



Subcontracting and Partnership Policy

**2026/27
Academic Year**

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Department Area	Finance & Corporate Resources
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This policy applies to all third-party sub-contracted supply chain activity supported with funds provided by the Department for Education (DfE), the Department for Work and Pensions (DWP), the West Midlands Combined Authority (WMCA), or any successor or nominated body. From 1 April 2026, responsibility for apprenticeship and Adult Skills Fund (ASF) funding rests with the DWP; the DfE continues to administer certain grants and payments during the transition. Devolved adult skills provision is funded through the WMCA.

1. Rationale for Subcontracting and Partnerships

The College enters subcontracting and partnership arrangements for the following reasons:

- To meet the skills and training needs of The Black Country and Birmingham and its region by providing training and education which complements the College's offer
- To support the College in meeting the needs of priority sectors, where specialist provision is required

Our purpose for commissioning subcontracting and partnership arrangements is to deliver the following outcomes for learners:

- To enhance the opportunities available to learners through local and accessible provision
- To fill gaps in niche or expert provision, or provide better access to training facilities which exceed facilities available through the College
- To support better geographical access for learners who have preferences for delivery sites that are more easily accessible to them
- To offer an entry point for disadvantaged groups and other learners who are constrained by work commitments or their socio-economic backgrounds
- To meet the needs of learners who share protected characteristics

The College will not subcontract apprenticeship provision to partners who are also the sole employing organisation for the apprentices concerned unless the College also delivers a substantial element of the overall programme. This may include the College delivering functional skills qualifications and developing knowledge, skills, behaviours and also providing work-based assessment and review services.

The College reserves the right to amend its sub-contracting arrangements at any time in accordance with the requirements of the Funding Bodies and the terms and conditions contained in its standard contract or sub-contracted provision.

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2. Subcontracting and Partnership Agreements

Subcontracting and Partnership Agreements shall comply with current DFE and WMCA Funding Rules (as applicable).

All apprenticeship subcontractors must comply with DFE requirements. Under the [Funding Rules](#), any partner must be:

- approved as a 'Supporting Provider' or a 'Main Provider' on the Apprenticeship Provider and Assessment Register (APAR), or
- will deliver less than £100,000 of apprenticeship training and on-programme assessment under contract cross all main providers and employer-providers between 1 August and 31 July each year. This is subject to written prior confirmation from the DFE that the College has fully achieved the subcontracting standard at the point of subcontracting.

All subcontractors must be listed on the [UKRLP site](#) (UK Register of Learning Providers) and have a valid UKPRN and a valid entry on Companies House for accounting purposes.

As per DFE and WMCA Funding Rules, second-level subcontracting is not permitted under any circumstance.

3 Restrictions on Subcontracting

The College will refer to or share any required information with the DfE and/or WMCA in accordance with the appropriate Subcontracting Funding Rules, using the appropriate forms. When required, the College will not enter into any subcontract until determination has been made by the appropriate funding body.

The College will not enter into any brokerage agreements.

The College will only award subcontracts for delivery of DfE and/or WMCA funded provision to legal entities and subcontractors who are on the UK Register of Learners and hold a valid UK Provider Reference Number

The College will not engage in second level subcontracting. All subcontractors must have a direct subcontract with the College.

The College will only enter into contracts with delivery providers that incorporate the necessary terms specified in the Apprenticeship Funding Rules regarding subcontracting.

Apprenticeship subcontracts must be listed on the Apprenticeship Providers and Assessment Register (APAR) as either a main or supporting provider. The College will only contract with subcontractors on the APAR, unless they fall under the £100,000 de minimis rule. Subcontractors not on the APAR can be used if their total apprenticeship training and assessment value is under £100,000 across all providers between 1st

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August to 31st July in any academic year

4. Authorisation of Subcontracting Agreements

Subcontracting agreements and any subsequent variations are subject to approval of the Board of Governors, such approval being sought for the Principal/CEO to enter into formal contracts.

5. Educational Rationale and Board Approval

The educational rationale for all subcontracted provision, together with the associated business case, will be approved annually by the Corporation Board prior to the commencement of delivery.

Prior to entering into any subcontracting arrangement, the College will undertake an assessment considering:

- Educational outcomes
- Learner benefit
- Geographical reach
- Specialist expertise
- Employer demand
- Comparative direct-delivery costs
- Equality of access
- Strategic alignment with college priorities

This assessment will be retained as part of the College's business case and reviewed annually.

