

The Register of Training Organisations

Due Diligence Assurance Gateway

Read me First – Guidance for Completion

August 2012



European Union
European Social Fund
Investing in jobs and skills

Of interest to all training organisations and colleges

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1. About the Skills Funding Agency

The Skills Funding Agency is a partner organisation of the Department for Business, Innovation and Skills (BIS) and it exists to fund and promote adult further education (FE) and skills training in England.

The FE and skills sector comprises more than 220 FE colleges, some 900 independent training providers, and some 2,500 training organisations with which colleges and providers subcontract. Our role is to assist the sector by making the funding and support available.

For more information on our mission and role please see:

<http://skillsfundingagency.bis.gov.uk/aboutus/>.

Each year BIS sets out its policy priorities for the skills sector in a Skills Investment Statement (SIS), 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 SIS, consistent with the Chief Executive's statutory duty to promote and 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.

A link to the Skills Investment Statement (SIS) can be found at:

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

2. The Services We Fund

We fund delivery of education and training services including:

Apprenticeships

Workplace learning

Classroom learning, including Skills Support for Unemployed

Offender Learning and Skills Service

Community Learning

The Chief Executive enters into funding agreements with colleges 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 funded by the European Social Fund (ESF). 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 invite providers who have successfully passed the Due Diligence Assurance Gateway process and are entered on the Register of Training Organisations to compete for this delivery.

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

3. The Register of Training Organisations

3.1 Introduction

The Register of Training Organisations is a single register of providers that have passed our Due Diligence Assurance Gateway process and are eligible to be invited to compete for future invitations to tender for the delivery of education and training services.

Entry on the Register of Training Organisations does not guarantee you will receive funding from the Chief Executive of Skills Funding but you will be invited to tender in the future and considered for allocation, based on the appropriate provision box you have selected in your questionnaire submission.

Before completing the Due Diligence Assurance Gateway providers are advised there is **no right of appeal** against the outcome of the evaluation process.

3.2 Background

The procedure we utilise in the majority of cases when procuring Education and Vocational Training Services follows the EU Restricted Procedure is a two part process and involves a pre-qualification stage to ensure that only suitable providers are invited to tender. It includes financial and technical assessment which is designed to ensure that providers are commercially sound in these areas and their ability to deliver to the required standard has been established prior to being invited to tender for education and training activity.

In the case of the Register of Training Organisations, the Agency identifies suitable training providers through the Due Diligence Assurance Gateway. The Due Diligence Assurance Gateway tests providers in two areas; they have to successfully pass both the on-line questionnaire and the financial health assessment in order to be entered on the Register of Training Organisations.

Only providers who are on the Register of Training Organisations are eligible to receive funding from the Chief Executive for education and training services. Similarly, we will

continue to ensure that existing providers that are listed on the Register remain eligible for the funding they receive.

3.3 Purpose

The Register of Training Organisations has three distinct purposes:

- 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.
- To provide us with a list of organisations that are eligible to be selected to be invited to tender for the provision of education and training services.
- To enable us to support the sector in subcontracting provision with an aggregate value in excess of £100K to suitable providers via the Due Diligence Assurance Gateway.

For the purposes of this document:

- Colleges, local authorities, private training organisations are all identified as training providers;
- The Register refers to the Register of Training Organisations;
- We, us, the Agency, the Chief Executive, refers to the Chief Executive of Skills Funding;
- Lead or Prime Contractor is the organisation that has the direct contractual relationship with the Chief Executive of Skills Funding;
- Subcontractors are organisations within the Agency's supply chain, that do not hold a direct contractual relationship with the Chief Executive of Skills Funding;
- Learners, for the purposes of the Register of Training Organisations, may also refer to employees. For example if you are an employer only delivering training to your own employees or those employees in your supply chain only.

3.4 Appearing on the Register of Training Organisations

If you pass both parts of the Due Diligence Assurance Gateway, you will be assessed as 'Approved' to appear on the Register from its next publication date, unless you are subsequently removed. Removal of organisations from the Register is covered in section 3.6.

Please note that organisations that appear on the Register will **not** receive a registration number.

Appearing on the Register does not infer that we endorse you as an organisation and it is not a 'kitemark' nor 'award'. Organisations that appear on the Register are **not** entitled to use our logo.

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

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

As a Government department, we do not provide references for providers.

3.4.1 Subcontractors

It is not a requirement that only subcontractors that appear on the Register of Training Organisations can enter our supply chain. However, we expect subcontractors with an aggregate value in excess of £100,000 that are declared and published on our Subcontracting Register to apply the next time the Register opens.

