

Policy/Procedure Name:	Delivery Subcontracting Policy (Education)		
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Date of Approval:	October 2025		
Effective Date:	July 2025		
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Review by Date:	July 2026		
Policy/Procedure Author:	Head of College		
Policy/Procedure Owner:	Principal/CEO		
Management Committee	TLT		
Approved By:			
Governor Committee (where appropriate) Approved By:	Not Applicable		
For Action By:	All staff		
For Information to:	All staff		
Approval requested to upload on the Treloar's Website:	Yes <input type="checkbox"/> (tick if requested)		
Who is carrying out EIA?	Ben Bastin	Date of EIA?	July 2025
Have we shown due regard for the 9 protected characteristics within the policy/procedure?	Yes <input checked="" type="checkbox"/>	No	
Are all opportunities to promote equality taken within the policy/procedure?	Yes <input checked="" type="checkbox"/>	No	
Refer Policy/Procedure to EDI Co-ordinator for further assessment	Yes	No <input checked="" type="checkbox"/>	

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## 1. Introduction

Treloar College may engage with partners or subcontractors to meet its mission 'To enable physically disabled young people to achieve their aspirations by: Providing personalised learning, therapy and care, Supporting transition into adulthood, Promoting independence and inclusion'. We will engage with organisations who can help achieve this goal where the subcontracted provision is relevant to our core business objectives, values, and business offer.

This policy governs provision subcontracting within Treloar College. Treloar College recognises that it holds full accountability for the delivery of subcontracted activity and that this cannot be assigned to subcontractors. It is the responsibility of both Treloar College and their subcontractors to refer to the rules and guidance of the Department for Education (DfE) and any future updates in all matters regarding the delivery of the contract.

This policy is annually reviewed to ensure compliance with current regulations and the DfE Subcontracting Standard. It is developed in accordance with the DfE Funding Rules and Treloar College's financial regulations.

## 2. Definitions

- **Lead Provider:** Treloar College is the Lead Provider, holding a direct contractual relationship with the DfE.
- **Subcontractor:** A separate legal entity or an individual that has an agreement (called a subcontract) with Treloar College to deliver any element of the education and training funded by the DfE. This includes companies within a group, other associated companies, and sole traders. Individuals working under Treloar College's direct management and control in the same way as its own employees are not considered subcontractors.

## 3. Overarching Principle and Rationale for Sub-Contracting

Subcontracting may be considered where it enhances the quality and accessibility of education for our learners, where it aligns with Treloar College's strategic aims and meets the DfE Subcontracting Standard. Treloar College will enter into contract arrangements if one or more of the following aims are met:

- **Enhances opportunities for disabled learners:** Broadening the scope and accessibility of provision for students and employers beyond our current curriculum or capacity.
- **Fills gaps in niche or expert provision:** Provides access to specialist training facilities or expertise not readily available within Treloar College.
- **Supports better geographical access:** Improves access for learners in specific locations.
- **Offers an entry point for disadvantaged groups:** Facilitates engagement with communities typically underrepresented in further education.
- **Consideration of protected characteristics:** Addresses potential gaps or specific needs for individuals with shared protected characteristics.
- **Complementary provision:** Subcontracted delivery complements our core programmes and maintains our relationships with learners.

Treloar College is committed to continually evaluating its subcontracted provision with the goal of further reduction.

#### **4. Pre-Award Activities**

Before entering a subcontract arrangement, Treloar College will implement a comprehensive due diligence process for new partners, covering key areas such as quality assurance, data management, health and safety, staffing capability and capacity, finance, and safeguarding. A legally binding contract will be in place prior to delivery commencing, including terms specified in the Funding Rules. Treloar College will engage with external auditors to undertake an annual assurance review of procurement and contracting processes.

Management fees will be determined for the full range of funding retained and charges applied, agreed at executive level, and published on Treloar College's website. These will generally not exceed 20%, with any exceptions subject to challenge by the DfE.

#### **5. Contract Award and Management**

Treloar College will ensure robust processes for contract award and ongoing management. All awarded contracts will be managed by staff with clearly defined roles and responsibilities. Treloar College will have well-defined policies and processes, and a clear contract management plan, with a focus on outputs and a 'whole life' approach to performance. Contract management issues and performance will be reported through the governance structure with senior level engagement. Appropriate assessment will be undertaken to ensure extremist organisations are not funded through subcontracting DfE funding.

#### **6. People**

Treloar College will ensure that staff responsible for contract management activities have clearly defined roles, appropriate knowledge of the contract and relevant issues, and the necessary skills and expertise. Business continuity and handover procedures will be in place to ensure continuity of contract management.

#### **7. Administration**

Treloar College will maintain efficient administrative processes for contract management. Signed contracts will be securely stored and easily accessible. Mechanisms will be in place for identifying key contract 'trigger points' and for regular reporting of contract management information. Processes and procedures will ensure contracts are closed and/or terminated efficiently, with the cost of contract management activities to the subcontractor considered proportionate to the contract size and risk.

