance.

Why do I need to submit financial statements as well as completing the online questionnaire?

As administrators of public funding we will only contract with organisations who can clearly demonstrate they are technically able and financially robust. The Due Diligence Assurance Gateway is a transactional procurement process designed to do this.

Please be aware however, of the specific financial statements we require from newly incorporated companies.

The online questionnaire will assess whether you have the capacity and capability to deliver an Agency contract, whilst the financial statements are evaluated to ensure your financial stability.

The 'Financial Health Assessment of Non College Providers' document can be found at <http://skillsfundingagency.bis.gov.uk/providers/programmes/register/>.

Due Diligence Assurance Gateway – Entering the Register

I have not previously applied to enter the Register, is there any action I need to take in preparation?

If you are applying to enter the Register of Training Organisations for the first time, you will need to ensure you are registered with the UK Register of Learning Providers (UKRLP) and have a UK Provider Registration Number (UKPRN). When completing the Due Diligence Assurance Gateway, the name of your organisation must be entered exactly the same as it appears on the UKRLP, which should also be your legal name. Where the organisation name and UKPRN does not match your application to the Register, it will not be evaluated and you will fail the Due Diligence Assurance Gateway Process. Only providers who have a current UKPRN will be accepted on the Register of Training Organisations.

Organisations are reminded that registration on the UK Register of Learning Providers (UKRLP) is free - <http://www.ukrlp.co.uk/>.

Please ensure that you download and read the "Read Me First – Guidance for Completion" document as this contains vital information and instructions that providers will need in order to apply. This can be found at <http://skillsfundingagency.bis.gov.uk/providers/programmes/register/>.

I wish to apply to enter the Register of Training Organisations – how do I get started?

After registering with the UK Register of Learning Providers (UKRLP) and receiving a UK Provider Registration Number (UKPRN), providers should register on the e-tendering portal which can be found at <https://skillsfundingagency.bravosolution.co.uk>

Providers can register at any time, even if the Gateway is not open, but must ensure that they do so with their legal name as on Companies House and UKRLP.

Once the Assurance Gateway opens, you will be able to access the online questionnaire. Instructions on how to find this can be found on our website: <http://skillsfundingagency.bis.gov.uk/providers/programmes/register/>.

I have previously applied to enter the Register and completed the online questionnaire but not been successful – when I re-apply will I have to fill out all my answers again?

If you have completed the Due Diligence Assurance Gateway before, the answers on your application are saved and will pre-populate any further versions of the questionnaire that you access. However, this will still be the case even if the question itself is amended, meaning that the pre-populated answer may subsequently be unacceptable against that question.

It is the provider's responsibility to ensure they check all answers thoroughly and are happy and content before submitting their online questionnaire, as **no changes can be made to it after the closing date.**

I would be grateful if you could provide some further information as to whether a named partnership, a consortium, a sole trader or any organisation able to enter into a contract with us would be eligible to complete the Due Diligence Assurance Gateway: If the Organisation entering the Register is not directly delivering but is competing for funds on behalf of the member organisations and they act as the lead.

Any organisation wishing to be considered for funding, regardless of their structure, must enter the Register and therefore must complete the Due Diligence Assurance Gateway process. An organisation's application must relate to the organisation which will be evaluated and, if successful, will subsequently be able to enter into a contract.

Section 4.1 of *Read Me First - Guidance for Completion* confirms that before you start the Due Diligence Assurance Gateway process, you should ensure that your organisation is a legal entity and is included in the UK Register of Learning Providers (UKRLP). We will undertake checks on all organisations completing the Due Diligence Assurance Gateway process to ensure that they are legal entities.

Why is it important that my organisation has a UKPRN?

The Agency will only enter into a funding agreement with organisations that have a valid UK Provider Reference Number (UKPRN).

Organisations are reminded that registration on the UK Register of Learning Providers (UKRLP) is free.

The name registered against the UKPRN should be the company's legal name, as listed on Companies' House.

When registering on the e-tendering portal, please ensure that the name of your provider matches the name listed against your UKPRN. Therefore, the name on the e-tendering portal will be the legal name.

Where the name and UKPRN on an application do not match that on UKRLP, an automatic fail will be incurred. If your UKPRN is incorrect you will automatically fail the process.

Providers must ensure their company name details are maintained and kept accurate as this will be the name which appears on the published Register.

I have some questions regarding my application, who can I contact?