If a lead provider funded by us chooses to subcontract to an organisation that appears on the Register, this does not remove any requirement by us in respect of the engagement of subcontractors through fair and transparent procurement, nor does it absolve the lead provider from undertaking their own due diligence processes as set out in our funding rules.

If, as a lead provider or subcontractor, you fail the Due Diligence Assurance Gateway, you will not appear on the Register. Section 10 on Resubmissions clarifies the basis on which organisations are able to resubmit to the Due Diligence Assurance Gateway.

3.5 Annual Refresh

Your ability to remain on the Register of Training Organisations is subject to you continuing to pass the Due Diligence Assurance Gateway following an annual refresh of your submission. Organisations that do not refresh their information (both the online questionnaire and their financial information) annually will be assessed as failing the Due Diligence Assurance Gateway process and will be subject to actions set out at: <http://skillsfundingagency.bis.gov.uk/providers/programmes/register/>. Under these circumstances the organisation will have to reapply to enter the Register at the next opening.

3.6 Removal of organisations 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 Policy and Provider Risk Assessment and Management Policy:

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

If you change your legal structure and/or status, you must inform us immediately via the relevant 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.

If there is a change to your name only, with no other legal or organisational change, your details on the e-tendering portal must be amended accordingly by contacting Bravo Solution. As this data is owned by the provider and is between them and Bravo Solution, the Agency cannot make this change for you. We must also be advised via a message on the current version of the Register's message board. The Agency will change your organisation's name on the Register the next time it is 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.

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 contact help@bravosolution.co.uk to change your organisation's name on the e-tendering portal.

Please be aware that organisations are listed on the published Register according to the name they have registered on the e-tendering portal. This should be the organisation's full legal name which in turn matches the entry against the UKPRN. 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.

3.7 Publication of the Register

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

If you have a generic query about the Register and its purpose, please contact us at Registerhelp@skillsfundingagency.bis.gov.uk. Our aim is to respond to your query within 2 working days. We may choose to publish your anonymised query and the response to it in a list of Frequently Asked Questions (FAQs) on our website. This email address is solely for generic questions relating to the Register of Training Organisations. Specific questions about the Due Diligence Assurance Gateway process must be raised against the current Register message board on the e-tendering portal.

4. Due Diligence Assurance Gateway

4.1 Introduction

The aim of the Due Diligence Assurance Gateway is to enable us to assure ourselves that training organisations are suitable entities to deliver the education and training services funded by the Chief Executive.

The Due Diligence Assurance Gateway process consists of two distinct parts:

1. Online questionnaire
2. Financial Health Assessment.

Organisations must check they have completed and submitted their online questionnaire to the best of their knowledge and they are happy with the content. As part of completing this questionnaire, you are required to upload your latest financial statements.

Your responses to the questionnaire and your financial statements will be evaluated in order to determine whether you pass or fail the Due Diligence Assurance Gateway. You must pass both elements of the Due Diligence Assurance Gateway in order to be 'Approved to appear on the published Register of Training Organisations'.

Before you start the Due Diligence Assurance Gateway process, you should ensure that:

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

4.2 Which organisations should complete the Due Diligence Assurance Gateway?

Your organisation should complete the Due Diligence Assurance Gateway if one or more of the following apply:

- You have an existing funding agreement with us for the delivery of education and vocational training.
- You want to be selected to be invited to tender for education and training provision being commissioned by the Skills Funding Agency in the future.
- You are a subcontractor to one or more organisations, holding an existing funding agreement with us for the delivery of education and vocational training, and the contracts you hold with the organisation(s) have an aggregate value of £100,000 or above per annum.

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

4.3 National Apprenticeship Service (NAS) Direct Grant Large Employers

Large employers who are in receipt of grant funding from NAS are now required to pass the Due Diligence Assurance Gateway.

Please contact the National Apprenticeship Service for advice before completing the Due Diligence Assurance Gateway:

4.4 Organisations that are listed on the Register of Training Organisations

Legal entities that have previously successfully completed the Due Diligence Assurance Gateway process and are listed on the Register of Training Organisations **do not** need to complete the process on this occasion. We will notify you about the timescales for the annual refresh of your Due Diligence Assurance Gateway information later this year.

As per section 3.6, if you change your legal structure and/or status, you must inform us **immediately** via the relevant Due Diligence Assurance Gateway message board on the e-

tendering portal. You will then be able to complete the Due Diligence Assurance Gateway at the next opportunity in line with your new legal structure and/or status.