#### **8. Managing Relationships**

Treloar College will have appropriate procedures in place to manage its relationships with subcontractors. This includes undertaking proactive conversations and independent checks at least annually to review the subcontractor's ownership, financial health, learning activity, and business continuity plans. Clear communication routes will be maintained, and well-defined problem resolution processes will be used to ensure effective collaboration and prevent issues from escalating.

## **9. Managing Performance**

Treloar College will have processes and procedures in place to effectively manage subcontracted provision. Service management will be well-structured, with clear baselines and performance management frameworks understood by both parties. Subcontractor performance will be assessed using objective metrics, linked to DfE funding rules. Regular feedback will be provided, and formal performance reviews will be conducted, leading to documented improvement plans where necessary.

## **10. Payments and Incentives**

Treloar College will have sufficient processes and procedures to effectively monitor financial payments related to subcontracted provision. Payment mechanisms will be documented, clear, and well understood. Payment processes will be well defined and efficient, with appropriate checks and authorisation for invoices. Payments will not be made in advance of evidence demonstrating learning activity has been undertaken.

## **11. Risk Management**

Treloar College will have effective risk management procedures in place for public funds paid to subcontractors. Contractual/subcontractor risk management will be in place with clear responsibilities, formal identification and monitoring of risks, and development of mitigating actions. Contingency plans will be developed to handle subcontractor failure, and exit strategies will be updated throughout the contract life. Contractual terms around termination, warranties, indemnities, insurance, security, and confidentiality will be understood and monitored. Dispute resolution processes will be in place.

In line with Keeping Children Safe in Education, Treloar's will review any subcontracted placements. Reviews should at least half termly (and more frequently if necessary) to provide assurance that the child is regularly attending and the placement continues to be safe and meets the child's needs.

Where safeguarding concerns arise, the placement should be immediately reviewed, and terminated, if necessary, unless or until those concerns have been satisfactorily addressed.

## **12. Contract Development and/or Termination**

Treloar College will ensure changes to the contract or termination are handled appropriately and efficiently. Annual analysis of subcontracted activity will inform reduction plans. The subcontract will be regularly reviewed and updated to meet evolving needs. Clear governance processes will be in place for contractual changes, ensuring value for money. Dispute handling processes will address any change-related issues, and commercial changes will be managed fairly and structured.

## **13. Provider Development**

Treloar College is committed to improving provider performance and capability. Processes will be in place to plan, manage, and govern provider development activities, focused on

continuous improvement and achieving value. Treloar College will foster collaboration and support, including potential input or assistance for operational performance improvement and joint working activities. Support for wider government initiatives and shared risk reduction programmes will also be pursued.

#### **14. Policy Publication and Review**

This policy will be reviewed and updated annually, prior to the commencement of each academic year. Subcontractors will be made aware of any changes. The policy will be provided to all subcontractors and will be publicly available on Treloar College's website. Treloar College will submit details of all subcontracted provision to the DfE.

#### **15. Revision History**

Listed below is a brief audit trail, detailing amendments made to this policy procedure in last 4 years

<b>Date</b>	<b>Page/para No.</b>	<b>Brief description of the change(s)</b>	<b>Change made by</b>
		Not applicable as new policy	

## Equality Impact Assessment (EIA) - Stage 1

<b>Name of Policy / Function/Decision</b>	Delivery Subcontracting Policy				
<b>Name of Assessor / Author /Lead</b>	Ben Bastin				
<b>Start Date</b>	25 <sup>th</sup> July 2025				
<b>This EIA is being undertaken because it is:</b>	New Policy				
<b>Screening</b>					
<b>Does the policy affect employees, students or other stakeholder groups? Could the impact be significant to that group of people?</b>					N
<b>Is it a major policy with a significant effect on how our core business is delivered?</b>					N
<b>Does it involve a significant commitment of resources?</b>					N
<b>Does it relate to an area where there are known inequalities (e.g. gender pay gap, hate crime, accessibility of IT)</b>					N
If the answer to any of these questions is 'YES' then continue to complete Equality impact assessment. If you are unsure about the answer to any of these questions, please contact EDI Co-ordinator or Head of Quality for further support.					
<b>Has the screening identified the policy as having relevance to the any of the following groups?</b>					
Age	N	Disability	N	Sexual Orientation	N
Race	N	Sex/Gender	N	Religion or Belief	N
Gender Reassignment	N	Pregnancy or Maternity	N	Marriage or civil partnership	N
Have we shown due regard for the 9 protected characteristics within the policy/procedure/decision?				Yes	✓ No o
Are all opportunities to promote equality taken within the policy/procedure/decision?				Yes	✓ No o
Have we stated how we will monitor the implementation and impact of this policy/decision?				Yes	✓ No o
<b>Date of Screening</b>					Oct 2025
<b>Approval by EDI</b>					Head of Quality
<b>Refer Policy/Procedure to EDI Co-ordinator for further Stage 2 Assessment (if required)</b>					Yes o No ✓