WEST MIDLANDS COMBINED AUTHORITY

Adult Skills Fund Programmes

Contract for Services and VCS Organisations Operational Plan

(For the funding year 1 August 2026 to 31 July 2027)

This document sets out the Operational Plan that applies to all WMCA VCS Organisations and procured Contract for Services for service Providers, of education and training who receive Adult Skills Fund Programmes funding, including Adult Skills Fund (ASF) and Skills Bootcamps funding for residents residing in the West Midlands Combined Authority (WMCA) area WMCA-funded Providers of education and training who receive Adult Skills Fund Programmes funding, To be read in conjunction with your Funding Agreement

August 2026

Contents

Operational Plan Key Change and Clarifications

Please see below for the Key Changes and Clarification to 2026/27 Operational Plan as compared to 2025/26:

Area	Type	What's Changed / Added	What This Means
Delivery Plans	**Strengthened**	Delivery Plans clearly underpin claims, monitoring, and reconciliation	Plans are contract-critical; delivery outside the approved plan risks non-compliance and non-payment and/or funding recovery.
Financial Monitoring	**Strengthened**	Financial Due Diligence and Financial Health are mandatory contract management checks	Formal Financial Due Diligence and Financial Health Monitoring requirements apply throughout the contract lifecycle, with strengthened intervention, recruitment restrictions and potential contract termination for providers assessed as Inadequate
Performance Management	**Expanded**	Increased information on monthly monitoring activity, and clear escalation routes	Increased oversight; Providers must engage proactively and regularly
Monthly Forecasting	**New**	Mandatory monthly forecasting with pipeline, risks, and assumptions	Providers must evidence future delivery and justify performance forecasts
High-Risk & Fraud Policies	**Expanded**	Clearer expectations and consequences for high-risk Providers and fraud	Increased governance requirements and risk reporting expectations
Contract Management Risk Checks	**New**	Contract Management Activity to include checks on a selection of contractual processes and documents throughout the lifecycle of the contract	Increased assurance activity to minimise risk and maintain contract compliance.
Intervention Framework	**Enhanced**	Clear distinction between routine contract management and formal intervention activity, with defined escalation tiers and actions.	Providers should expect earlier identification of risk and a structured escalation process where performance, compliance, financial, or operational concerns arise.
Ofsted Requirements	***Updated***	*Updated to reflect current Ofsted inspection arrangements, expectations and WMCA responses to inspection outcomes.*	*Providers must remain inspection ready and understand the potential contractual and funding implications of poor inspection outcomes.*
Local Authority Allocations	*New*	*Clarification on controls and monitoring of delivery against Local Authority funding allocations, including cross-boundary flexibilities.*	*Providers must actively manage delivery by Local Authority area and ensure delivery remains within approved allocation limits.*

Purpose

This document applies to all VCS Organisations and Contract for Services Providers who receive WMCA Adult Skills Funding for the year 2026 to 2027 (1 August 2026 to 31 July 2027).

This document forms part of the terms and conditions of funding. It should be read alongside your Contract for Services, the 2026/27 Skills Programme Funding Rules and the associated documents referenced within those rules and listed in Annexe A – Associated Documents. These documents can be found on the WMCA website. Collectively, these documents constitute the Operational Plan and the Contract for Services and must be adhered to in full.

You are required to operate in accordance with the terms and conditions set out in your Contract for Services or funding agreement, including the applicable funding rules, rates, formulas and the Individualised Learner Record (ILR) specification. Failure to comply with these requirements will constitute a breach of your Contract for Services.

All information, including any hyperlinks, is correct at the time of publishing. This document will be kept under review to reflect how WMCA may need to respond to the changing economic context, regional or national priorities.

We reserve the right to make changes to the Operational Plan and associated documents and will publish any updated versions on the WMCA website. It is your responsibility to ensure that you regularly visit the website and comply with the current version of these funding rules and associated documents.

Understanding the Terminology

The terms 'We', 'Our' and 'Us' refers to the West Midlands Combined Authority (WMCA)

When we refer to 'You', Your', or 'Providers', this includes VCS organisations and Contract for Services Providers who receive WMCA Integrated Settlement (IS) Adult Skills Funds (ASF), including previous Free Courses for Jobs (FCFJ) and/or Skills Bootcamps from us to deliver education and training to WMCA residents. This may also be referred to as WMCA Integrated Settlement Funding.

We will use the generic terms "You', 'Your' or 'Provider' unless the requirements only apply to a specific Provider type.

We use the terms 'individual', 'resident' and 'learner' to cover those whose provision is funded by Us.

Provider Responsibilities at a Glance

Annex B summarises the core responsibilities of all Providers delivering WMCA Adult Skills Fund (ASF), Skills Bootcamps, and Tailored Learning provision. It should be read alongside the full requirements set out in this Operational Plan and the Funding Agreement.

Funding Focus

Through our Employment and Skills Strategy, which supports the West Midlands Growth Plan and West Midlands Works strategy, we aim to build on our existing successes by articulating a clear vision for an integrated employment and skills system across the region. This system is designed to stimulate economic growth, improve outcomes for both residents and businesses, and foster healthier, more prosperous communities.

Over the next year, our efforts will continue to focus on four strategic pillars:

- building strong and inclusive communities.
- providing a good education up to level 2.
- moving residents into employment and supporting career progression.
- meeting future skills needs through upskilling and reskilling.

We place great importance on the development of local delivery networks and the establishment of clear progression pathways for residents. While the WMCA will work with you to oversee performance and compliance, we also expect Providers to collaborate closely with key stakeholders. This collaborative approach is essential to delivering a more strategic, cohesive offer that effectively meets local needs.

Your ongoing track record will continue to inform our assessment of your capacity to deliver education and training to the required standards. These standards encompass Ofsted ratings, quality and compliance metrics, in-year performance, minimum standards, financial health, financial management and control, and delivery against contractual obligations, where such data is available.

At the core of our Provider management approach is the Delivery Plan. Once agreed, this plan will serve as the foundation for monitoring and performance management throughout the year. Performance against the Delivery Plan and other quality benchmarks will guide decisions regarding interventions and potential funding adjustments.

To support this process, each Provider will be assigned a dedicated Skills Delivery Officer responsible for day-to day relationship management and delivery, with clear escalation routes, and with assurance, accountability, and strategic oversight provided by a Delivery Manager and Senior Delivery Manager

We will maintain a strong focus on the outcomes for our residents, particularly in relation to moving people into employment or helping residents achieve in-work progression that leads to improved earnings for those in low-wage roles. As a condition of funding, the accuracy and timeliness of destination data recording will be critical across all contracts for services.

The WMCA has established clear data review points for monitoring destinations. Further details can be found in the Destination and Progression Tracking section below. Additionally, there will be a continued emphasis on sustainable employment outcomes across programmes such as Into Employment programmes and Skills Bootcamps.

The WMCA will issue a Contract for Services in line with the Contract for Services term. Where underperformance (including financial and/or contractual deliverables) is identified, WMCA will follow the performance management actions as outlined within the Intervention framework

Payments to Providers

Providers will be paid monthly in arrears based on actual delivery for the 2026/27 funding year. Payments will be reconciled against the approved Delivery Plan each month, and at no point will cumulative payments exceed the maximum Contract for Services value.

To minimise overpayments and ensure accurate reconciliation, R13 payments will be withheld while Providers complete data cleansing and end-of-year claims. Any outstanding payments will be processed as part of the R14 reconciliation, during which any overpayments will also be recovered. Providers are responsible for ensuring timely and accurate data submissions to avoid discrepancies.