All queries should be directed to the Due Diligence Assurance Gateway message board on the e-tendering portal, where it will be picked up by a member of the Register Team. Please be aware that messages directed elsewhere may not be read or responded to.

This is to ensure that we have a robust audit trail in place that is defensible to any possible challenge.

The Agency may not respond to queries two days before the Due Diligence Assurance Gateway closes. Please note that there may be a delay in response to messages during busy periods.

My legal structure has changed since I submitted my online questionnaire. How can I update it?

If you change your legal structure and/or status, you must inform us **immediately** via the Due Diligence Assurance Gateway message board on the e-tendering portal. You will then be able to re-enter the process at the next opportunity in line with your new legal structure and/or status.

Please note that if your new legal structure/status has resulted in the creation of a new company, then the new company is required to complete the Due Diligence Assurance Gateway process.

Emails sent via other routes may not be checked or responded to.

The name of my organisation has changed since I submitted my online questionnaire. How can I update it?

If you are a current contract holder and your organisation's name changes with no other legal or organisational change, you must advise the Agency in writing via your Relationship Manager, providing evidence in the form of Companies House and UKRLP certificates. Once the Agency has verified there is only a name change, we will advise Bravo to amend this against your account. Please be aware that they have been instructed not to action any name changes without confirmation from the Register Team.

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, 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.

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.

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.

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

E-tendering Portal

We are registering on the e-tendering portal for the first time. Whose contact details should we include?

The email address registered on the e-tendering portal will be how we communicate with you. So it is your responsibility to ensure that the email address is spelt correctly, accessible and belongs to a member of staff who will monitor it. If that member of staff will not be able to access emails regularly, it is a good idea to add

multiple colleagues' email addresses to your profile to ensure communications are not missed.

Providers must ensure their company name details are maintained and kept accurate as this will be the name which appears on the published Register.

For technical assistance and advice on changing user details, please contact help@bravosolution.co.uk.

I need to complete the online questionnaire part of the Due Diligence Assurance Gateway. I have not had to use the e-tendering portal for over a year and have forgotten my username and password.

We are unfortunately unable to assist with technical queries regarding the e-tendering portal as it is managed by a third party. Please contact help@bravosolution.co.uk and the representatives there will be pleased to advise you.

Can you help me gain access to the e-tendering portal? My predecessor is no longer contactable and the username and password I have been given does not work. Could you possibly arrange for the supply of new access codes?

We are unfortunately unable to assist with technical queries regarding the e-tendering portal as it is managed by a third party. Please contact help@bravosolution.co.uk and the representatives there will be pleased to advise you.

I have logged on to <https://skillsfundingagency.bravosolution.co.uk> to complete the online questionnaire but I can't find it. Can you help?

Please refer to the *Locating the Questionnaire* page of the *Quick Reference Support Guide for the e-tendering portal* available at:
<http://skillsfundingagency.bis.gov.uk/providers/programmes/register/>.

How do we change our user details on the e-tendering portal?

For technical assistance and advice on changing user details, please contact help@bravosolution.co.uk.

I have registered on the e-tendering portal, when do I receive my results?

Please note registering your details on the e-tendering portal does not constitute a submission to the Register. You will need to complete the online questionnaire located on the e-tendering portal which forms the submission to the Register. Please refer to the Quick reference support guide for the e-tendering portal for further guidance.

Due Diligence Assurance Gateway – Outcomes of Previous Evaluations

What happens next if I am “Not Approved” to enter the Register of Training Organisations?

The Agency will provide written feedback to all providers that are 'Not Approved to enter the Register', advising the reason for this (for example, due to failing the Online Questionnaire, the Financial Health Assessment or both).

Organisations that are assessed as 'Not Approved to enter the Register' can re-apply when the Register reopens. Please be aware that existing providers will have 2 opportunities to enter the Register – if after 2 consecutive openings you are not listed on the Register, your agreement with the Agency will be terminated.

If you have a current funding agreement with us or are an existing subcontractor until you enter the Register you will be excluded from growth cases and future tenders.

The Register's re-opening will be communicated through Update and via the website: <http://skillsfundingagency.bis.gov.uk/providers/programmes/register/>.

If my organisation is 'Not Approved' on the basis of financial health can we reapply straight away?

No, those organisations which were Not Approved on the basis of their Financial Health Assessment can reapply to the Register when it re-opens, but this will need to be on the basis of updated financial statements being available.

