

Questions & Answers

Joint Investment Programme

Growth and Innovation Fund

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Audience External

Publication intent NOT PROTECTIVELY MARKED

Introduction

1 This document includes answers to all questions raised specifically regarding the Joint Investment Programme (JIP) strand of activity within the Growth and Innovation Fund (GIF). This document will be updated regularly with the questions and answers which are raised and answered via the Joint Investment Programme email box.

2 Questions and enquiries regarding the Growth and Innovation Fund can be submitted through the following routes:

For general questions:

gif.questions@ukces.org.uk

For Best Market Solutions related questions:

gif.questions@ukces.org.uk

For Joint Investment Programme related questions:

jointinvestmentprogramme@skillsfundingagency.bis.gov.uk

For National Skills Academies related questions:

nationalskillsacademies@skillsfundingagency.bis.gov.uk

Questions submitted will be responded to within two working days and responses will be shared publicly through the [Growth and Innovation Fund website](#).

3 Applicants should ensure they have taken account of the information provided in this document when preparing their application(s). The names of the applicant submitting questions will remain anonymous.

Skills Funding Agency

Cheylesmore House Quinton Road Coventry CV1 2WT

T 0845 377 5000 www.skillsfundingagency.bis.gov.uk

An agency of the Department for Business, Innovation & Skills

Question Themes

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1. The Programme

Q1.1. What is different about the Joint Investment Programme and mainstream Further Education (FE)?

The flexibilities available in the Joint Investment Programme are:

- Funding for FE provision which is not eligible for funding support through mainstream programmes – including for example units and also qualifications at award level.
- Relaxed eligibility to fund repeat qualifications for re-skilling and up-skilling, which is not available through mainstream. These are also available to employers of all sizes which is not the case in mainstream
- Funding ring-fenced for the specific qualifications and available exclusively through specific providers agreed through the Joint Investment Programme.

Q1.2. What are the benefits / added value of the Joint Investment Programme?

The benefits in the Joint Investment Programme arise from the flexibilities to fund units and qualifications not available in mainstream and from the ring fencing of funding to support specific qualifications, or the restricting of this funding to a specific group of providers. This enables, amongst other benefits:

- Minimised risk for both employers and providers in creating / developing new markets as this can be developed over the life of the Joint Investment Programme
- Opportunity to testing new qualifications or developing demand for new skills or to establish the impact and benefits of new skills
- Development of capacity and expertise in the provider network for emerging skills; for example as new technology emerges

2. Application Process

Q2.1. If an application falls just short of the criteria will there be any negotiation?

No, formal written feedback will be issued following the meeting of the Growth and Innovation Fund Investment Board. The applicant may choose to reconsider the application and submit at a later invitation. Each application will always be judged on its own merits and in the context of the mix and totality of all applications at that time.

Q2.2. Can a sector / organisation submit more than one Joint Investment Programme application?

Yes.

Q2.3. What can we learn from the Joint Investment Programme 2010 and where can we find information?

The Joint Investment Programme 2010 had a different application process, delivery model and was judged against different criteria. You can however read about [Joint Investment Programme 2010](#) projects on the Skills Funding Agency website.

Q2.4. Is there a minimum size/value of learners or money acceptable for Joint Investment Programme applications?

No, there is no minimum size. The Skills Funding Agency will focus on the size and scale of the impact compared with the volumes and costs required to achieve the impact.

Q2.5. Will you accept applications from organisations representing groups of employers for a cross cutting skills need?

We will only accept applications from organisations that meet the eligibility criteria as set out on page 13 of the [prospectus](#).

Q2.6. Can individual organisations e.g. employers bid?

No, we will only accept applications from organisations that meet the eligibility criteria as set out on page 13 of the [prospectus](#).

Q2.7. How prescriptive are you on the England only geographical focus of the Joint Investment Programme?

The Joint Investment Programme is available for employers and learners in England only.

3. Provider Questions

Q3.1. How can providers best place themselves to become a lead provider?