Training Organisations that are already on the Register should ensure that their responses are correct and accurate at the point of refresh and their contact details remain consistently up to date on the e-tendering portal.

4.5 Organisations that were unsuccessful in a previous Due Diligence Assurance Gateway submission

Please refer to Section 10 – Resubmissions. If you were unsuccessful in your previous Due Diligence Assurance Gateway submission and now wish to re-submit you will need to review and submit the online questionnaire and upload your financial statements as an attachment to the online questionnaire. This applies irrespective of the reason why you were unsuccessful.

If you decide to re-apply, we strongly advise that you review your previous responses and seriously consider whether your commercial and financial status is robust enough for assessment, especially if your situation/information has not changed since the previous submission.

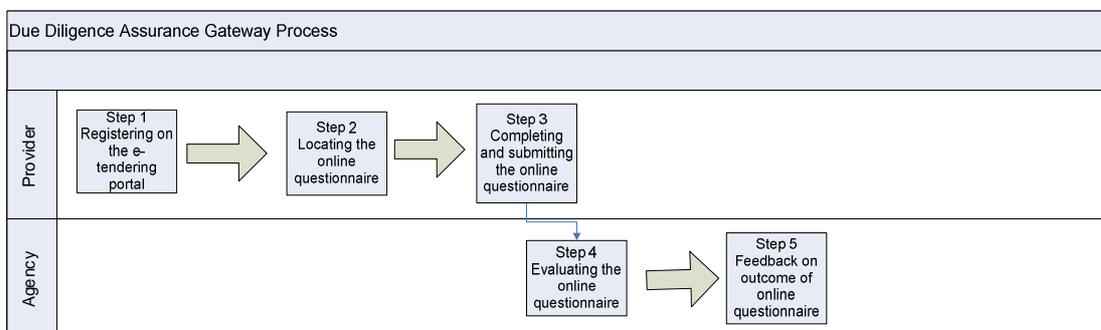
If you were ‘Not Approved’ due to failure of the Financial Health Assessment, any reapplication will need to be on the basis of updated financial statements being available. As an administrator of public funds, the Agency will not award contracts to providers classed as high risk in this area.

You will need to ensure your answers are correct before you submit your application as the Agency cannot accept any information/changes after the closing date.

The implications of being ‘Not Approved to enter the Register’ can be found at: <http://skillsfundingagency.bis.gov.uk/providers/programmes/register/>.

4.6 Process

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



4.7 Timetable

The timetable for this opening of the Due Diligence Assurance Gateway is set out in the table below.

Launch date and Register opens	31 August 2012
Deadline for completion and submission of online questionnaire	1 October 2012 at 5pm
Feedback provided from Skills Funding Agency to provider	7 November 2012
Register published	12 November 2012

This is the final opportunity for providers to apply to the Due Diligence Assurance Gateway and gain entry to the Register in 2012.

5 Registering on the E-Tendering Portal

5.1 Introduction

The Due Diligence Assurance Gateway's online questionnaire is available at our e-tendering portal <https://skillsfundingagency.bravosolution.co.uk>.

Organisations which have yet to register on the e-tendering portal will need to do this in order to access the questionnaire.

It is critical that the name of your organisation you enter on the e-tendering portal matches your organisation's legal name, which also matches your entry on the UKRLP. If you are already registered on the portal and this is not the case, please contact help@bravosolution.co.uk for assistance with amending the organisation name on the portal since we are unable to make this change on your behalf. **You may fail the Due Diligence Assurance Gateway if we cannot match your organisation's name on the portal to its legal name.**

It is your responsibility to ensure that your e-tendering portal registration details are current and accurate. It is important you ensure the email address you register on the e-tendering portal is monitored throughout as this is how we will communicate to you.

We will communicate with organisations about the Due Diligence Assurance Gateway via 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.

5.2 If you have already registered on the e-tendering portal

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 have already registered but have forgotten your password, please use the **forgotten your password** process on the portal rather than registering again.

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

If your organisation has not previously registered on the e-tendering portal

Please see the accompanying *Quick Reference Support Guide for the e-tendering portal* for information on how to register on the e-tendering portal.

6 Locating the Online Questionnaire

Please see the accompanying *Quick Reference Support Guide for the e-tendering portal* for information on how to locate the online questionnaire, which can be found at:

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

7 Completing and Submitting the Online Questionnaire

7.1 Introduction

Completing and submitting the online questionnaire is required in order to complete the Due Diligence Assurance Gateway process. Please ensure that your responses relate to the entirety of the legal entity responding to the online questionnaire, rather than, for instance, an individual office or department.