Serious consideration should be given to further application if a provider's situation/information has not changed since the previous submission. As an administrator of public funds, the Agency will not award contracts to providers classed as high risk in this area. We advise you refer to the Agency's Financial Health Assessment of Non College Providers document for further guidance which advises the supplementary documentation an organisation can submit as business plan information if they have previously failed their financial health assessment on the basis of their financial statements.

I have been Approved to enter the Register, when will I receive a contract?

Successfully completing the Agency's Due Diligence Assurance Gateway does not mean you will receive a contract. It means you will be invited to compete in future tender exercises depending on the type of provision selected as part of the questionnaire and if successful potentially be eligible for a contract.

We have received confirmation that we are approved to be listed on the Register of Training Organisations but have been unable to find our organisation listed on the Register published on your website.

Please be aware that organisations are listed on the published Register according to the name they have registered on the e-tendering portal. Providers should ensure that this name matches the name against their UKPRN.

The company name registered against the UKPRN should be the legal name therefore; *the name appearing on the Register should also be the legal name.*

Providers must ensure their company name details are maintained and kept accurate as this will be the name which appears on the published Register.

If your organisation's name changes (without any other legal change) or is not consistent between UKRLP and the e-tendering portal, you must ensure your accounts are updated/revised to reflect the correct information. The e-tendering portal can only be changed by Bravo who have been instructed not to amend any organisation's name without confirmation from the Register Team. Therefore, you must advise the Agency, via your Relationship Manager, of a change in name, providing Companies House and UKRLP certificates as evidence. Once the Agency has verified there is only a name change, we will tell Bravo to amend this against your account.

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.

I am a new entrant and wish to be invited to tender by the Agency in the future – what happens if I fail to enter the Register?

If an organisation is not listed on the Register of Training Organisations, it is ineligible to be invited to tender for delivery of education and training. Organisations who are not currently in our supply chain can apply to be listed on the Register as many times as they wish however, serious consideration should be given to further applications if a provider's situation/information has not changed since the previous submission.

Those organisations which were Not Approved on the basis of their Financial Health Assessment can reapply to the Register when it re-opens, but this will need to be on the basis of updated financial statements being available. As an administrator of public funds, only organisations that can demonstrate they are financially robust will enter the Register. The Agency will not contract with an organisation which is high risk.

I am a lead provider but not currently listed on the Register. What are the implications for me if I fail the Due Diligence Assurance Gateway process? How many opportunities are there for me to apply to enter?

All providers with a current funding agreement with the Agency for delivery of education and training will have 2 opportunities to enter the Register before action is taken. If you fail to enter the Register the Agency will end their relationship with you. As a lead provider you will be excluded from growth and future tenders until you enter the Register.

What are the implications for me as an existing subcontractor with an aggregated contract value in excess of £100,000 that has failed the Due Diligence Assurance Gateway?

All subcontractors with an aggregated contract value in excess of £100,000 are now required to enter the Register.

The implications of not being published on the Register will depend on when a subcontractor is identified on the Subcontracting Register with an aggregate contract value of £100,000 or more. Once a subcontractor is identified they will have 2 opportunities to apply to enter the Register and if after 2 consecutive openings they fail to apply or to pass, corresponding lead provider/s will be contacted and notified that the contractual arrangement must be terminated.

Please note it is now a Funding Requirement for 2013/14 that prime contractors **must not** appoint subcontractors who have an aggregate contract value of £100,000 for 2013/14, with one or more directly funded providers, who are not listed on the Register in such cases, the subcontractor must be listed on the Register before you enter into a subcontract with them.

What are the timescales for entry onto the Register of Training Organisations and the subsequent implications for current lead providers?

The Register has been published four times - in April 2012, in July 2012, November 2012 and again in June 2013 - therefore, providers with a current funding agreement with the Agency for delivery of education and training have had four opportunities to

enter. Specific action is now being taken with those that have failed or not applied for a fourth time.

Now that my organisation has been confirmed as appearing on the Register of Training Organisations, when will I be invited to tender and what will I be invited to tender for?

When organisations appear on the Register of Training Organisations, they will be invited to tender for the types of education and training provision they indicated they were interested in delivering in their response to Question REG-TC-03 of the online questionnaire.