Where a contract does not align to the academic year, the reconciliation process will be applied at relevant points to minimise overpayments and data discrepancies.

Payment schedule:

The WMCA will process BACS payments on the 15th working day of each month.

WMCA reserves the right to suspend or cease payments in the event of a breach of the terms of the Funding Agreement.

The standard monthly payment timeline is as follows:

Day of month	Action
Workday 4	Provider submits ILR to DfE
Workday 5	DfE runs validation checks
Workday 6	WMCA receives occupancy report
Workday 7 –Workday 12	WMCA checks the accuracy of returns
Workday 15	WMCA Bacs run to Providers

Over-delivery and/or delivery of non-approved qualifications is at the Provider's own risk and will not be funded.

Please note that where a provider is contracted through Constellia, the payment schedule will be detailed within the individual agreement and may differ slightly from the standard payment arrangements outlined above.

End-of-year reconciliation

Once the Funding Period has come to an end and in accordance with the timescales as set out in the Funding Agreement, the Provider will be issued a Final Funding return.

Final delivery will be assessed based on the Individualised Learner Record (ILR) data submitted at the final funding return (R14). The reconciliation process will begin in November 2027, and formal reconciliation letters will be issued upon completion for Provider review and approval.

Any funds which are payable to the WMCA as part of this R14 reconciliation process shall be paid within 30 days of the date of issue of the formal reconciliation letter in accordance with the Funding Agreement. Non-repayment within this period will constitute as a material breach of Funding Agreement, unless otherwise agreed and approved by WMCA.

Where a contract does not align to the academic year, the reconciliation process will be applied at relevant points to minimise overpayments and data discrepancies.

WMCA will not authorise payments exceeding 100% of the allocation.

Performance Management Framework

Performance Management and Funding Arrangements Overview

This section should be read in conjunction with the Funding Agreement

Performance Management Process

WMCA will conduct performance management meetings with all Contract for Service Providers and VCS organisations monthly, as a minimum.

These meetings are designed to provide ongoing performance oversight, enabling proactive risk management and early identification of issues. They offer a structured forum to review progress against the Delivery Plan, assess performance, outcomes and milestones, and monitor financial performance, including spend and forecast. This approach supports a shared understanding of delivery, allowing for timely discussion of risks, consideration of flexibilities or additional support, and informed decisions on any required contract adjustments to ensure alignment with priority areas and expectations

The meetings also create space for open dialogue on emerging risks, quality and compliance matters, supporting timely mitigation, continuous improvement, and targeted support where needed.

These meetings will review a range of areas, including, but not limited to:

- Delivery performance
- A review of financial performance to date and forecast spend and outturn.
- Quality of provision
- Financial management and health

- Risk
- Compliance with funding rules
- Progress against the agreed delivery plan and intended outcomes

WMCA are committed to working collaboratively with delivery Providers and will provide appropriate support to enable them to succeed. However, to ensure that funds are maximised and the intended impact of the funding is fully achieved, we will implement the formal Intervention framework where required.

Where risk is identified, including failure to meet financial or contract-specific deliverables, performance management intervention may be initiated in line with the Intervention Framework This may include, but is not limited to:

- Implementation of a performance improvement action plan
- Issuing a formal breach of contract notice
- Suspension of delivery
- Reallocation or redeployment of funds
- Re-profiling of payments
- Contract termination

Performance Monitoring Scope

WMCA will conduct performance monitoring at key points throughout the year

Review Point	Timeline	Purpose and Areas Covered
Monthly Performance Review	Monthly	Review of delivery against profile, data quality and accuracy, compliance with contractual requirements, achievement of Integrated Settlement outputs, progress against contract KPIs, forecasting of future delivery, and employment outcomes/impact.
Funding Review Point	Months 4, 6, 8 and 12	Assessment of financial performance against agreed tolerance levels, contract value utilisation, delivery forecasts, and progress towards achievement of contractual KPIs and outcomes. Funding adjustments may be considered where performance falls outside agreed thresholds.
Ad Hoc Review	As required	Reviews triggered by specific events or risks, including Ofsted inspections, DfE or WMCA audits, contractual changes, DfE interventions, significant performance concerns, complaints, whistleblowing allegations, or other compliance-related matters.

Financial Monitoring

To support effective performance management and ensure alignment between delivery and funding, WMCA will monitor Provider spend and delivery against profile at key points in the contract year.

Variance thresholds will be applied to assess performance against the expected funding profile and delivery trajectory. Where delivery falls outside of the thresholds outlined below, this may trigger escalation through the Intervention framework:

Funding Review Point	Tolerance
Month 4	+/-15%
Month 6	+/-12.5%
Month 8	+/-10%
Month 10	+/-5%

These thresholds will inform Provider RAG ratings and will trigger escalation within the WMCA intervention framework.

The above table is based on a full 12-month contract year. Where a provider has a shortened contract term, any changes to the review points or monitoring schedule will be communicated at the start of the contract period.

Where these thresholds are missed, WMCA will:

- Increase support and monitoring
- Consider funding adjustments, in accordance with the Funding Agreement.

Providers are expected to proactively manage delivery and notify WMCA at the earliest opportunity where they anticipate falling outside of these thresholds.

Tolerance calculations for Skills Bootcamps contracts will be based on Milestone 1 values, in line with the cohort planner agreed with the Provider's Delivery Plan. Conversion rates from Milestone 1 to Milestones 2 and 3 will be monitored against the contractual KPIs. Any underachievement against these KPIs will be managed through the Intervention framework.

Funding Within Local Authorities

Where funding allocations are awarded by Local Authority area, a separate payment profile must be established for each individual area. Providers must ensure that delivery remains within the funding allocation assigned to each Local Authority. Any delivery undertaken without prior approval that exceeds the allocated funding for a Local Authority will not be funded, even if it falls within the Provider's overall contract allocation.

We recognise that a small amount of cross-boundary participation may occur where residents access provision outside their own Local Authority area. To accommodate this, Providers will be permitted a flexibility of up to 10% of the total funding value within each Lot. This flexibility is within the maximum contract value and enables Providers to support residents from neighbouring Local Authority areas that fall outside the awarded Lot, helping to maintain employer engagement, particularly where employers are supporting workforce upskilling, and to sustain effective referral partnerships.

This flexibility is intended to address genuine delivery needs and should not be used to actively recruit learners from areas outside those for which the Provider has been awarded funding.

Monthly Financial Forecast Process

The monthly forecasting process is a core component of performance management and monitoring. It ensures an accurate view of the delivery pipeline and supports proactive oversight of programme performance.

This process enables a shared approach to monitoring delivery, identifying risks, and determining whether additional support, or contract adjustments are required.

WMCA forecast data will be processed alongside the ILR each month and managed by your assigned Skills Delivery Officer. Providers are required to submit their forecast data by the sixth working day of each month.

Providers will be expected to clearly outline the following:

- Where forecast information highlights under or overperformance, the actions that will be taken to manage this
- Planned cohorts, including confirmed and pipeline start dates
- Any risks, constraints, or dependencies that may impact delivery

Intervention Framework

The Intervention Framework sits alongside routine contract management and is only applied where risks, concerns, or significant underperformance are identified. The framework provides a structured approach to escalating support, monitoring, and intervention where a Provider's performance, compliance, financial health, or delivery capability gives rise to concern.