The majority 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.

Please note that where we ask a closed question and then subsequently ask for additional text based information in support of your response to that closed question, you will need to provide this additional information as appropriate to the response you have selected.

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

If you previously completed the of Register of Training Organisations (Due Diligence Assurance Gateway) pre-qualification questionnaires (PQQs), you will find that some of your historical responses will be pre-populated for your review and amendment. **It is critical** that you review all of the pre-populated responses, and amend them if appropriate, to ensure they remain current and valid. Once the deadline for submission has passed, there is no opportunity to change any of your responses.

In the Qualification Questionnaire section of the Assurance Gateway online questionnaire, we advise that should we make any changes to any part of the online questionnaire whilst it is live, any published responses are unpublished by this action. An email alert advising that we have made changes will be sent to organisations registered email address. Organisations will then have to read the details of the change(s) and if necessary amend their submissions. Whether the change(s) effect an organisations submission or not they will still have to resubmit their response in order for us to evaluate it.

As part of their response to the Qualification Questionnaire, organisations are asked to sign a declaration confirming that they will re-publish their response if a change is made to the settings and questionnaire area of a live tender as shown above.

We may share some or all of your responses with colleagues across the Skills Funding Agency as part of our efforts to reduce unnecessary bureaucracy and as part of our risk management strategy.

7.2 Structure of the online questionnaire

The questionnaire is organised into two envelopes – a qualification envelope and a technical envelope. The qualification envelope contains two sections. You need to read the contents of the qualification envelope and accept the declaration before starting to complete the technical envelope. The technical envelope contains seven sections as described below.

Please note that any references to **eVM** (e-Vendor Management) in the section titles on the e-tendering portal refer to an underpinning technical aspect of the portal and can be ignored for the purposes of completing the online questionnaire.

7.2.1. Organisational details

This section focuses on fundamental information about your organisation, including your UK Provider Reference Number (UKPRN), legal form, structure, size and directors.

We need to ask these questions to enable us to confirm that each organisation submitting the online questionnaire is a legal entity and so that we have a record of essential details about your organisation.

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

7.2.2. Training organisation type

This section asks for further information about your organisation as it relates to the delivery of education and training, including why you are completing the Due Diligence Assurance Gateway.

We need to ask these questions to enable us to select you to receive appropriate invitations to tender if you pass the Due Diligence Assurance Gateway.

7.2.3. Compliance

This section asks questions that focus on legislative requirements, such as prior convictions and any investigations you have been subject to.

We need to ask these questions because the Public Contracts Regulations 2006 set out a number of criteria for the rejection of organisations and we need to ensure that only organisations suitable for us to fund and/or invite to tender will pass the Due Diligence Assurance Gateway.

Some responses to questions in this section can incur an automatic failure of the online questionnaire and therefore result in an overall application status of 'Not Approved'.

7.2.4. Economic and financial standing

This section asks you about the make up of your organisation's annual income, your insurance documentation and your financial statements.

We need to ask these questions to ensure that all organisations which pass the Due Diligence Assurance Gateway have an appropriate level of financial health and insurance cover. In addition, we need to assess the risk to the Agency of contracting with organisations which are reliant on public funding.

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

The following organisations are exempt from being required to submit financial statements:

- Central government departments, executive agencies or non-departmental public bodies.
- Local authorities including Local Education Authority (LEA) schools.
- NHS trusts, Universities.
- Major national charities and voluntary organisations, for example OXFAM, Red Cross, RNIB, RNLI.
- Large publicly listed employers funded by a National Apprenticeship Service (NAS) Grant for whom Agency funding is incidental to their business i.e. Agency contract values are no more than 5 per cent of annual turnover which are seeking to deliver Education & Vocational Training services to their own employees, employees of their subcontractors and/or employees of organisations which are 100% in their supply chain. Please note, however, that if you fall into this category and have not been previously assessed by the Agency and informed of an exemption, you will be required to submit financial statements in the first instance. Once informed of an exemption, providers in this category will not be required to submit accounts on an annual basis. The Agency may, however, download the accounts from Companies House in order to confirm exempt status.

The documentation we require

Organisations with a current 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 as you will already have submitted, or be in the process of submitting these, as part of your funding agreement with us. However, please upload a note in the space reserved for uploading financial statements in the online questionnaire to confirm that you have a current funding agreement with the Chief Executive of Skills Funding for the delivery of education and training.