It is not possible at this stage to indicate the number of invitations to tender that may be launched by the Agency in the coming months. We are also not in the position to confirm the types of education and training provision that may be commissioned within these procurement rounds, or the potential level of funding involved.

Organisations should be aware that invitations to tender are conducted on a competitive basis and that they will therefore be competing against other training providers should they decide to submit a tender when invited to do so.

You will be alerted to any potential tender opportunities via the e-tendering portal it is therefore critical that your organisation monitors the messages the Agency sends you.

I have been approved to enter the Register, when will I be allocated a Relationship Manager?

Only organisations with a current funding agreement with the Agency are allocated a Relationship Manager. Approval to enter the Register does not automatically assign you a funding agreement - it means you will be invited to compete in future tender exercises and if successful, be potentially eligible for a funding agreement. Relationship Managers are allocated to those organisations who receive a direct contract with the Agency.

Now our organisation is listed on the Register are we able to say we are “Approved” by the Chief Executive of Skills Funding and are we able to use the Skills Funding Agency’s logo on our promotional material?

No – appearing on the Register does not infer that we endorse you as an organisation and it is not a ‘kitemark’ nor ‘award’. An organisation’s appearance on the Register does **not** entitle them to use our logo.

The Agency will not provide any references to this effect.

Information and guidance on logos and design can be found at:

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

My organisation has not been approved to be listed on the Register. Where can I send further information to you to enable my Due Diligence Assurance Gateway submission to be reconsidered?

We cannot accept applications or additional information/documentation to applications submitted after the deadline. This would provide an unfair advantage and could have an adverse affect on your application if a challenge is made by another provider.

Ensure you check all answers thoroughly and you are happy with the responses before submitting your online questionnaire, as no changes/additions can be made to any part of the application after the closing date.

The Due Diligence Assurance Gateway process will re-open at the e-tendering portal on 14 June 2013, closing on 05 July 2013. Upon re-opening, organisations are able to review their previous submission and resubmit if they wish to.

Can I send in further information in support of my application to the Register of Training Organisations after the closing date?

No – the Skills Funding Agency will not accept any information after the Due Diligence Process has closed. If you have submitted incomplete information and want to send in further information in support of your claim you must wait until the Due Diligence Assurance Gateway reopens again.

Under what circumstances can my organisation be removed from the Register?

The Chief Executive reserves the right to remove any provider from the Register of Training Organisations. The grounds for removal of providers reflect the circumstances described in the Skills Funding Agency's Funding Higher Risk Providers and Subcontractors and Provider Risk Assessment and Management:

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

Feedback Clarification

Have organisations which have been identified as Not Approved been given feedback?

The Skills Funding Agency provides written feedback to all providers that are 'Not Approved' to enter the Register.

This debrief will advise the outcome of your application (Approved or Not Approved to enter the Register) along with the pass/fail status of the online questionnaire and financial health assessment, listing the scores for each section and the total scores of the online questionnaire.

It will not identify the specific question(s) that contributed to a fail. If we did this, it would directly assist you with a subsequent attempt that you may make to complete the Due Diligence Assurance Gateway as the response to select to score well would likely become self-evident. Such a process could be construed by other organisations looking to complete the Due Diligence Assurance Gateway as being unfair and therefore it would be open to challenge.

Please be advised we cannot provide specific feedback on the financial health assessment, other than that provided in the debrief feedback. We advise you refer to the Read me First and accompanying financial health assessment documents for further guidance.

The Read Me First – Guidance for Completion document attached to the Due Diligence Assurance Gateway online questionnaire indicated that organisations would pass or fail the Due Diligence Assurance Gateway

process but the notification I received did not include this pass/fail terminology.

The pass/fail terminology refers to the results of each part of the Due Diligence Assurance Gateway (online questionnaire and financial health assessment). The 'approved/not approved' terminology refers to the overall status of your application and thus your eligibility to enter the Register of Training Organisations.

For example, the online questionnaire and financial health assessment could be classed as pass and fail respectively, resulting in an overall status of Not Approved.

Both parts of the questionnaire must be passed to be deemed as approved to enter the Register.

The Read Me First – Guidance for Completion has been updated to reflect this.

We have received notification that we have not been approved to be listed on the Register of Training Organisations and would like further feedback to help us understand why we were unsuccessful on this occasion. We scored -150 in the online questionnaire.

As per Section 9 of the Read Me First – Feedback document, you will receive feedback to confirm your score for each section of the online questionnaire and also the total score.