A Provider may be escalated through the intervention framework at any point during the contract year based on the severity of the risks identified. Intervention levels determine the degree of oversight, support, and formal action required to protect learners, public funds, and delivery outcomes.

The Tier categories are defined as follows:

- Tier 1 – Low to moderate risk requiring enhanced monitoring and support
- Tier 2 – Significant but manageable risk requiring formal improvement activity
- Tier 3– Critical risk, including potential or actual breach Funding Agreement.

Tier	Description	Intervention Approach
Tier 1	Emerging performance, compliance, financial, or operational concerns have been identified that require additional oversight.	Enhanced Monitoring and Support
Tier 2	Significant concerns have been identified that require formal improvement activity and close management.	Formal Support and Action Planning

Tier 3	Critical concerns have been identified, including potential or actual breaches of contract, serious compliance issues, financial instability, fraud concerns, or persistent underperformance.	Formal Intervention and Contract Action

Please note: Providers may be placed at any intervention tier based on the nature and severity of the risks identified.

WMCA is not required to apply intervention tiers sequentially and may escalate a Provider directly to a higher intervention tier where circumstances warrant. For example, where a Provider is assessed as presenting a critical risk, including a potential or actual material breach of the Funding Agreement, serious compliance concerns, financial instability, fraud risk, or significant risks to public funds, learners, or delivery outcomes, WMCA may immediately implement **Tier 3: Formal Intervention and Contractual Action**.

Intervention Tiers and Timescales

The WMCA operates a proportionate intervention framework designed to support continuous improvement while ensuring effective delivery of contractual requirements. Providers may move between intervention tiers based on performance, compliance, financial health, and risk. The actions outlined below are indicative and are not exhaustive. WMCA reserves the right to apply additional measures where circumstances warrant

<u>Tier 1: Enhanced Monitoring and Support</u>

Trigger:
Emerging concerns relating to performance, financial delivery, data quality, contract compliance, learner outcomes, or delivery against profile.

Actions
WMCA will issue a written notification outlining the concerns identified and the improvements required. The following actions may be implemented:

- Increased engagement with the Skills Delivery Officer.
- Development of a Provider-led Support Plan to address identified concerns.
- Additional performance review meetings and progress updates.
- Enhanced monitoring of delivery, data submissions, and financial performance.
- Agreed improvement milestones and review periods.

Providers will be expected to complete and submit the Support Plan within 10 working days of WMCA's request to enable review, approval, and implementation.

Timescale
Up to 8 weeks, or such other period as specified by WMCA, to demonstrate sufficient improvement before consideration of escalation.

Failure to make satisfactory progress may result in escalation to tier 2.

Tier 2: Formal Support and Action Planning

Trigger
Failure to achieve the agreed improvement milestones under Tier 1, and/or underperformance, significant delivery concerns, have been identified that require formal improvement activity.

Actions
WMCA will issue a formal written notification outlining the reasons for escalation and required corrective actions. The following measures may be implemented:
- Implementation of a WMCA-led Formal Performance Action Plan.
- Increased monitoring and performance management activity.
- Formal milestone tracking and evidence requirements.
- Escalation meetings involving senior Provider representatives.
- Targeted reviews of delivery, quality, compliance, and financial performance.

Providers will be expected to complete the relevant sections of the Action Plan within 10 working days of WMCA's request to enable review, approval, and implementation.

Timescale
Up to 12 weeks, or such other period as specified by WMCA, to demonstrate sufficient improvement against agreed actions and targets.

Failure to make satisfactory progress may result in escalation to tier 3.

Tier 3: Formal Intervention and Contractual Action

Trigger
Material breach of the Funding Agreement, persistent underperformance, significant compliance failures, financial concerns, failure to meet Tier 2 improvement requirements, or any circumstance presenting a substantial risk to learners, public funds, or delivery outcomes.

Actions
WMCA will issue a formal written notification confirming escalation to tier 3 and setting out the required actions. Measures may include:
- Issuing a Notice of Concern, Improvement Notice, Material Breach Notice, or Suspension Notice, as appropriate.
- Intensive monitoring and oversight arrangements.
- Escalation of the WMCA-led Formal Performance Action Plan.
- Mandatory attendance at formal review meetings involving senior Provider representatives.
- Enhanced evidence requirements and progress reporting.
- Consideration of contractual remedies in accordance with the Contract for Services, including funding recovery, suspension, contract variation, or contract termination where appropriate.

Providers will be expected to complete any required actions within the timescales specified by WMCA.

Timescale
The duration of tier 3 intervention will be determined by WMCA based on the severity of the concerns, the Provider's response, and progress against agreed actions. Failure to demonstrate sufficient improvement may result in the application of contractual remedies, including but not limited to; termination, ineligibility for future growth or extensions into optional years (if applicable).

Failure at intervention tier 3 or persistent non-compliance will be treated as a material breach of the Funding Agreement and may result in suspension, recovery, or termination.

Please be advised that tiers 2 and 3 will be escalated to the WMCA's Quality and Standards Panel, which will review the matters and determine any necessary additional actions.

Management Information

Learner Data Submission and Reporting Requirements

Providers must submit learner-level data to the Department for Education (DfE) in accordance with the timelines set out in the Data Collection Timetable, as detailed in the Appendices, Validation Rules and Schema, and the Provider Support Manual. These documents, which are regularly updated, are available on the DfE's website under the Individualised Learner Record (ILR) technical documents, guidance and requirements.

Changes to the ILR, including learner withdrawals and breaks-in-learning, must be recorded promptly and accurately so that ILR data reflects the learner population at any point in time. Providers are required to report new learner starts within two months of commencement of their course and must report all withdrawals and achievements within three months of the learner's completion or withdrawal. All changes must be submitted by the final collection point of the funding year. Failure to report withdrawals by this deadline will result in the recovery of funding. Providers must ensure that all learners have seen the WMCA's privacy notice as part of their enrolment process.

ILR data and Earnings Adjustment Statements (EAS) must be submitted via the DfE's secure web portal, Submit Learner Data. Providers must comply with the portal's conditions of use and the requirements set out in the ILR Specification and Provider Support Manual. Once submitted, the data is validated against national rules. The DfE will confirm successful submissions through Funding Reports available on the portal. Providers are responsible for correcting or removing any data that fails validation, as only the most recent ILR file submitted will be loaded into the national database. Failure to comply with these requirements will be treated as a material breach of the Funding Agreement.

In addition to national ILR requirements and validation, WMCA applies its own funding codes and guidance, which are detailed in the 2026/27 Skills Programme Funding rules. All ILR files will be validated upon submission against WMCA-specific rules. Records that fail validation will be rejected and will not generate funding.

WMCA may conduct additional checks to ensure data submissions align with the Provider's funding allocation and delivery plan. Providers will be notified of any discrepancies and required to correct inaccurate data in the subsequent funding return. Related payments may be withheld until corrections are made.

You must ensure that secure and reliable backups of all data are performed regularly and stored in accordance with your Business Continuity Plan. These backups must be maintained in a manner that ensures data integrity, availability and must be accessible to the WMCA upon request in a format specified by us. In the event of data loss, corruption, or other incidents requiring recovery, you may be required, at your own expense, to restore or arrange the restoration of the data using the most recent backup.

Where applicable and agreed by WMCA, Providers must use the EAS to claim funding that cannot be recorded through the ILR. All EAS submissions must be supported by evidence and submitted in accordance with the guidance available on GOV.UK.