Lead providers will be selected following the mini-competition¹ process explained in the [briefing note issued 22 February 2011](#), a copy of which can be found on the Approved College and Training Organisation Register (ACTOR) page of the [Skills Funding Agency website](#). Only Providers registered, evaluated and moderated on ACTOR will be invited to tender. Interested providers should also read Joint Investment Programme guidance materials available on the [Skills Funding Agency website](#) and keep abreast of sector organisations application progress.

¹ Mini-competition – a shorter bespoke sub tender to the Adult Skills Budget ITT on ACTOR which is a requirement for all providers considering the mini-competition for JIP.

Q3.2. Will provider tendering be sectoral?

Yes, the Skills Funding Agency will require the lead provider to have a history of working within the sectoral area in which the Joint Investment Programme will operate. This will be questioned and evidenced through delivery performance in the relevant qualification Sector Subject Areas in which the provider is delivering and a track record of working with employers in this area.

Q3.3. If a provider is a delivery partner in another strand of Growth and Innovation Fund which is also related to the Joint Investment Programme what impact will this have?

Providers that are a partner within other strands of Growth and Innovation Fund activity will have no impact on the provider delivery network and lead provider selected to deliver for an agreed Joint Investment Programme. Selection will be done through the mini-competition process. Only Providers registered, evaluated and moderated on ACTOR will be invited to tender.

Q3.4. Can a provider lead or act as a subcontractor for more than one Joint Investment Programme?

Yes, providers can deliver in more than one Joint Investment Programme however the Skills Funding Agency will consider and take a view on the providers' capacity to do so.

Q3.5. Are private providers eligible for a lead provider role?

Yes. The Skills Funding Agency contracts with both colleges and training organisations and therefore includes private providers. There is no restriction on the type of provider eligible to carry out the role of a lead provider. Providers must be registered on ACTOR and evaluated and moderated against the Single Adult Skills Budget ITT to be considered for the mini-competition.

Q3.6. If a provider is not on ACTOR can they bid?

No. Providers must be registered on ACTOR and evaluated and moderated against the Single Adult Skills Budget ITT to be invited to tender. The last opportunity for providers to register on ACTOR ahead of the mini-competition is 15 April 2011.

Q3.7. Why can't the Skills Funding Agency issue a single tender to the provider the Applicant chooses?

The Skills Funding Agency has to follow the appropriate EU Procurement Directives for any procurement we seek to carry out. In certain

circumstances it is possible to carry out a Single Tender Process but given the nature of the provision eligible within the Joint Investment Programme it is very unlikely that these criteria would be fulfilled. This would also add considerable time and resource to the process as this would require individual single tender processes for every successful Joint Investment Programme. The single tender criteria are:

Either

- We have to know (not suspect or assume) that only one organisation can deliver what we are seeking to procure

OR

- It can be openly and fairly demonstrated that continuity of supply is paramount and any savings that could arise from procuring from another organisation

OR

- Following an unsolicited approach by an organisation the Skills Funding Agency decides that it would be in everyone's best interest not to tender

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- We have to take cognisance of the fact that the maximum amount of any single tender allowed in the Skills Funding Agency currently is £25000.

Q3.8. If the applicant has an approved network of providers are these excluded from tendering to become a lead provider?

No, but Providers must be registered on ACTOR and evaluated and moderated against the Single Adult Skills Budget ITT to be invited to tender.

Q3.9. If an NSA submits an application does this cause a conflict of interest for Academy approved providers tendering to be a lead provider?

No, however the role of the applicant in supporting the Skills Funding Agency in the selection of the lead provider through the mini-competition process must not be compromised. The Skills Funding Agency will put controls in place to ensure conflicts of interest are managed and a fair and transparent process is applied at all times. This may result in a limited role for the applicant in this selection process.

Q3.10. Does the Skills Funding Agency expect to judge the lead provider tenders on the level of cost / management fees applied to any subcontractors ?

Yes. The Skills Funding Agency will be looking for value for money and for the majority of funding to pass to support the cost of delivery to learners. Management fees for subcontracting will therefore be a key consideration.

Q3.11. Will all providers evaluated and moderated on ACTOR be invited to the mini-competition?