Organisations without a current funding agreement with the Chief Executive of Skills Funding for the delivery of education and training

Organisations that **do not have** a current funding agreement with the Chief Executive for the delivery of education and training need to upload their latest financial statements in the reserved space in the online questionnaire.

If you do not currently have a funding agreement with the Chief Executive of Skills Funding:

- You are required to supply your latest full statutory financial statements (not abbreviated accounts).
- If you are not required to publish statutory financial statements, you should supply a profit and loss account, balance sheet and where available any related notes or narrative.
- If you are part of a wider company group you should provide the latest financial statements of the UK Ultimate Parent company.
- If you are unable to supply statutory financial statements because you have not traded for a sufficiently long period, you should supply a fully costed business plan which as a minimum should consist of a budgeted profit and loss account, balance sheet, cash-flow forecast and narrative of key assumptions made. Where available it would be helpful if management accounts incorporating a profit and loss account and balance sheet could also be included.
- 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 insufficient or incomplete financial statements are uploaded to the online questionnaire, you will **fail** the Financial Health Assessment and therefore the Due Diligence Assurance Gateway.
- As administrators of public funding only those organisations who are able to demonstrate they are financially robust and present a lower risk to the Agency will be entered on the Register. You should consider this before submitting your application.

7.2.5. Technical capability

This section asks you about your capacity and capability as well as your history in relation to previous contracts with public bodies.

Since 2006 it has been part of the EU Procurement regulations that in order to avoid wasting organisations' time and effort at the invitation to tender stage, Contracting Authorities such as the Chief Executive of Skills Funding need to test capability, capacity and resource of potential contractors at the selection stage of the process so that we are

not inviting organisations to tender that are unable to deliver the provision we are commissioning.

7.2.6. 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 your information is correct.

7.2.7. Authorisation of submission

We ask you to state the name of the individual who is authorised to sign your submission on behalf of your organisation.

If we subsequently ascertain that we have been given incorrect answers or information, as articulated in section 3.4, you may be removed from the Register of Training Organisations.

7.3 Steps for completing and submitting the online questionnaire on the e-tendering portal

Please see the accompanying *Quick Reference Support Guide for the e-tendering portal* for information on how to complete and submit the online questionnaire on the e-tendering portal.

You are advised to 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.

7.4 Technical hints and tips for completing the online questionnaire

Please see the accompanying *Quick Reference Support Guide for the e-tendering portal* for technical hints and tips on completing the online questionnaire.

7.5 Help and support

You can use the 'Messages' function within the Due Diligence Assurance Gateway PQQ on the e-tendering portal to communicate with the Skills Funding Agency and ask any questions you may have about the process.

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

We will endeavour to reply to any message raised within 48 hours of receipt. We may need to pass some questions to internal colleagues for a response. If this is necessary, we will advise you.

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

We may cease to respond to queries 2 working days before the closing date for the completion of the online questionnaire.

The agency takes every effort to address provider queries and provide clarification to feedback, with regular updates to their Frequently Asked Questions available on the website. The Agency will make every reasonable effort to respond fully within the context of the contents of this document.

We will not respond to queries regarding a past Due Diligence process when the Due Diligence Assurance Gateway reopens.

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 direct 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.

8. Evaluating the Online Questionnaire

Once completed and submitted, all online questionnaires received by the closing date will be downloaded and subsequently evaluated.

The Agency **is unable to accept** any information after the closing date, as advised on the website:

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

The paragraphs below describe how the evaluation process works.

We have allocated a maximum 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 a separate evaluation process is described below:

- What we consider to be acceptable responses to questions will receive a score of 0.
- What we consider to be unacceptable responses to questions will receive the maximum score allocated for that question, up to -100. The precise score each response is allocated depends on the significance of that response to the overall Due Diligence Assurance Gateway process.

All providers begin with a score of 0 (zero) with unacceptable answers generating a negative score. It is important to remember that marks for the online questionnaire are not awarded but rather deducted.

Your response to each question is evaluated.

If you select any responses to individual questions that attract a score of -100, you will fail the online questionnaire element of the Due Diligence Assurance Gateway and therefore be deemed as 'Not Approved to enter the Register'.

After evaluating individual questions, we then aggregate your responses into a total score for the online questionnaire.

A total score of 0 is the highest score possible for the online questionnaire.

If your total score for the online questionnaire is between 0 (zero) and -99, you will pass the online questionnaire element of the Due Diligence Assurance Gateway.