Providers must verify the accuracy of their EAS submissions via the Submit Learner Data service and correct any errors immediately. The EAS must also be used to repay any funding claimed in error during the funding year. WMCA approval is required in advance for EAS claims related to:

- Learning Support (where agreed as part of contract)
- Excess Learning Support (Where approved)
- Wraparound Funding (where agreed as part of contract)

EAS claims must be submitted monthly and will be reconciled against ILR data, occupancy reports, and the Provider's agreed delivery plan.

Assurance Activities

As part of its assurance responsibilities, the WMCA will actively monitor the data submitted by Providers. This is essential to ensure the integrity and accuracy of funding claims and delivery performance.

To support this, WMCA will conduct regular audits, compliance and thematic reviews in accordance with the Quality and Standards Framework. These reviews will apply to all Providers and may include, but are not limited to, the following areas:

- Review of systems and processes
- Verification of data submissions, including ILR and EAS and any other data systems relevant to the funding claimed
- Sample checks of learner files
- Evaluation of supply chain (subcontracting) arrangements
- Financial health and assurance checks
- Compliance with other Contractual obligations

- Data error reports such as PDSAT and FRM reports

In addition, WMCA will carry out routine desktop reviews to assess how the funding system is being applied. These reviews help identify potential anomalies or errors in Skills Programme funding claims made for WMCA residents, which may require further investigation. The WMCA may, at its discretion, require the Provider to undertake and fund any work it considers necessary to improve the quality and validity of data submitted.

Where data submitted does not meet WMCA's funding requirements, Providers will be contacted and required to make the necessary corrections. Related payments may be withheld until the data is corrected, or WMCA may seek to reconcile any overpayments.

To further strengthen assurance, WMCA may engage external audit partners to conduct field-based activities as part of its annual assurance programme. This may include funding compliance audits and targeted thematic reviews.

Providers are also expected to regularly review their internal systems and processes to ensure the ongoing accuracy and reliability of data submissions.

Where WMCA conducts reviews, investigations, or audits of evidence submitted by the Provider to support payments under the Contract for Services (or any preceding agreement), where material errors are identified, WMCA reserves the right, at its sole discretion, to require the Provider to carry out, at its own cost, a full audit (100%) of all or part of the Funded Activities, within a timescale specified by WMCA. Alternatively, WMCA may carry out the audit itself or appoint a third party to do so, with the cost recharged to the Provider.

Where errors are found, WMCA will seek to recover funds, which may be recovered based on the error rate and the total value of the agreement. Recovery may be made through data adjustments, invoicing, or deductions from future payments, with timescales specified by WMCA. Failure to repay any amounts due will be treated as a material breach of the Funding Agreement, and WMCA's decision on the amount to be recovered will be final.

WMCA may conduct ongoing reviews of the Provider's internal controls and processes to ensure that similar errors do not recur. If further assurance work is required, this will also be at the Provider's expense (or procured and recharged by WMCA). If a funding audit results in an "unsatisfactory" rating, this will be considered a material breach of the Funding agreement.

Failure to comply with these requirements will be treated as non-compliance and would constitute a material breach of the Funding Agreement.

Integrated settlement and Outcome reporting

Outputs and Outcomes

Funded activity deliverables are set out in the contract specification and approved Delivery Plan. The Delivery Plan will serve as the foundation for ongoing performance management discussions.

All Providers will have submitted and agreed upon a Delivery Plan for the funding year. This plan outlines projected volumes and expenditure across the full range of provision and where applicable, by Local Authority. The total value of the Delivery Plan must correspond to the Provider's full allocation, including any allocations for the Discretionary Learner Support Fund (DLSF) and/or Additional Learning Support (ALS) or wraparound support. Delivery plans will also allow Providers to account for any carry-in learner volume and funding where applicable.

The Delivery Plan will serve as the foundation for ongoing performance management discussions. It is the responsibility of the Provider to ensure that delivery aligns to the approved delivery plan.

Any delivery undertaken outside the approved Delivery Plan, unless previously agreed through the WMCA Change Control process, may not be funded.

Destination and Progression Reporting Requirements

As outlined in the Skills Programme Funding Rules 2026/27, the collection and reporting of destination and progression data is a mandatory requirement for all WMCA-funded learners.

Providers must accurately record information in the WMCA Destination Portal, using the defined fields. Guidance on the completion of the Destination Portal can be found in the 2026/27 Skills Programme Funding rules along with the Outcomes Framework Coding 2026/27, which can be found on the WMCA website.

Providers must:

- Update destination and progression data monthly via the portal;
- Ensure all learners have a Day One outcome recorded that reflects their current status;
- Continue tracking learners' post-completion for 6 months, though no further updates are required once a job outcome has been achieved;
- Retain auditable evidence to support all reported outcomes as set out in the Funding Agreement.

An 8-week rule remains in place, allowing Providers time to collect and evidence destination data. Any job or education outcomes recorded within this period will be included in performance assessments to ensure Providers are not penalised.

Destination data is critical for WMCA to assess the impact of funded programmes and ensure alignment with regional priorities. Failure to collect and report this data may affect future change requests and could result in a review or reallocation of funding. Providers will be managed in line with the Performance management Framework on destination performance against the outcomes/ outputs as set out in the Funding Agreement.

Failure to comply with these requirements will be treated as a material breach of the Funding Agreement.

Contract Change Controls

Growth Considerations

Considerations for growth will be led by WMCA who will invite Providers to apply at WMCA's request.

WMCA will consider/request growth based on:

- Availability of funds
- Identified need
- The impact on Integrated Settlement outcomes
- Alignment with WMCA strategic priorities
- Provider delivery performance
- Financial Due Diligence ratings

Any opportunities for growth will be communicated to Providers through their Skills Delivery Officer, and an application via a business case will be invited.

WMCA reserves the right to not award additional funding/growth to a provider who has been issued with a funding agreement within the last 4 months, where limited evidence of performance is available.

Providers will not be able to apply for growth if:

- The Provider is currently on Intervention Framework Level 2 or Level 3 due to underperformance in any area of this programme, or any other contract, agreement, or arrangement held with Us within the last 12 months.
- The Provider has committed a breach of the Funding Agreement within the last year.
- OFSTED risks have been reported
- The Provider is under investigation under the Funding Agreement or any other agreements/contracts they hold with WMCA, DWP or other combined authorities, or any other Authorities.

Applications for growth will be considered by WMCA through their internal governance process. An invitation to apply for growth does not guarantee approval.

Delivery Plan Flexibility Requests

Providers may submit flexibility requests within their existing funding allocation at any point during the year by completing and submitting a Provider change Control template.

WMCA will consider flexibilities based on:

- Any flexibility must comply with applicable procurement regulations and be permitted within the contract specification.
- Identified need (including but not limited to sector or specific resident groups)
- The impact on Integrated Settlement outcomes
- Alignment with WMCA strategic priorities
- Provider Delivery performance

- Intended progression, impact and benefits

You may be asked to provide additional information to support your request. Submission of a Provider change control request for flexibility does not guarantee approval.

Ofsted Inspections

As part of its commitment to continuous improvement, Providers must ensure that the quality of funded provision meets the highest standards and delivers positive outcomes for all learners.