Any organisation that is evaluated and moderated against Single Adult Skills Budget ITT on ACTOR could be invited to the mini-competition however, we may choose to sift them in the first instance based on published criteria and resulting from advice of the applicant.

Q3.12. What evidence will the Skills Funding Agency use to select lead providers for the Joint Investment Programme?

In the first instance they will be selected from ACTOR once their ITT submission has been evaluated and moderated. We will then sift these organisations using the information provided in the ITT and published selection criteria. These organisations will then be invited to tender.

Q3.13. What might real evidence of partnerships as requested in the tender look like?

The Skills Funding Agency will use a formal tender process to request information and evidence to demonstrate the providers' abilities and qualities. For further information please see the provider briefing on the [Skills Funding Agency website](#).

Q3.14. How much control will the Skills Funding Agency or Applicant have over the lead provider and the value of business they deliver/subcontract?

The applicant is responsible for the Joint Investment Programme and is the lead partner. The lead provider is the key partner to the Joint Investment Programme, responsible for working with the applicant on Joint Investment Programme delivery. The partnership created in the Joint Investment Programme does not create a control mechanism, and any disputes and issues will need to be resolved by the applicant and lead provider working together.

The expectation is that the partnership created in the Joint Investment Programme will ensure that an appropriate mix of providers needed to ensure successful delivery is created. The final decision on who to subcontract with remains the responsibility of the lead provider. The Skills Funding Agency does however reserve the right, in its sole discretion, to refuse to accept any organisation as a subcontractor and this statement runs true throughout the life of any contract that is signed. One selection criteria the Skills Funding Agency will seek to make use of is; appointment of the lead provider based on their experience and track record of partnership working, we would expect the provider to work in partnership with the applicant.

Normal Skills Funding Agency performance management processes will be used by the Skills Funding Agency which enables the questioning and challenging of the delivery both of the partnership and the quality of delivery subcontracted or otherwise.

Q3.15. National Skills Academies already have provider networks – how would you see these working with the Joint Investment Programme delivery network?

If the providers are well recognised in the sector area we would typically expect them to either tender to be a lead provider or for the applicant and lead provider to consider them as part of a subcontracted network.

Q3.16. Can a Lead Provider subcontract with a provider who is not registered on ACTOR?

Yes, subject to Skills Funding Agency agreement. The Skills Funding Agency does however reserve the right, in its sole discretion, to refuse to accept any organisation as a subcontractor and this statement runs true throughout the life of any contract that is signed.

Q3.17. What happens if there are no successful providers in the mini-competition for the lead provider?

In the unlikely event there are no successful providers identified through the mini-competition the Skills Funding Agency will advise the applicant and consider alternative options, these may differ depending on the nature of the Joint Investment Programme.

Q3.18. Does the provider typically collect the employer contribution?

Yes, this is a contractual requirement of the provider. The provider is required to collect the 50% contribution (or agreed contribution) of the total funding rate of each aim from all employers. The provider is required to invoice the employer for its contribution and contributions must be made in cash.

Q3.19. Will the minimum contract level apply to the lead provider?

Yes, minimum contract levels (MCL) will apply to the lead provider. Please see Skills Funding Agency [Guidance Note 6](#) for further information on MCL.

Q3.20. What are the benefits of having a lead provider model?

A lead provider model is the most effective and flexible delivery model for this type of programme. This model enables the lead provider to contract with other providers not currently listed on ACTOR, which the Skills Funding Agency, through direct contracting with providers, cannot do. It also allows

for the provider network to flex reacting to the needs of employers as efficiently and effectively as possible.

For you and your employers this provides you with an opportunity to build a network of providers with specialist expertise which will hopefully be sustained post Joint Investment Programme.

Q3.21. Some Applicant organisations may have preferred providers they wish to have as lead providers. Why won't the Skills Funding Agency consider these?

All organisations seeking consideration for direct funding by the Skills Funding Agency must be on ACTOR as part of Skills Funding Agency and external procurement arrangements for public funded provisions. If these organisations are on ACTOR they will be considered along with others.

Q3.22. Asking an employer to commit investment without knowing who the delivery partner is won't be easy – why can't employers specify which provider delivers the provision?