The document also goes on to explain that we are unable to provide further information on the specific questions that contributed to your online questionnaire score. If we did this, it would directly assist you with a subsequent attempt that you may make to complete the Due Diligence Assurance Gateway as the response to select to score well would likely become self-evident. Such a process could be construed as being unfair and therefore it would be open to challenge.

If providers intend to reapply, they should review the questions and answers within the section that incurred a negative score to ensure the information provided is correct and there are no simple errors that could cause an application to fail.

We have received notification that we have not been approved to be listed on the Register of Training Organisations and would like further feedback to help us understand why we were unsuccessful in the Financial Health Assessment

Please refer to the information contained in your individual debrief and the document available at the following link which details the Financial Health Assessment process:

<http://readingroom.lsc.gov.uk/SFA/SFA-financialhealthassessmentofnoncollegeproviders-publicpaper-17jan2012.doc.pdf>

We suggest that you discuss these documents with your accountant should you require further clarification on their contents.

We have received notification that we have been approved to enter the Register with a total score of 0 for the online questionnaire. We are confused as to how we could have achieved such a low score as we have a strong track record in delivering education and training.

The scoring regime for the online questionnaire is explained in the Read Me First – Guidance for Completion document. All providers begin with a score of 0, with unacceptable answers generating a negative score. *It is important to remember that marks are not awarded, but rather deducted.*

A total score of 0 is the highest score possible for the online questionnaire. In order to pass the online questionnaire, organisations were required to score between 0 and -99 (zero and minus ninety-nine).

Any scores of -100 or less will incur a fail for the online questionnaire, resulting in the organisation being 'Not Approved to enter the Register'.

You have indicated in the feedback that whilst our organisation is listed on the Register of Training Organisations, our overall score was between -1 and -99. What does that mean?

The criterion to pass the online questionnaire is to score between 0 and -99.

Any organisation which scored a total of between 0 and -99 for the online questionnaire element of the Due Diligence Assurance Gateway and passed the Financial Health Assessment is listed on the Register of Providers. Zero was the highest possible score for the online questionnaire.

We have been informed that we did not submit financial statements but we believed that we were exempt from being required to do this as any funding we received from the Agency would have been less than 5% of our total annual turnover.

Section 7.2.4 and 7.3 of the Read Me First Guidance for Completion document explains that in order to be exempt for this reason, organisations will need to have been previously assessed and classified as exempt.

Therefore if you fall into the (5%) category, as a lead provider or subcontractor, and have not been previously assessed by the Agency, or have been previously assessed and not informed of an exemption, you will be required to submit financial statements.

This enables the Agency to determine whether a provider is financially stable and establish that potential Agency contract values are no more than 5% of annual turnover.

My organisation has been notified it is not on the Register and we want to appeal this decision. What is the process for this?

There is **no right of appeal** to the decision reached on each organisation's Due Diligence Assurance Gateway submission, as per Section 12 of the Read Me First – Guidance for Completion document.

Organisations need to bear this in mind when applying to enter the Register. Only organisations that can demonstrate they are financially robust will enter the Register.

Communications

I would like to speak to someone to discuss the outcome of my Due Diligence Assurance Gateway submission.

To ensure a fully auditable trail of correspondence is available to the Agency and organisations, all questions must be routed via the e-tendering portal's secure message service. Please be aware of potential higher volumes of messages to the Skills Funding Agency following the notification to organisations and therefore we are grateful for organisations' patience while we respond.

Employees of the Agency, other than those on the Register team, have been instructed not to provide information or guidance relating to applications to enter the Register to providers; they cannot assist with any submissions, nor provide feedback,

so should not be approached for such. Any instances of this will be reported to the Register team and recorded as part of the audit trail.

We advise you refer to the Read me First and accompanying documents in the first instance as this forms the basis of the information we provide when responding to queries.

My organisation has previously applied to enter the Register but the member of staff involved has now left. Do we need to update our details?

The e mail address registered on the e-tendering portal will be how we communicate with you. So it is your responsibility to ensure that the e mail address is spelt correctly, accessible and belongs to a member of staff who will monitor it.

Providers must ensure their company name details are maintained and kept accurate as this will be the name which appears on the published Register.

For technical assistance and advice on changing user details, please contact help@bravosolution.co.uk.