To support this, WMCA may request evidence from Ofsted or other relevant sources to verify the effectiveness of the Provider's quality systems. The Provider must take all reasonable steps to ensure high standards across all aspects of delivery, including:

- Reducing barriers to participation and achievement
- Minimising withdrawal rates and improving retention
- Achieving strong progression and destination outcomes
- Promoting equality, diversity, and inclusion
- Closing achievement gaps for disadvantaged learners
- Providing effective leadership and governance
- Delivering value for money and meeting skills needs

Where delivery involves subcontractors or supply chain partners, the Provider must ensure these standards are consistently applied throughout the supply chain.

Providers must ensure they remain informed of, and comply with, all relevant Ofsted requirements, inspection frameworks and guidance. Providers should regularly refer to the Ofsted website for the most up-to-date information and resources regarding inspection expectations and requirements:
https://www.gov.uk/government/organisations/ofsted

Inspection Requirements

During the term of the Funding Agreement, Ofsted may inspect the Provider at any time. Upon receiving notification of an inspection, the Provider must:

- Immediately inform WMCA via email to skills.programmes@wmca.org.uk
- Provide, upon request, relevant documentation (e.g. self-assessment, quality improvement plans) within the timescales set by the Inspectorate.
- Notify WMCA immediately of any postponement, deferral, cancellation or change to inspection arrangements.
- Notify WMCA of the date of the feedback meeting and allow a WMCA representative to attend.
- If attendance is not possible, confirm the inspection outcome in writing within 5 working days of receiving feedback.

Failure to comply with these requirements will be treated as a material breach of the Funding Agreement.

Ofsted Grading System

Providers will be assessed across multiple inspection areas to include Leadership and governance, Inclusion, Meeting Skills Needs, Curriculum and Teaching, Participation and Development and Achievement. Each area will be graded using the following scale:

- Exceptional – Exemplary provision significantly exceeding expectations
- Strong Standard – Consistently above expected standards
- Expected Standard – Meets the required level of quality
- Needs attention – Improvement required in specific areas
- Urgent Improvement – Serious weaknesses requiring immediate action
- Safeguarding will be judged separately as Met or Not Met.

Please note: The Grading refers to the Ofsted assessments/gradings in place at the time this document was published. In the event that Ofsted assessments/gradings change, WMCA reserves the right to modify this section accordingly.

WMCA Response to Ofsted Outcomes

WMCA will review published inspection report cards and may take proportionate action in response to the grades awarded.

Any actions arising from an Ofsted inspection outcome will be considered and managed in accordance with WMCA's Intervention Framework. WMCA may require additional monitoring, improvement planning, progress reviews, targeted support or other proportionate interventions where concerns are identified.

This is intended to uphold high quality standards across the provision and to ensure delivery makes a strong contribution to meeting local skills needs:

Quality – Leadership and governance, Inclusion and Safeguarding

Urgent Improvement – Where leadership and governance or inclusion is judged as 'urgent improvement' or safeguarding is not met:

- We will impose immediate improvement conditions
- We may suspend recruitment
- We may adjust funding allocations
- We may reduce, suspend, or recover payment

Quality – Provision-level evaluation areas

Urgent Improvement – Where provision-level evaluation areas are graded as 'urgent improvement', this would normally lead to targeted support or action, which may include:

- Imposing additional funding conditions, such as mandating targeted support or increased oversight through an improvement plan
- Action under a specific contract (for example Level 3 ring-fenced funding)
- Reducing eligibility for certain funding streams pausing or stopping learners' growth/starts

This list is not exhaustive

Quality - Contribution to skills needs

Urgent Improvement - Where the Provider's contribution to meeting skills needs is judged as 'urgent improvement' WMCA may:

- Impose immediate improvement conditions
- Impose additional funding conditions
- Suspend or cap learner recruitment
- Adjust future funding allocations
- Reduce, suspend, or recover payments

Failure to comply with any imposed conditions or recruitment restrictions within a reasonable timeframe may result in further action, including termination of the Contract.

If the Provider disputes the Ofsted outcome, WMCA will continue to assess its position but will review any decisions once the complaint outcome is known. If an Ofsted rating is based on incorrect or fraudulent data, this will be treated as a material breach of the Funding agreement and may result in immediate termination.

Ofsted Monitoring Reviews

If two consecutive inspections/monitoring reviews identify the Provider or provision-level evaluation areas as 'needs attention' WMCA may:

- Impose additional funding conditions
- Suspend or cap learner recruitment
- Adjust future funding allocations
- Reduce, suspend, or recover payments

Post-Inspection Improvement Planning

Following an Ofsted inspection, WMCA may require the Provider to submit a post-inspection action plan where areas for improvement have been identified. The action plan must set out the actions to be taken, timescales, responsibilities and intended outcomes. Providers must provide progress updates and supporting evidence upon request and within timescales specified by WMCA.

Financial Monitoring

Financial Due Diligence

The WMCA undertakes financial due diligence and financial health monitoring to assess the financial resilience and sustainability of organisations delivering Adult Skills Fund provision. Financial health is reviewed at the point of contract award, at the start of each academic year, and throughout the contract period as updated financial information becomes available.

This guidance applies to independent training Providers (ITPs), special post-16 institutions (SPIs), non-maintained special schools (NMSS), voluntary and community sector (VCS) organisations, and other organisations delivering provision under a Contract for Services arrangement. It does not apply to general further education colleges, sixth form colleges or local authorities.

The Financial Due Diligence and Financial Health Monitoring for Independent Training Providers (Contract for Services and VCS Organisations) guidance is available on the WMCA website and should be read alongside the relevant funding agreement and programme funding rules.

Provider Responsibility

Providers are responsible for actively monitoring and managing their own financial health throughout the contract period. Providers should regularly assess their financial position, understand the potential impact of changes in performance or financial circumstances, and take timely action to mitigate emerging risks. WMCA provides guidance and a financial health self-assessment tool to support Providers in understanding their financial position and ongoing eligibility for funding.

Providers must notify the WMCA promptly of any significant change in financial circumstances that could affect their ability to deliver contracted provision, including (but not limited to) loss of a material contract, significant financial liabilities, insolvency risks, loss of key personnel, or any event that may materially affect financial stability.

Submission Requirements

Providers must submit full statutory financial statements, including the balance sheet, profit and loss account, and supporting notes. Abbreviated or abridged accounts are not acceptable for financial health assessments. Where applicable, parent company accounts and additional information relating to creditors, borrowings, or other financial commitments may also be requested.

Providers are required to submit all requested financial information within the deadlines specified by WMCA. Failure to provide complete, accurate and timely information may result in an **Inadequate** financial health rating, a pause in payments, a pause in enrolments and/or may be treated as a breach of contract.

WMCA may use information from external sources, including Companies House and credit reference agencies, to validate submitted information and inform financial health assessments.

Assessment and Grading

Financial health is assessed using three key ratios:

- Profitability
- Solvency
- Gearing

Each element contributes to an overall financial health score, resulting in a financial health rating of:

- Outstanding
- Good
- Satisfactory

- Inadequate

WMCA may moderate the calculated score where additional evidence indicates that the Provider's financial position differs from the automatic assessment and will communicate the rationale for any moderation.

Funding Implications and Exemptions

Financial health ratings directly influence a Provider's Recommended Funding Limit (RFL), which represents the maximum level of Adult Skills funding that WMCA considers the organisation has the financial capacity to manage and deliver.

The RFL is used by WMCA when determining contract values, growth opportunities, contract extensions and other funding decisions.