If your total score for the online questionnaire is -100 or less, you will fail the online questionnaire element of the Due Diligence Assurance Gateway.

8.1 Financial Health Assessment

Your financial statements will be assessed 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 service and grow provision of a suitable standard. The aim is to safeguard public funds together with our interests and those of you and your learner.

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

Failure to submit current or sufficient information on which to base an assessment will result in an 'Inadequate' grade assessment and therefore be deemed to have failed the Financial Health Assessment.

If your organisation has been assessed as a FAIL on the Financial Health Assessment, this is because:

- insufficient financial information was provided;
- the financial statements submitted were not the latest ones available;
- the evaluation of solvency, sustainability and status ratios produced an Inadequate financial health grade; or
- moderation to the health grade was applied in line with the criteria given in the financial health assessment guidance above.

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.

A grade assessment of 'Inadequate' for an existing provider, funded via 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.

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

9. Feedback

9.1. Introduction

We will provide written feedback to all organisations following evaluation of the online questionnaire, including completion of the financial health assessment, which will be compliant with EU procurement regulations. This feedback will be provided via a message sent from the Due Diligence Assurance Gateway message board on the e-tendering portal to the email address(es) you have registered.

9.2. Feedback contents

You will receive an alert from the e-tendering portal when your feedback is available to be viewed.

Your feedback will articulate:

- 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, including, if applicable, a brief descriptor of why you failed.

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 Due Diligence Assurance 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 Assurance Gateway process. 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.

If you fail the financial health assessment organisations are advised they will be given a brief descriptor of why your organisation failed. 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. Organisations need to consider this before they complete the Due Diligence Assurance Gateway.

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 appear on the Register of Training Organisations.

10. Resubmissions

If you fail the Due Diligence Assurance Gateway and are therefore 'Not Approved to enter the Register', you will have the option to complete it again at the next opportunity. You will want to consider the following:

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. The Agency does not compromise on the financial health assessment, and only the most financially robust organisations will pass the evaluation and be entered on the Register of Training Organisations.

If you were deemed as 'Not Approved' due to one or more unacceptable responses to the online questionnaire, the responses you provide must be based on the actual circumstances of your organisation and therefore a previous response should only be amended when your organisation's circumstances change.

The August reopening will be the last opportunity to enter the Register in 2012.

11. 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://www.skillsfundingagency.bis.gov.uk>

If you believe that some of your submission is classed as Commercial in Confidence, you should advise us of this fact via 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.

12. 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/>.

You may also seek to use the EU Remedies Directive as appropriate.

Links to helpful information

To assist your application to enter the Register of Training Organisations, the following links may be useful:

Skills Funding Agency - Second iteration of the Register of Training Organisations:
[http://readingroom.lsc.gov.uk/SFA/Register_of_Training_Organisations - July 2012v3.pdf](http://readingroom.lsc.gov.uk/SFA/Register_of_Training_Organisations_-_July_2012v3.pdf)

Document Archive - <http://skillsfundingagency.bis.gov.uk/providers/programmes/register/>
'Read Me First – Guidance for Completion'
FAQs
Quick reference support guide for the e-tendering portal

Funding Higher Risk Providers and Subcontractors -
http://readingroom.skillsfundingagency.bis.gov.uk/sfa/funding_higher_risk_providers_august_2012.pdf

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)

Funding Rules - [http://readingroom.skillsfundingagency.bis.gov.uk/sfa/Funding_Rules - Version 3 - 30 July 2012.pdf](http://readingroom.skillsfundingagency.bis.gov.uk/sfa/Funding_Rules_-_Version_3_-_30_July_2012.pdf)

Implications of being 'Not Approved to enter the Register' -
<http://skillsfundingagency.bis.gov.uk/providers/programmes/register/>

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

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

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

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/>

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

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

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

Definitions Appendix

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 providers to enter learner data on their own MI system and then upload the learner data themselves to the Data Collections web portal.

Consortium - a consortium is an association of two or more organisations engaged in a business enterprise bound by a legally binding, written and signed agreement, which explicitly requires that each organisation that is a member of the consortium is jointly 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.

European Social Fund (ESF) – the European Social Fund 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.

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 Concerns – refers 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.

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 per se.
- 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 are all identified as training providers.

UKRLP – the UK Register of Learning Providers. It 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 providers and give access to the information to learners, employers, providers and Government agencies.

UKPRN – UK Provider Reference Number. This is a unique eight-digit number assigned to all providers on verification. The number does not provide endorsement by 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 it holds a contract with.

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SkillsFundingAgency-P-120248