We also advise you add more than one contact email address to your organisation's user account, as this will ensure you receive any notifications via the e-tendering portal. Information on how to do this can be found in the 'Bravo e-tendering portal' – Keeping your information up to date' document found on our website <http://skillsfundingagency.bis.gov.uk/providers/programmes/register/>

I am the main contact for my organisation listed on e-tendering portal but can be out of the office on a regular basis with limited access to emails. What can I do to make sure I don't miss important communications?

There may be instances where you are required to respond to messages within a short time period; if you are not always able to access your e mail inbox, it is a good idea to add colleagues' e mail addresses to your profile to ensure someone is available to respond. It is your responsibility to ensure your contact details on the e-tendering portal are managed effectively.

Invitations to Tender

How will I know that my organisation has been invited to tender for delivery of relevant education and training services?

The Agency sends out alerts regarding future tenders via our e-tendering portal. Those organisations that are Approved to enter the Register will be alerted to tendering opportunities this way. It is therefore, vital that you ensure your contact details for receiving these messages are correct and regularly maintained.

Further questions regarding future procurement and tender opportunities should be sent to procurementhelp@SkillsFundingAgency.bis.gov.uk

Funding Requests

Who can I contact at the Skills Funding Agency to discuss how I can get funding for my business model/idea/proposal?

We regret that we are unable to fund speculative proposals from organisations or provide advice or feedback on such proposals. Organisations seeking information on potential sources of funding for the delivery of education and training services should be aware that we are unable to provide such advice.

However, information relating to the Agency's future tendering opportunities and strategy, in line with the wider Skills Investment Strategy, can be found at the following link:

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

Subcontracting

How do I know which subcontractors need to apply to enter the Register? (All subcontractors with an aggregate contract value of £100,000 and above need to apply and enter the Register before they enter into a subcontracting relationship for 2013/14)

The Subcontracting Register will be published before the opening of the Due Diligence Assurance Gateway. The latest version of our Subcontracting Register can be found on our website

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

What is the difference between the Subcontracting Register and the Register of Training Organisations?

The Subcontracting Register is a central collective source of the aggregate values of subcontractors that lead providers have provided as part of their contracts with the Skills Funding Agency. Subcontracting information is taken from the Declaration forms our providers return to us. The Subcontracting Register is published at:

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

How do I apply to appear on the Subcontracting Register?

The Subcontracting Register is a collation of information provided to the Agency by Lead Providers, and as such there is no 'application' to appear on the Subcontracting Register. Lead Providers are responsible for ensuring they update their subcontracting information via the Declaration of Subcontractors form. The Agency then collates this data and presents it via the Subcontracting Register at different points in the year.

What is the Declaration of Subcontractors form and how does this relate to the Register of Training Organisations?

If you are a lead provider to the Agency but rely on some of your provision being delivered by another company and make payment for this through your funding allocation, this arrangement is classed as subcontracting and needs to be declared. Lead providers must do so, regardless of total contract value, by completing the Declaration of Subcontractors form. This feeds into the Subcontracting Register which is different from the Register of Training Organisations in that it simply details all subcontractors contracted to deliver over £100,000 of provision in aggregate, their lead providers and the aggregate contract value.

I am a lead provider to the Agency. What are my responsibilities regarding my subcontractors in the context of the Register?

Lead providers are responsible for ensuring that their subcontractors with an aggregate financial value of £100,000 or more across one or more provider/s know they should apply to enter the Register by completing the Due Diligence Assurance Gateway process.

If the individual subcontract held with a lead provider is less than £100,000, the lead provider should verify if further subcontracts exist which could place the subcontractor over the £100,000 threshold. A list of subcontractors contracted to

deliver over £100,000 in aggregate and their lead providers is available on the website:

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

Lead providers should liaise with their subcontractors to confirm they understand and complete the Due Diligence Assurance Gateway process.

How do I find out which organisations are listed as subcontractors?

The Skills Funding Agency supports the sector by publishing a list of all subcontractors with an aggregate contract value of £100,000 and over, together with details of their lead provider/s:

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

The Agency collects this information from the sector through the Declaration of Subcontractors form, a contractual requirement to be submitted twice a year by the lead providers, which is then collated and aggregated into the Subcontracting Register.

We use the term lead provider to refer to a college, training organisation or employer.

I am a subcontractor to one or more Agency lead providers and have been informed that I will not be listed on the Register. What does this mean?

