

Policy/Procedure Name:	Delivery Subcontracting Policy (Education)		
Policy/Procedure Number:	SMT069		
Date of Approval:	October 2025		
Effective Date:	July 2025		
Revised Date:	July 2026		
Review by Date:	July 2027		
Policy/Procedure Author:	Director of Education		
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 ü (tick if requested)		
Who is carrying out EIA?	Lorna Woodcroft	Date of EIA?	Aug 2026
Have we shown due regard for the 9 protected characteristics within the policy/procedure?	Yes ✓ No		
Are all opportunities to promote equality taken within the policy/procedure?	Yes ✓ No		
Refer Policy/Procedure to EDI Co-ordinator for further assessment	Yes No ✓		

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1. Introduction

Treloar's 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 educational offer.

This policy governs provision subcontracting within Treloar College. Treloar College recognises that it holds full and non-assignable accountability for the delivery of all subcontracted activity. It is the responsibility of both Treloar College and our subcontractors to refer to the rules and guidance of the Department for Education (DfE) and any updates in all matters regarding the delivery of the contract.

This policy is annually reviewed to ensure absolute 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, associated companies, and sole traders.

Direct Management: 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 will only be considered where it enhances the quality and accessibility of education for our learners, aligns with Treloar College's strategic aims, and meets the DfE Subcontracting Standard. The decision to subcontract must never be motivated by financial gain.

Treloar College will only enter into contract arrangements if one or more of the following educational rationales are met:

1. **Enhances opportunities for disabled learners:** Broadening the scope, accessibility, and inclusion of provision for students beyond our current curriculum or physical capacity.
2. **Fills gaps in niche or expert provision:** Provides access to specialist training, therapy facilities, or industry-specific expertise not readily available within Treloar College.
3. **Supports better geographical access:** Improves access for learners in specific target locations.

4. **Offers an entry point for disadvantaged groups:** Facilitates engagement with communities typically underrepresented in further education.
5. **Consideration of protected characteristics:** Addresses potential gaps or specific needs for individuals with shared protected characteristics.

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

4. Pre-Award Activities

Before entering into any subcontracting arrangement, Treloar College will implement a comprehensive due diligence process for new partners.

Mandatory DfE Approvals

- **First-Time Subcontracting:** If Treloar College has not previously subcontracted provision funded via these DfE streams, we must obtain written approval from the DfE prior to awarding any contract to a delivery subcontractor, keeping formal evidence of the request and response.
- **Specific Subcontracting Exclusions:** Treloar College will not subcontract, without prior written permission from the DfE, to any institution or organisation that is not permitted to recruit 16 to 18-year-old students or 19 to 25-year-old high-needs students (for example, an 11 to 16 school).
- **Higher-Risk Organisations:** Due diligence checks must apply the criteria set out in the DfE's "Funding Higher Risk Organisations" policy. Treloar College will not award or renew a subcontract with any organisation flagged as high risk under these guidelines.

5. Contract Award and Governance

The governing body holds ultimate accountability for all subcontracted delivery.

- **Governing Body Oversight:** This policy, including any subcontracting rationales, must be formally reviewed, approved, and signed off by the Board of Governors and Trustees and the Accounting Officer (Principal/CEO) annually.
- **Reporting Structure:** All awarded contracts will be managed by designated staff with clearly defined roles. Subcontracting performance, risks, and educational outcomes must be reported regularly to the Board of Governors to ensure senior-level engagement and scrutiny.
- **Extremism Prevention:** Robust pre-award assessments will be undertaken to ensure public funds are not used to inadvertently fund extremist or non-compliant organisations

6. People and staff competence

Treloar College will ensure that all staff responsible for contract management activities possess the necessary expertise, knowledge, and commercial skills.

- **Role Clarity:** Handover procedures and business continuity plans will be maintained to guarantee seamless contract management in the event of staff transitions.
- **Training:** Contract managers will undergo regular training on DfE Funding Rules updates and quality assurance protocols.

7. Administration and reporting

Document Management: All signed legal contracts must be securely stored and easily accessible.

Trigger Points: Operational processes are in place to track critical "trigger points" (e.g., contract value thresholds, student volume limits, and key funding data return dates).

Proportionate Costs: The administration costs and expectations placed upon subcontractors will be kept proportionate to the contract size and risk profile.

8. Managing Relationships

Annual Status Checks: Treloar College will conduct proactive conversations and independent checks at least annually to review the subcontractor's ownership, financial health, credit rating, and business continuity plans.

Credit Rating Requirements: Subcontractor credit ratings will be evaluated. If a rating indicates an above-average risk, Treloar College must justify and document how the risks are being managed. Contracts will not be renewed or issued to subcontractors with critical financial health failures.

Aggregated Contracts: We will review the DfE's list of declared subcontractors to identify if a potential partner holds contracts worth at least £100,000 in aggregate across other post-16 providers, adjusting our monitoring risk level accordingly.