Providers should be aware that financial health ratings have significant implications for contract award, contract growth, renewal opportunities and the maximum funding that may be allocated. In particular:

- Providers rated Outstanding or Good may access funding up to the limits determined through the RFL methodology and procurement requirements.
- Providers rated Satisfactory will have contracts subject to additional funding controls and an overall contract cap of £1 million under the Recommended Funding Limit arrangements.
- Providers rated Inadequate will not be awarded new contracts and will not be eligible for contract renewals or extensions from 1 August 2026.

Where a Provider's financial health deteriorates during the contract period, WMCA may review funding allocations, impose additional contractual conditions, restrict growth, reduce funding levels, apply payment controls, require corrective action plans, and/or initiate formal intervention activity.

Providers that are assessed as having an Inadequate financial health rating will be subject to formal intervention and contract management measures in accordance with the Intervention Framework and Financial Due Diligence Guidance. This will include the suspension of new learner starts and will result in the termination of the Contract for Services. Where contract termination occurs, Providers will be required to support existing learners and implement any learner protection, teach-out, transfer, or continuity arrangements required by WMCA

In circumstances where a contract is terminated due to financial health concerns, Providers will be required to work collaboratively with WMCA to ensure that existing learners are protected and supported to complete their programmes, transfer to an alternative Provider where necessary, and experience minimal disruption to their learning. No new learner starts will be approved following notification of an Inadequate financial health assessment unless expressly agreed by WMCA.

Providers are therefore expected to maintain effective oversight of their financial position and take proactive steps to manage financial risks. Failure to do so may impact both current funding arrangements and future eligibility for WMCA-funded provision.

Monitoring and Intervention

Financial health ratings inform WMCA's risk-based approach to Provider management and determine the frequency of ongoing financial monitoring. Providers with higher levels of financial risk will be required to submit financial information more frequently and may be subject to additional scrutiny and review.

Where financial concerns are identified, WMCA will apply the Intervention Framework. This may include enhanced financial monitoring, requests for financial recovery plans, restrictions on future funding, payment controls, contract management interventions, or other actions deemed necessary to protect public funding and ensure continuity of learner delivery. Providers should therefore maintain robust financial oversight and take early action to address financial risks before they escalate.

Financial health concerns may result in escalation through Levels 2, 3 or 4 of the Intervention Framework depending on the severity of the risk identified.

For full details, Providers should refer to the Financial Due Diligence and Financial Health Monitoring for Independent Training Providers (Contract for Services and VCS Organisations) guidance which can be found Our website.

Fraud and Irregularity

The Provider must immediately notify the WMCA if it becomes aware of any suspected fraud or financial irregularity in the delivery of Funded Activities in line with the WMCA's Anti-Fraud and Corruption Policy and Procedures. This includes, but is not limited to, collusion with staff from the WMCA or regulatory bodies, computer fraud, submission of false or misleading funding claims, and fraud involving awarding organisations or subcontractors.

If the WMCA has reasonable grounds to suspect fraud or irregularity, it reserves the right to access the Provider's premises, or those of any subcontractors, at any reasonable time, with or without notice. This access includes the right to examine, copy, or remove relevant documents and electronic records, and to interview staff or agents involved in service delivery.

In such cases, the funder may also require the Provider to commission an independent investigation by a qualified professional at the Provider's expense. Alternatively, the WMCA may appoint its own investigator and recharge the Provider for the cost. Where fraud or irregularity is suspected, the WMCA may suspend payments and/or require the Provider to pause learner recruitment under this or any other agreement between the parties.

Failure to report such incidents promptly, or where a Provider is found to have engaged in fraudulent or irregular activity, will be treated as a material breach of the Funding Agreement and may result in suspension, recovery of funds, or termination.

If the Provider is a registered or exempt charity, it must inform the funder of any official warnings, schemes, or orders issued by the Charity Commission. Failure to do so will be treated as a serious breach of the agreement.

High-Risk Provider and Subcontractor Policy

As the accountable body, the WMCA is required to exercise appropriate oversight and control over the public funding it administers. This responsibility includes ensuring that:

- Public funds are used appropriately and in accordance with relevant regulations.
- Funded Activities are delivered in line with the terms and conditions of funding agreements.
- Value for money is achieved for the taxpayer, and
- Funding is directed towards delivering the policies and priorities approved by the WMCA and its delegated authorities.

The allocation of funding is contingent upon the WMCA being satisfied that Providers do not present a high level of financial or operational risk, as defined in the High-Risk Provider Policy and the terms of the relevant funding agreements.

This policy applies to both public and private sector Providers, including supply chain partners, where services are procured or funding is issued under WMCA's role as the lead or accountable body. In cases where WMCA does not have a direct contractual relationship with a Provider, such as supply chain partners, but determines that the supply chain partner poses a high risk, WMCA may require the lead Provider to take immediate and appropriate action. This may include the removal of the supply chain partner from all WMCA-funded delivery.

WMCA will assess and manage Provider risk in line with the Funding – High Risk Providers and Subcontractor Policy, which sets out the requirements, expectations, and additional monitoring arrangements applicable where a Provider or subcontractor is identified as high risk.

Providers are required to actively monitor and report risks relating to delivery, performance, and compliance, including those that may result in a high-risk classification.

Failure to:

- Disclose material risks
- Comply with the requirements of the High-Risk Provider and Subcontractor Policy
- Provide information, reports, or evidence requested by WMCA
- may be treated as a failure to comply with monitoring and reporting obligations and, where appropriate, may constitute a material breach of the Funding Agreement.

Where risks are not effectively managed or mitigated, WMCA reserves the right to apply intervention, funding adjustment, suspension of delivery, or termination action.

Policies

Due Diligence

WMCA requires Providers to apply due diligence across all aspects of Adult Skills Funding and to comply with Procurement Regulations, ensuring that you comply with legislation to ensure individuals' safety and well-being, equal treatment and access to provision and correct handling of data and information.

Providers must ensure they have in place evidence in the form of policies, which may from time to time be required for WMCA audit & compliance purposes. Failure to comply with these requirements will be treated as a material breach of the Funding Agreement.

Policies that will be required are listed, but not limited to:

- Safeguarding,
- Prevent,
- Health & Safety,
- Equality & Diversity,
- GDPR,
- Freedom of Information and Whistleblowing,
- Indemnity Insurance
- Subsidy Control
- Modern Slavery
- Complaints

The requirements around intellectual property, confidentiality, data protection and freedom of information are detailed in the Funding Agreement.

On the expiry or termination of the Funding Agreement, the Provider must also ensure that all documents and digital records related to the Funded Activities are made available to WMCA upon request. This includes any such records held by subcontractors or supply chain partners involved in the delivery of the Funded Activities. All information must be complete, accurate, and accessible to support a smooth transition or audit process.

Data Protection and Information Governance

The requirements around intellectual property, confidentiality, data protection and freedom of information between WMCA and Local Authorities and other relevant parties are detailed in your Contract for Services.