If you are currently a subcontractor with an aggregate financial value of £100,000 or more across one or more lead providers, and have been assessed as Not Approved, the Agency will inform your Lead Provider/s. The Agency will request that your Lead Provider/s seeks the necessary assurances to validate the contract you hold with them.

Do all subcontractors have to complete the Due Diligence Assurance Gateway process?

The Chief Executive expects all subcontractors with an aggregated contract value in excess of £100,000 to have entered the Register.

Organisations that have an aggregate contract value below £100,000 do not have to apply to enter the Register but can do so, if they wish to be deliver funding as a lead provider in their own right.

I am a subcontractor to one or more Skills Funding Agency lead providers – is there a deadline for entering the Register and will there be any more opportunities to do so before the end of the year?

All subcontractors with a current aggregate contract value of £100,000 or more, across one or more lead providers, along with those that wish to subcontract in the future, must submit and be Approved to enter the Register.

It is now a Funding Requirement for 2013/14 that prime contractors **must not** appoint subcontractors who have an aggregate contract value of £100,000 for 2013/14, with one or more directly funded providers, who are not listed on the Register in such cases, the subcontractor must be listed on the Register before you enter into a subcontract with them.

Is the Agency responsible for the due diligence of subcontractors that are listed on the Register of Training Organisations?

No – the Agency expects lead providers to conduct their own due diligence on any subcontractors they engage. The Due Diligence Assurance Gateway is a

procurement process to satisfy the Agency that any provider is technically and financially sound to deliver training provision. The appearance of a subcontractor on the Register of Training Organisations does not remove the responsibility of lead providers to conduct their own due diligence to ensure the suitability for their subcontracting requirements.

Whilst subcontractors may go through and pass the due diligence process of a lead provider in order to subcontract, they must pass our Due Diligence Assurance Gateway in order to sit on the Register of Training Organisations.

Why do subcontractors have to complete the Due Diligence Assurance Gateway for the Register of Training Organisations?

The Agency requires those subcontractors whose aggregated total funding is £100,000 or more, across one or more provider/s, to complete the Due Diligence Assurance Gateway process.

The Agency has to ensure that it manages the deployment of funds effectively and efficiently while mitigating any associated risks to support the sector. As part of our commitment to the sector and in line with the intentions of the government's transparency agenda, we publish the **Register of Training Organisations and the Subcontracting Register** periodically throughout the year. By including subcontractors with an aggregate funding over £100,000 or more in these publications, it provides the Chief Executive with an additional mechanism to share information and manage and monitor public funds.

This requirement does not diminish the due diligence responsibilities of lead organisations when engaging subcontractors.

The Chief Executive reserves the right to refuse subcontractor relationships with lead providers.

My organisation is listed on the Register and would like a subcontracting arrangement with one of the Skills Funding Agency's lead providers. Can the Agency facilitate this?

No - the Agency does not facilitate the engagement of subcontractors by lead providers. All subcontracting arrangements are undertaken by the lead providers, subject to their due diligence and decision making processes. There is an onus on both parties, lead provider and subcontractor, to ensure that the subcontractor has the capability and capacity to deliver the contract in question.

We are a subcontractor receiving funding indirectly from the Chief Executive of the Skills Funding Agency via a lead provider. Our total aggregate contract value is under £100,000 and our lead provider is insisting that we apply to enter the Register – do we have to complete the Due Diligence Assurance Gateway?

The Agency only requires subcontractors with a current aggregate contract value of £100,000 or more, across one or more lead providers to enter the Register.

However, as an existing subcontractor you may wish to consider if you wish to be selected to be invited to tender by us in your own right, rather than solely as a subcontractor to a lead provider. Please note if you do, you will need to declare when completing the online questionnaire that you have sufficient financial stability, capacity, capability and resource to deliver provision per academic year.

Can our lead provider insist that we apply for entry on the new Register?

As soon as a subcontracting arrangement is entered into and the subcontractor is over the £100,000 aggregated threshold, the subcontractor must apply to enter the Register. It is the responsibility of the lead provider/s to ensure their subcontractors understand their obligation and apply to enter the Register by completing and passing the Due Diligence Assurance Gateway process.

We are unable to advise lead providers and their subcontractors as to how they carry out their own due diligence processes as long as lead providers meet the requirements specified within the funding agreement they have with us. Subcontractors should liaise with their lead provider(s) if unsure.