The Skills Funding Agency must conduct fair, open and competitive tendering processes for publicly funded provision. All organisations seeking consideration for funding by the Skills Funding Agency must therefore be on ACTOR. If these organisations are on ACTOR they will be considered along with all others, and it is expected that the delivery network created by applicant and lead provider will encompass the most successful providers. Employers are still able at any point to go direct to their preferred provider and fully fund any provision needed if they prefer, but the Skills Funding Agency cannot procure publicly funded provision through this route.

Q3.23. Employers already have established relationships with providers. Why won't the Skills Funding Agency allow these providers to act as deliverers for Joint Investment Programme?

All organisations seeking consideration for funding by the Skills Funding Agency must be on ACTOR. If these organisations are on ACTOR they will be considered along with all others and of course the Skills Funding Agency must comply with EU Procurement rules and therefore a tender process will be undertaken to select the best and most appropriate providers.

Q3.24. In the context of provider payments what does 'payment on actuals' mean?

All payments will be made to providers based on data returns submitted through the Individualised Learner Record. Payments will be made monthly in arrears for learners who have started and are actively on programme.

Q3.25. Where does State Aid responsibility lie in the lead provider model?

The lead provider is responsible for making subcontracted providers and their employees aware of their obligations under State Aid. All State Aid returns will come to the Skills Funding Agency via the lead provider.

4. Qualifications and what can be funded?

Q4.1. What is the latest point the qualifications need to be on the QCF?

28 April 2011 – see paragraph 18 of [Further Guidance – Joint Investment Programme](#) for further information.

Q4.2. Where can I access a list of qualifications in our sector?

[Sector Skills Councils](#) are best placed to advise you on the qualifications available in your sector.

Q4.3. Are there any restrictions on levels of qualifications / units?

Skills Funding Agency funds provision from Levels 1–4. The Skills Funding Agency does not fund prescribed HE.

Q4.4. Will you fund 16-18 Apprenticeships?

No, the Joint Investment Programme is for Adults over the age of 19. Funding is available for 16-18 year old apprentices within mainstream activity.

Q4.5. How do I calculate the cost of QCF qualifications and units?

Please see [Further Guidance – Joint Investment Programme](#) Section 2.

Q4.6. Does the qualification have to be based on National Occupational Standards (NOS)?

Yes, unless a relevant NOS is not available.

Q4.7. Is pre-employment provision funded under Joint Investment Programme?

No, learners engaging in Joint Investment Programme must be employed.

Q4.8. Is ESOL supported as part of a solution?

No.

Q4.9. Is there any funding for the applicant role in Joint Investment Programme?

No, Joint Investment Programme funding is available to support the costs of learner participation on agreed programmes of learning only.

5. Delivery

Q5.1. In some sectors learner starts in October will not be possible for example the retail sector where November – January is a peak time for sales and time for learning is not available is this acceptable?

Where a valid case can be demonstrated of an employer impact yes, this is acceptable. Simply needing more time to engage with employers / providers will not be considered acceptable.

6. Employer Engagement and Investment

Q6.1. Experience from previous Joint Investment Programme activity suggests employer engagement takes longer than anticipated, is it really possible to get learner engaged and started on programme by October?

Yes we believe it is possible. We have changed the model since the Joint Investment Programme 2010 and we now require formal written commitment for 25% of the learners for the totality of your programme at point of application. Employer commitment is not intended to be in principle but a real commitment to starting learners on programme at a specific point in the year. Presumably the first 25% committed will be expecting to start between October 2011 and February 2012.

Q6.2. What mix of employer size (SMEs / large) are you expecting?

Ideally the majority of employees engaging in Joint Investment Programme will be employed by SMEs. We do however recognise that this is not reflective of all sectors and applicants should do what they can to ensure the mix of employer sizes within the Joint Investment Programme is representative of the sector overall.

Q6.3. The terminology “public / private match” is used – does this exclude public sector organisations where the employer funds are inevitably also public i.e. NHS?

The “private” funds must be employer monies to deploy as part of its normal business. This employer contribution can come from employers in the private, third or public sector.

Author	Anna Sutton
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