Providers must comply with all applicable Data Protection Legislation, including the UK GDPR and Data Protection Act 2018, in accordance with the Funding Agreement.
For the purposes of delivery under the Funding Agreement:

- Providers act as independent data controllers and are responsible for ensuring that all personal data is processed lawfully, securely, and in line with relevant legislation.
- Providers must implement appropriate technical and organisational measures to ensure the security and integrity of personal data.
- Providers must notify WMCA promptly of any actual or suspected personal data breach relating to delivery of Funded Activities.
    - Notifications must be made without undue delay, and in line with internal reporting requirements where specified.
- Providers must cooperate fully with WMCA in relation to Freedom of Information (FOI) and Environmental Information Regulations (EIR) requests, including:
    - Providing requested information within required timescales
    - Supporting WMCA to meet its statutory obligations

Failure to adhere to the below would constitute a breach of contract:

- Comply with Data Protection Legislation
- Report data breaches in a timely manner
- Provide information required to support FOI or regulatory requests

On the expiry or termination date, the Provider must also ensure that all documents and digital records related to the Funded Activities are made available to WMCA upon request. This includes any such records held by supply chain partners involved in the delivery of the Funded Activities. All information must be complete, accurate, and accessible to support a smooth transition or audit process.

Failure may constitute a material breach of the Funding Agreement

Complaints and Whistleblowing

Providers are responsible for receiving, investigating, and resolving complaints related to the delivery of the Funded Activities. You must have a clear and effective complaints framework in place. This framework should enable you to gather feedback and respond to complaints from learners, their representatives, employers, and the wider community. A log of all complaints must be maintained and made available to the WMCA upon request.

You must ensure that learners are fully informed of your complaints procedure. This procedure should be clear, accessible, and communicated during the enrolment process. It must also be published on your organisation's website so that learners and other stakeholders can easily access it. In addition, you are required to follow and publicise the WMCA's Complaints Procedure, which outlines how complaints should be handled and escalated where necessary..

All complaints must be handled in line with your internal procedures and any guidance issued by the WMCA. Once your investigation is complete, including any appeals process, you must inform the complainant of the outcome in writing. If the complaint remains unresolved to the complainant's satisfaction, you must advise them of their right to escalate the matter to the WMCA. You are expected to cooperate fully with any investigation the WMCA undertakes and act on any recommendations provided.

You must also ensure that an effective whistleblowing procedure is in place and followed. This procedure should allow staff and learners to raise concerns about possible malpractice in confidence, without fear of victimisation, discrimination, or disadvantage. The whistleblowing process must be clearly communicated and accessible to all relevant parties. Additionally, you are required to follow and publicise the WMCA Whistleblowing Policy

Failure to comply with these requirements will be treated as a material breach of the Funding Agreement.

Procurement, Subcontracting and Supply Chain

When engaging supply chain partners (subcontractors), Providers must ensure full compliance with the following:

- The Skills Programme Funding Rules

- The Supply Chain Funding Rules
- The WMCA's Higher Risk Provider Policy

Providers are required to select their supply chain partners fairly, transparently, and without discrimination. Where applicable, Providers must adhere to all relevant procurement legislation, particularly if they are classified as Contracting authorities under procurement law. It is the Provider's responsibility to ensure that any proposed delivery partners possess the necessary financial stability, capacity, and capability to deliver the subcontracted Funded Activities effectively.

Providers must obtain formal written approval from WMCA on an annual basis before entering into any supply chain contract. No subcontracted delivery may commence until this approval has been granted. This requirement applies to all third-party arrangements, including those involving learner recruitment, job placement services, and the delivery of teaching, learning, or assessment.

Subcontracting is permitted only to one level. Providers must ensure that their subcontractors do not further subcontract any part of the Funded Activities. Any in-year changes to supply chain arrangements, including changes to subcontracting values or the addition of new partners, must follow WMCA's business case process. Furthermore, if a Provider intends to procure additional supply chain partners the WMCA must be notified in advance of any procurement activity. Providers are expected to ensure that any procurement follows the Procurement Regulations. WMCA will assess how the proposed provision enhances the offer to residents and aligns with the Employment and Skills Strategy 2024–2027.

For further guidance, Providers should refer to the Supply Chain Funding Rules, which can be found on the WMCA website.

The Provider retains full accountability for all subcontracted delivery as if delivered directly, in accordance with the Funding Agreement.

Failure to comply with these requirements will be treated as a material breach of the Funding Agreement.

Impact and Evaluation

Information may be collected to support both processes and impact evaluations of Adult Skills Funded Programmes. Providers will be expected to supply relevant data to facilitate evaluation activities conducted by the WMCA and must also provide learner case studies upon request. In cases where contracts define a minimum volume of case studies, compliance with these requirements is mandatory for all relevant Providers

Learner Welfare

Safeguarding and Personnel Requirements

You must not employ or engage any individual if that individual is subject to a prohibition order under section 141B of the Education Act 2002 or an interim prohibition order under regulation 14 of the Teachers' Disciplinary (England) Regulations 2012.

The Provider must ensure that all Funded Activities are delivered in a way that safeguards and promotes the welfare of learners, including those in environments outside the Provider's direct control. This includes adopting safer recruitment practices and having regard to relevant guidance issued by the Secretary of State for Education. Where guidance uses the term "must," it should be interpreted as "should" unless it refers to legal obligations, such as those under the Safeguarding Vulnerable Groups Act 2006. The Provider must ensure that it complies with the Safeguarding Vulnerable Groups Act 2006 at all times.

All Provider personnel or potential personnel who may come into contact with learners or access learner information must be subject to appropriate checks. This includes any convictions and obtaining the most extensive DBS background checks available (from the Disclosure and Barring Service), and, where permitted by law, sharing the results with WMCA upon request. For overseas applicants, the Provider must follow the relevant government guidance on criminal records checks. These checks must be completed before any individual begins work with the Provider.

No one who appears on a Barred List may be employed or engaged in delivering the Funded Activities. The Provider and its supply chain must comply with all DBS reporting requirements. If a referral is made to the DBS, the Provider must inform WMCA that a referral has been submitted. If any personnel are added to a Barred List, they must be immediately removed from delivery of the Funded Activities.

Pending the outcome of background checks, Provider personnel must not be used in the delivery of the Funded Activities. Failure to comply with these requirements will be treated as a material breach of the Funding Agreement. The Provider must also supply details of its recruitment, training, supervision, and employment policies when requested by WMCA.

The Provider must ensure that there is always a sufficient number of appropriately skilled and experienced staff, including supervisory staff, to deliver the Funded Activities effectively. This includes having adequate staffing levels to cover holidays, sickness, other absences, and both anticipated and actual peaks in demand. All personnel must receive the necessary training and supervision to ensure the proper delivery of the Funded Activities under this agreement.

Health and Safety

Providers must comply with all relevant health and safety legislation, including regulations set by the Health and Safety Executive (HSE). This involves implementing and maintaining safe systems of work and appropriate safety policies to protect staff, learners, and the public.

When delivering the Funded Activities in environments outside the Provider's direct control, reasonable steps must be taken to ensure the safety of learners. This includes working collaboratively with other organisations, clearly defining responsibilities, and documenting arrangements to ensure mutual understanding and accountability.

The Provider must report all incidents that are reportable under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 ("RIDDOR") in accordance with those regulations and must investigate or assess the circumstances of all learner incidents within the scope of RIDDOR and follow the relevant HSE guidance.

In the event of a learner's death during service delivery, the Provider must notify the WMCA immediately by phone or email. Additionally, if any part of the Funded Activities are subcontracted, the Provider must ensure that all health and safety obligations are fully reflected in the subcontractor agreements.

Failure to comply with these requirements will be treated as a material breach of the Funding Agreement.