I am a lead provider with several sub-contractors. Should my answers to the online questionnaire be based on my organisation or also include information about my subcontractors?

A provider's response to the online questionnaire, as part of the Due Diligence Assurance Gateway, should only relate to their organisation which is applying to enter the Register.

With regards to your subcontractors, lead providers are responsible for:

- completing the Declaration of Subcontractors form to advise the Agency of all subcontracting agreements, regardless of value.
- ensuring that their subcontractors with an aggregate financial value of £100,000 or more across one or more provider/s, apply to enter the Register by completing the Due Diligence Assurance Gateway process.

We understand that subcontracting relationships are subject to change and we ask that you update your subcontract declaration form immediately. The Register opens periodically throughout the year and aligns with publication of the Subcontracting Register

Communications about these activities will be communicated through Update and via the website:

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

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

We have three subcontractors that we work with and only one has a contract value in excess of £100,000. Do they all have to register or just the one with the contract over £100,000?

Only the subcontractor delivering at least £100,000 in aggregate must complete the Due Diligence Assurance Gateway process and be listed on the Register.

Please note that once subcontracting agreements with an aggregate value in excess of £100,000 are entered into, declared and published on our Subcontracting Register, we expect these subcontractors to apply the next time the Register opens. However, there is nothing to prevent potential subcontractors applying in advance.

The £100,000 refers to the aggregate value of contracts held by a subcontractor with one or more Skills Funding Agency lead providers and not the value of each individual contract held. Lead providers should liaise with their subcontractors to ensure they are aware of the process but it is a subcontractor's responsibility to apply to enter the Register.

We will monitor whether providers currently funded to deliver education and training and subcontractors holding subcontracts with an aggregate value of £100,000 or above per annum complete the Due Diligence Assurance Gateway and will take action accordingly.

Additionally, lead providers are responsible for completing the Declaration of Subcontractors form to advise the Agency of all subcontracting agreements, regardless of value. Further information on this can be found at:

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

Exemptions

We are a Sixth Form College – do we need to apply to enter the Register?

Sixth Form Colleges are exempt from entering the Register if they wish to apply for future tendering opportunities or increase their maximum Contract Value, they will need to successfully enter the Register.

We are a large employer who is contract managed by NAS. Do we need to apply to enter the Register?

Yes. As detailed in the Read Me First guidance document, large employers who are in receipt of grant funding from NAS are now required to pass the Due Diligence Assurance Gateway.

Information on the services NAS provide can be found at:

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

We believe we are a Large Employer, delivering training services to our employees only – do we need to apply to enter the Register?

Yes. In this situation, employees are classed as learners which mean your organisation is a training provider so you would still need to apply to enter the Register.

I am in the process of completing the online questionnaire as part of the Due Diligence Assurance Gateway but several of the questions do not apply to our organisation. I don't want to be marked down for leaving answers blank – what do I do?

For any questions that do not apply to an organisation, the 'N/A' option should be used – this will be either included as a drop down answer or can be typed into the text box.

Refresh of the Register of Training Organisations

When will I be required to refresh my entry on the Register?

The Agency will notify all providers when there is a requirement to refresh their Register information. This will be later in the year; the date will be widely communicated ahead of the refresh to allow organisations the opportunity to respond.

As of January 2013, my organisation will have been on the Register for one year – is there anything that we need to do to ensure we remain on it?

At this stage organisations are not required to refresh their submission to remain on the Register. Organisations will be required to refresh their information later in the

year, and the Agency will advise those organisations that are required to refresh in due course.

Once a provider has been on the Register for a year, they are required to refresh their application. This involves applying to the Due Diligence Assurance Gateway again as part of the 'Register Refresh' when it opens. You simply need to ensure that the information we hold is correct and accurate so if there have been no changes to your situation then your application will remain the same, along with your position on the Register.

You will be required as part of the Refresh activity, to advise the Skills Funding Agency that your information is still correct. Failure to do so will result in your removal from the Register of Training Organisations, you will not be invited to tenders and if awarded a contract a funding suspension of funding.

How often do I have to refresh my application to remain on the Register of Training Organisations?

Providers are only required to refresh their application once they have been on the Register for one year. As the refresh process is the same as the original application process, you will be able to do so when the Register opens periodically throughout the year. We will monitor the Register population to ensure that providers are fulfilling their refresh obligations and may take action accordingly.



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