6. Procurement Principals

The College will procure subcontracted provision through a fair, transparent and proportionate process which:

- Demonstrates value for money
- Avoids conflicts of interest
- Ensures equal treatment of potential providers
- Supports quality and learner outcomes
- Complies with applicable procurement legislation and College procurement procedures

7. Subcontracting Management Fees

The range of fees for managing subcontracted and partnership delivery is ordinarily 15%-20%.

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A full annual risk-assessment is undertaken for each subcontracted partner which will also be used to determine the appropriate management fee, which includes:

- a. Previous track record of delivering Government funded programmes
- b. Financial stability including review of company reports and director evaluation (including reference to DFE guidance on High Risk subcontracted provision)
- c. Overall and timely success rates (where applicable)
- d. Outcomes of compliance monitoring audits and visits (where applicable)
- e. Outcomes of Learner and Employer surveys and monitoring (where applicable)
- f. CVs for delivery staff
- g. Quality Assurance Arrangements, including teaching and learning
- h. Qualification Assessment Centre Status
- i. Timely submission of records (where applicable)
- j. Insurance cover and all required legal kite marks
- k. DBS and safeguarding monitoring

In the case of specific compliance concerns arising which necessitate external audit activity, these costs are chargeable as an additional cost to the subcontractor or partner.

In the event of a partner delivering from college sites, fees may rise up to 50%, where a partner benefits from associated additional services which may include some or all of the following:

- a. Premises hire
- b. Security
- c. Cleaning
- d. Reception
- e. Rates and utilities
- f. Use of College estate for teaching and training purposes
- g. Exam registration costs borne by the College
- h. Initial Advice and Guidance (IAG)
- i. Student support services (e.g. counselling and Safeguarding)
- j. Fees advice
- k. Enrolment services
- l. Marketing and promotional events
- m. Joint EQA activity
- n. Open days/evenings
- o. College enrichment activities

Subcontractor fees shall in all circumstance be set with due regard to assuring that provision is high-quality, sustainable and meets the needs of learners.

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8. Enhanced Due Diligence

Due diligence undertaken by the College shall include verification of:

- Financial accounts and solvency
- Ultimate beneficial ownership
- Persons of Significant Control (PSC)
- Relevant funding audit history
- Ofsted inspection outcomes
- Safeguarding arrangements
- Prevent compliance
- Cyber security arrangements
- Data protection compliance
- Business continuity planning
- Insurance cover
- Delivery capability and capacity

All staff involved in procurement, selection, management or monitoring of subcontractors must declare any actual, potential or perceived conflicts of interest.

Subcontractors must comply with UK GDPR, the Data Protection Act 2018 and College information governance requirements. Appropriate data sharing agreements will be maintained and any data breach must be reported to the College immediately.

The College, DfE, DWP, WMCA, Ofsted, auditors and any authorised representatives shall have unrestricted access to premises, records, staff and learners for monitoring, audit, inspection or investigation purposes.

The College expects all subcontractors to comply with the Modern Slavery Act 2015 and maintain appropriate policies to prevent modern slavery, forced labour and exploitation.

The College reserves the right to undertake ongoing due diligence reviews throughout the life of any subcontracting arrangement.

9. Subcontractor and Partner Management Activities

The College provides the following services:

- a. Due diligence and risk assessment for existing and potential subcontractors
- b. Monitoring of quality and compliance, including planned audits together with unannounced visits throughout the year
- c. Access to a named monitoring officer for all data and ILR processing/queries
- d. Policy, funding, quality and compliance advice including new funding initiatives
- e. Capacity building including the development of teaching, learning and assessment and Observation and grading of subcontractor staff (teaching, learning and assessment)

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- f. Opportunities to bid for joint projects where these meet College priorities
- g. Assistance with advertising, shortlisting and recruiting apprentices including guidance on using Levy and non-Levy portals
- h. Administration of internal and external learner and employer surveys
- i. Awarding body registration and IQA and EQA activities where applicable
- j. Processing of apprenticeship employer incentive payments
- k. MIS data entry and enrolment procedures
- l. Learner eligibility checks in line with funding rules guidance
- m. Employer registration identification numbers
- n. Access to ALS specialists
- o. Access to a Teaching and Learning Advisor for CPD purposes
- p. Access to Marketing and Employer Engagement specialists
- q. Development through professional activities, self-assessment reviews and quality improvement plans
- r. Learner identification badges to enable access to College facilities including VL platforms

10. Progress review meetings

All partners are required to attend progress review meetings. The purpose of the meetings is to review progress against agreed contracts; to improve the quality of the provision and to ensure compliance measures are in place. The agenda for each meeting includes:

- a. Data reconciliation, funding and payments
- b. Learner achievement, progressions and destinations
- c. Compliance
- d. Quality assurance
- e. Quality improvement (including Self-Assessment Reports and Quality Improvement Plans)
- f. Curriculum development
- g. Staffing updates (including DBS compliance)
- h. Safeguarding
- i. Marketing
- j. Facilities
- k. Health and Safety

Progress Reviews meetings shall be Chaired by a member of the College's Senior Leadership Team and subcontractors shall be invited to table agenda items as needed. Formal minutes and actions shall be noted and followed up accordingly.