Learning Environment

Providers must ensure that all Funded Activities are delivered in environments that are safe, healthy, and supportive, going beyond basic legal health and safety requirements. This includes informing the funder if residential accommodation is provided and complying with national minimum standards as if operating under the Children Act 1989. The Provider must also promote British values, such as democracy, the rule of law, and mutual respect, and ensure equality of opportunity for all learners.

In line with the Counter-Terrorism and Security Act 2015, the Provider must comply with both the Prevent duty and the Channel duty. This involves following statutory guidance to prevent individuals from being drawn into terrorism and cooperating with relevant panels when necessary. Any incidents or referrals related to these duties must be reported to the Funder promptly. Failure to comply with these requirements will be treated as a material breach of the Funding Agreement.

You are responsible for monitoring and addressing any harm that may affect learners. This includes incidents resulting in absence from learning, physical or mental injury, disfigurement, bullying, or harassment. Cooperating with the funder and the Department for Work and Pensions regarding Industrial Injuries Disablement Benefit (IIDB) and maintaining robust safeguarding and health and safety records, supported by regular checks.

Where Providers refer safeguarding concerns, such as sexual harm or abuse allegations, to social care services or the police, the WMCA must be notified by email with a high-level summary. Similarly, any incidents undermining British values or Prevent compliance, or referrals of staff under the Counter-Terrorism Act, must also be reported. Failure to comply with these requirements will be treated as a material breach of the Funding Agreement.

All the above responsibilities must be passed on to any supply chain partners involved in delivering the Funded Activities and the Provider must ensure that the above provisions are included in its Contract for Services with supply chain partners.

People and Skills

Adult Skills Funded Programmes as part of the WMCA's Employment and Skills Strategy are designed to support individuals who face barriers to employment, lack foundational qualifications, or need to reskill for emerging job opportunities. These programmes are particularly focused on residents who have not yet achieved a Level 2 qualification, those in low-paid or insecure work, and individuals seeking to transition into more sustainable and higher-paying careers. By targeting these groups, the WMCA aims to build strong and inclusive communities where everyone has the opportunity to thrive economically and socially.

The Adult Skills Fund, including Skills Bootcamps, is aligned with the WMCA's strategic pillars to support residents into employment and enable career progression. These initiatives provide flexible, employer-responsive training that meets current and future labour market demands. Skills Bootcamps, in particular, offer intensive, short-term training in high-demand sectors such as digital, construction, and green technologies, helping residents quickly gain the skills needed for in-demand roles. The Adult Skills Fund complements this by offering broader foundational and vocational learning opportunities, ensuring that residents can access a clear progression pathway from basic education to advanced skills and employment.

To ensure the effectiveness of these programmes, the WMCA emphasises collaboration between Providers, employers, and local stakeholders. Providers are expected to deliver high-quality, compliant education and training, with a strong focus on outcomes such as job placements and in-work progression. Through the use of Delivery Plans and robust data tracking ensures that programmes remain responsive to local needs and deliver measurable impact.

Branding and Publicity

WMCA publicity and branding requirements must be followed. Detailed guidance can be located in the Media Assets section of the WMCA website. This covers such areas as photography and images, videos, brand guidelines, logos and other brand assets.

All residents on Adult Skills Funded Programmes must be informed that their training is supported by the WMCA, and evidence of this must be in the residents' evidence pack. All Provider documents held in the resident's evidence pack must display the WMCA logo.

Annexe A – Associated Documents

Providers must operate in accordance with this Operational Plan, the Contract for Services or funding agreement, and all associated documents referenced within these, which collectively form part of the Terms and Conditions of Funding.

Failure to comply with these requirements may constitute a breach of the Contract.

All associated documents are published on the WMCA website, and it is the responsibility of the Provider to ensure they access and comply with the most up-to-date versions at all times.

Documents referenced include (but are not limited to):

- WMCA Skills Programme Funding Rules 2026/27
- Skills Programme Coding Guidance 2026/27
- Financial Due Diligence and Financial Health Monitoring for Independent Training Providers (Contract for Services and VCS) Document
- WMCA Destination Portal Guidance and Outcomes Framework Coding
- WMCA Supply Chain Management Funding Rules (Subcontracting Guidance)
- WMCA Skills Bootcamp Guidance

Links to the above guidance documents can be found here

- WMCA High-Risk Provider and Subcontractor Policy
- WMCA Branding and Publicity Guidance (Media Assets)
- WMCA Anti-Fraud and Corruption Policy
- Whistleblowing policy and process
- Complaints policy and process

WMCA Policy Documents can be accessed via the links below:

- Employment and Skills Strategy
- West Midlands Growth Plan
- West Midlands Works

Annexe B - Provider Responsibilities

Key provider responsibilities are detailed within this guidance, the associated funding rules, and the funding agreement, including but not limited to:

Area	Key Responsibilities
Strategic Alignment	Ensure all delivery aligns to WMCA strategies and Integrated Settlement (IS) outcomes; clearly demonstrate contribution through Delivery Plan and ongoing performance
Delivery Planning	Develop, submit, and maintain an accurate Delivery Plan aligned to allocation, sectors, cohorts, and outcomes; only approved delivery will be funded
Delivery & Performance	Deliver against agreed profile and thresholds; proactively manage performance and engage early where underperformance is identified
Performance Management	Attend and actively contribute to monthly monitoring, respond to actions and escalation requirements in a timely manner
Forecasting & Pipeline Management	Provide accurate monthly forecasts, including pipeline activity, planned cohorts, risks, and delivery assumptions; maintain a credible delivery pipeline
Spend & Threshold Management	Monitor spend against profile, Local Authority area and within maximum contract value. Ensure delivery remains within defined variance thresholds; take corrective action where required
Outcomes & Impact	Deliver against outputs and outcomes set out in the Contract Specification and Delivery Plan; ensure provision leads to employment, progression, or wider impact aligned to IS framework
Destination Tracking	Update learner destinations monthly, and retain evidence to support outcome claims
Data & ILR Compliance	Submit accurate and timely ILR data; ensure all data meets WMCA and DfE validation requirements and reflects actual delivery
Financial Management	Deliver within allocation; manage cash flow in line with payment profile; participate in funding reviews and reconciliation processes
Quality & Ofsted	Maintain high-quality provision; meet Ofsted standards; notify WMCA of inspections and implement improvement actions where required
Compliance & Assurance	Participate fully in audits, reviews, and assurance activities; provide timely access to records, data, and staff when requested
Risk & Governance	Identify, manage, and report delivery, financial, and compliance risks; escalate issues including fraud, irregularity, or high-risk activity
Change Requests & Flexibility	Submit business cases for delivery changes or flexibility requests; ensure sufficient time and alignment to priorities
Growth Opportunities	Engage in WMCA-led growth processes where invited; demonstrate strong performance and alignment to access additional funding
Supply Chain Management	Ensure subcontractors are approved, compliant, and effectively managed; retain full accountability for subcontracted delivery
Safeguarding & Learner Welfare	Maintain robust safeguarding, Prevent, health & safety, and learner welfare arrangements; report incidents in line with requirements

Data Protection & FOI	Comply with GDPR and information governance requirements; report data breaches promptly and support FOI/EIR requests
Branding & Publicity	Ensure WMCA branding is applied to all materials and learner documentation; evidence funding acknowledgement
Collaboration & Partnership Working	Work with WMCA, local authorities, employers, and stakeholders to support place-based delivery and progression pathways

Providers are responsible for assessing the impact of planned growth, contract amendments, subcontracting arrangements and other financial commitments on their financial health and organisational sustainability.