

Subcontracting Policy 2026-27

Overview Information

Policy Manager:	Richard Davies, Director of Information Services
SLT Manager:	Heather Marks, Deputy Principal – Curriculum & Quality
Effective Date:	1 st May 2026
Annual Review Date:	1 st May 2027
Original Filename:	Subcontracting Framework CMC 2025-26

1. Introduction

- 1.1. Capel Manor College is London's specialist environmental and land-based college, delivering vocational, technical and professional training across horticulture, arboriculture, animal management, floristry, agriculture, environmental sustainability and related sectors. The College's mission is to provide high-quality education that supports London's transition to a greener and more sustainable future, widens participation, and enables progression into employment, further study and apprenticeships. This framework aligns with the Mayor's Green Skills Strategy, Local Skills Improvement Plans (LSIPs), and London's wider economic priorities, ensuring that any subcontracting activity contributes directly to regional skills needs, workforce development and inclusive growth.
- 1.2. The College does not currently subcontract any provision. However, in response to emerging opportunities such as the London Talent Pathways programme the College may introduce subcontracting on a limited and strategic basis. Any subcontracting will be undertaken only where it demonstrably enhances learner access, meets identified employer or community needs, or provides specialist expertise that cannot be delivered directly by the College. The College will adopt a high-quality, low-volume approach to subcontracting, ensuring strong oversight, clear accountability, and full compliance with funding and regulatory requirements. This framework establishes the principles, controls and assurance mechanisms that will govern all subcontracted activity.

2. Policy Statement

- 2.1. This policy is aligned with the requirements of the Department for Education (DfE) and Greater London Authority (GLA) and reflects the expectations set out in the national Subcontracting Standard. It provides a clear framework for the selection, approval, contracting, monitoring and review of subcontractors, ensuring full regulatory compliance, transparency, and the effective stewardship of public funds.
- 2.2. The College retains full accountability for all subcontracted provision, including the quality of education, learner outcomes, safeguarding, and compliance with funding rules. Subcontracting will be used only where it demonstrably enhances provision and delivers clear educational, social or economic value.
- 2.3. Capel Manor College will adopt a high-quality, low-volume approach to subcontracting, ensuring that all activity is strategically aligned, tightly controlled, and subject to rigorous oversight. Subcontracting will not be used for financial gain or to mitigate internal capacity challenges.
- 2.4. This policy will be reviewed annually and approved by the Corporation, following scrutiny by the Senior Leadership Team and Governors' Academic Committee. Once approved, it will be published on the College website by 31 August each year. It must be read in conjunction with the College's Supply Chain Fees and Charges Statement, which set out the financial arrangements and management fees associated with subcontracted delivery.

- 2.5. DfE policy sets clear expectations for the sector, including reducing unnecessary subcontracting, preventing subcontracting motivated by financial gain, and strengthening oversight to minimise non-compliance, fraud and poor-quality delivery. This policy ensures Capel Manor College operates fully within those expectations.
- 2.6. The College will operate a formal subcontracting risk framework, including risk grading, monitoring frequency, and defined intervention thresholds, ensuring proportionate oversight based on risk.

3. Definitions

- 3.1. A subcontractor is a separate legal entity contracted by the College to deliver funded provision on behalf of the College, which is funded by the DfE, ESFA or GLA. A subcontractor may include a company, charity, sole trader, voluntary sector organisation or an individual not employed or directly supervised by the College. Organisations owned by or associated with, the College are also considered subcontractors where they operate as separate legal entities And are contracted to deliver provision.

4. Rationale for Subcontracting

- 4.1. Capel Manor College will only enter into subcontracting arrangements where there is a clear and demonstrable educational, strategic or social benefit to learners, employers and the wider community. Subcontracting will be used to extend access to provision, respond to identified local and regional skills needs, and provide specialist expertise that the College cannot deliver directly. All subcontracting activity must align with the College's strategic priorities and contribute to improved learner outcomes, progression and participation.