9. Managing Performance and quality assurance

Treloar College is responsible for the educational quality of subcontracted delivery. We will operate a structured performance framework, utilizing objective metrics linked directly to DfE guidelines.

Quality Monitoring of the Programme

- To ensure rigorous oversight, our quality team will conduct a regular programme of monitoring visits. This programme must include:
- **Verification of Learners:** Physically or digitally verifying that learners exist, are actively participating, and meet all DfE eligibility criteria.
- **Direct Observation:** Conducting direct observations of initial guidance, diagnostic assessment, and actual delivery of learning programmes.
- **Regular Progress Reviews:** Assessing individual learner progress, tracking achievements, and verifying that appropriate learning support is in place.
- **Feedback Loops:** Collating regular feedback directly from learners and their employers/parents.

Where quality falls short of expected benchmarks, a formal Performance Improvement Notice (PIN) will be issued, requiring a documented action plan with immediate milestones.

10. Payments Incentives and Fees

Treloar College will maintain transparent and robust financial controls over all payments to subcontractors.

- **Management Fees:** The management fee retained by Treloar College represents the actual cost of procurement, compliance, quality monitoring, and support activities. This fee will generally not exceed 20% of the funding allocation. Any fee exceeding 20% must be accompanied by an exceptional educational value rationale, subject to DfE challenge and scrutiny.
- **No Advance Payments:** In strict compliance with DfE rules, no payments will be made to subcontractors in advance of evidence demonstrating that active, eligible learning activity has taken place.
- **Authorisation Checks:** Funding claims are verified using the Individualised Learner Record (ILR) and the Earnings Adjustment Statement (EAS) where applicable before invoices are approved.

11. Risk Management and Safeguarding

- **Risk Registers:** A risk register will be maintained for each subcontracted partnership, outlining key commercial, operational, and delivery risks alongside mitigation strategies.
- **Contingency and Exit Strategies:** In the event of subcontractor failure, insolvency, or sudden contract termination, Treloar College maintains updated exit strategies and learner protection plans to secure the continuity of learners' education.
- **Safeguarding and KCSIE Compliance:** In strict alignment with *Keeping Children Safe in Education (KCSIE)*, Treloar College will review subcontracted placements at least half-termly (and more frequently if required) to verify that placement environments are safe, attendance is consistent, and the provider is meeting the individual child's safeguarding and educational needs.

Immediate Escalation: Where safeguarding or Prevent Duty concerns arise, placements will be reviewed immediately and suspended or terminated unless and until concerns are fully resolved.

12. Contract Development and/or Termination

Contracts may be modified or terminated to protect public funds or learner interests.

- **Mandatory Termination/Suspension:** In accordance with the DfE's "Funding Higher Risk Organisations" policy, if a subcontractor fails to meet minimum due diligence and financial health checks, Treloar College will immediately suspend the subcontractor's right to recruit new learners. If requested by the DfE, the contract will be terminated immediately.
- **Structured Changes:** All contract variations will go through a formal governance route, ensuring continued compliance and value for money.

13. Provider Development

Treloar College is dedicated to collaborating with our partners to raise the standard of post-16 delivery. We will support subcontractor development through:

- Joint best-practice workshops (specifically covering Safeguarding, EDI, and the Prevent Duty).
- Peer observations and sharing curriculum resources.
- Collaborative risk reduction initiatives.

14. Policy Publication and Review

- Annual Publication Deadline: This policy will be reviewed, updated, and published on the Treloar College website by 31 October of each academic year.
- DfE Declarations: Treloar College will submit its subcontracting declarations to the DfE twice per year:
 - First Declaration (by 31 October): Forecasting subcontracting arrangements for the academic year.
 - Second Declaration (by 30 June): Confirming final subcontracting arrangements. If no subcontracting takes place, a "nil return" will be submitted.
- Policy Access: Subcontractors will be provided with this policy prior to signing their contracts and notified immediately of any updates.

15. Revision History

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

Date	Page/para No.	Brief description of the change(s)	Change made by
		Not applicable as new policy	
10/07/26		Full revision	Head of College

Equality Impact Assessment (EIA) - Stage 1

Name of Policy / Function/Decision	Delivery Subcontracting Policy				
Name of Assessor / Author /Lead	Lorna Woodcroft				
Start Date	10 th Aug 2026				
This EIA is being undertaken because it is:	New Policy				
Screening					
Does the policy affect employees, students or other stakeholder groups? Could the impact be significant to that group of people?					N
Is it a major policy with a significant effect on how our core business is delivered?					N
Does it involve a significant commitment of resources?					N
Does it relate to an area where there are known inequalities (e.g. gender pay gap, hate crime, accessibility of IT)					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.					
Has the screening identified the policy as having relevance to the any of the following groups?					
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
Date of Screening				Aug 2026	
Approval by EDI				Lorna Woodcroft	
Refer Policy/Procedure to EDI Co-ordinator for further Stage 2 Assessment (if required)				Yes	o No ✓