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11. Safeguarding and Prevent

All subcontractors must demonstrate compliance with statutory safeguarding requirements including:

- Keeping Children Safe in Education (KCSIE)
- Working Together to Safeguard Children
- Prevent Duty Guidance
- Relevant adult safeguarding legislation

The College will undertake annual safeguarding assurance reviews and reserves the right to undertake immediate intervention where safeguarding concerns arise.

Subcontractors must immediately notify the College of:

- Safeguarding incidents
- Prevent referrals
- Allegations against staff
- Serious incidents affecting learners
- Regulatory investigations relating to safeguarding

Failure to comply with safeguarding requirements may result in immediate suspension or termination of the subcontracting arrangement.

12. Timescales for Payment of Invoices

All subcontractor and partner arrangements will be paid based on an agreed proportion of funding, relating to valid funding claims, within 30 days of the invoices being authorised by the College.

13. Publishing of Data

An annual statement of key data will be published. This data will include for each subcontractor:

- The name of the subcontractor
- The UKPRN number
- Their Agreement start and end date
- The type of provision: programme; age range
- The amount of funding received from the DFE and/or WMCA
- The amount of funding paid to the subcontractor during the academic year
- The amount of funding retained by the College

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14. Contribution to improving Subcontractors' and Partners' quality of teaching and learning

The College offers a full range of teaching, learning and assessment delivery qualifications, which partner providers can access. The College's teaching, learning and assessment criteria shall be shared with subcontracted partners to be used as a minimum standard. Meetings are brokered between the subcontractors and College curriculum areas with responsibility for delivering in the same sector, in order to facilitate the sharing of best practice.

Subcontractors shall produce an annual Self-Assessment Report that contributes to the College's overall report and an agreed Quality Improvement Plan shall be developed and implemented.

15. Communication of the Subcontractor and Partnership Policy

The Subcontractor and Partnership Policy is reviewed on an annual basis and amended to reflect changes to funding guidance and College policy for the next contract year. The Policy is reported to the Board for approval, discussed with partners during review meetings and is published on the College's website.

16. Contingency Planning

In compliance with DFE and WMCA Skills funding rules that apply, if a subcontractor or partner withdraws from the arrangement, or if a subcontractor goes into liquidation or administration, the College undertakes to directly manage and deliver the remainder of the agreed provision already being delivered. This delivery will be either through its existing structure or by retaining tutor expertise and/or specialist equipment, whichever is more cost-effective. Any provision planned not yet started will be cancelled and the project closed.

Exit plans will identify:

- Learner transfer arrangements
- Learner communication plans
- Staff transition arrangements
- Record retention requirements
- ILR ownership
- Funding recovery processes
- Safeguarding continuity arrangements

For apprenticeship delivery, failure by a subcontractor to successfully join the Apprenticeship Provider and Assessment Register will automatically result in termination of contracts with the College.

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If the College needs to withdraw from a subcontracting arrangement, sufficient notice will be provided to allow subcontractors to complete delivery of immediate provision, in line with formal contracts. The College will provide support to enable subcontractors to identify other sources of funding, if possible, take appropriate action to complete the project; or close the project at the earliest opportunity, without prejudice to currently enrolled learners or staff. Contracts will clearly state conditions for termination and recovery of DFE and/or WMCA funding grants in case of non-delivery.

Where material levels of partnership activity are planned, the College will seek to minimise risks through:

- Regular dialogue with partners, both formally through Quality of Education and Funding Boards and informally as appropriate
- Embedding partners in and alongside the College's direct activities, including through partner occupation of college premises
- Agreeing long term partnership agreements alongside annual funding contracts
- Routine and ongoing due diligence including, but not limited to, review of financial records evidencing ongoing solvency.
- Maintaining records of structure charts for both partners and internal college teams which includes named delegates.

17. Commitment to Government Policy

DFE policy seeks to reduce overall levels of subcontracting delivery. This includes, specifically, reducing the volume of subcontracted delivery at geographically distant locations. DFE policy also requires that the College publishes its rationale and plan for subcontracted delivery and this document forms part of the College's response. The College is committed to reducing distant subcontracting of generic provision and instead growing genuine partnerships that are based upon shared delivery, facilities and technical expertise, particularly where specialist equipment would otherwise be outside of the College's means.

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