Subcontracting will not be undertaken for financial gain, to manage internal capacity constraints, or to retain funding that could be more appropriately delivered by another lead provider. The College will not engage in subcontracting arrangements that dilute accountability or reduce the quality of the learner experience.

- 4.2. All subcontracting decisions will be informed by a clear business case, demonstrating how the proposed arrangement meets an identified need, delivers value for money, and aligns with the College's curriculum intent and skills strategy. The College will only enter into subcontracting arrangements following comprehensive due diligence to assess quality, capacity, compliance, financial stability, safeguarding arrangements, Prevent compliance and relevant sector expertise. Subcontractors must be legally constituted, active on Companies House and registered on UKRLP, and must hold a valid Provider Reference Number (UKPRN) with no overdue statutory accounts or outstanding regulatory concerns.

5. Scope of Provision

- 5.1. Any subcontracting undertaken by Capel Manor College in 2025/2026 will be limited to specific programmes or defined community and employer-led initiatives, such as London Talent Pathways or comparable provision, where subcontracting is demonstrably necessary to achieve programme objectives. All subcontracted activity must align with the College's strategic priorities, including the development of green skills, widening participation, and meeting identified local and regional skills needs. Subcontracting will only be used where it adds clear value and supports improved learner outcomes.

- 5.2. The scale, nature and value of subcontracting will be determined through the College's annual curriculum planning processes. All subcontracting arrangements must be approved by the Senior Leadership Team (SLT) and the Corporation, with defined limits and thresholds applied. No member of staff is authorised to independently negotiate, agree, or enter into subcontracting arrangements on behalf of the College. All activity must follow the College's formal procurement, due diligence and approval processes.

6. Significant Changes to Policy

- 6.1. As the College has not previously subcontracted, this represents the first version of a formal subcontracting policy and introduces new governance, assurance and monitoring procedures that align with the Subcontracting Standard.
- 6.2. New requirements include strengthened quality assurance processes, detailed due diligence expectations, enhanced financial controls, and a structured monitoring framework to protect learners and public funds.

7. Subcontracting Monitoring Standard

- 7.1. Capel Manor College adopts the national Subcontracting Standard in full. The Standard sets expectations for risk management, governance, oversight, monitoring, data reporting, evaluation and audit, and is designed to ensure consistent quality across the Further Education sector. The College will undertake regular self-assessment against the Subcontracting Standard to evaluate the effectiveness of its subcontracting arrangements and to identify areas for improvement.
- 7.2. Compliance with the Standard supports the College in preventing non-compliance, safeguarding failures, poor-quality delivery and fraudulent activity, while ensuring that subcontracted provision is high quality and learner centred. The College will use the Standard as an active monitoring and assurance tool, with findings informing quality improvement planning, risk management, and governance reporting.

8. Governance, Risk and Intervention

- 8.1 The College maintains clear and robust accountabilities for all subcontracted provision. Overall responsibility for subcontracting sits with the Deputy Principal – Curriculum and Quality, who is accountable for compliance with funding rules, quality of provision, learner outcomes, and the effective oversight of all subcontracting arrangements.

Strategic oversight is provided by the Senior Leadership Team (SLT) and the Corporation, with regular reporting to the Academic Committee to ensure appropriate scrutiny, challenge and assurance.

- 8.2 The College will operate a formal subcontracting risk management framework. All subcontractors will be subject to an initial risk assessment and assigned a risk rating (low, medium or high) based on factors including financial health, quality performance, safeguarding arrangements, delivery model and prior experience.

Risk ratings will determine the level and frequency of monitoring, with higher-risk subcontractors subject to enhanced oversight and more frequent review.

- 8.3. Subcontracted provision will be monitored through a structured and risk-based approach, which may include:

- Scheduled and unannounced quality assurance visits
- Teaching, learning and assessment observations
- Learner progress and outcomes monitoring
- Data validation and funding compliance checks
- Safeguarding and Prevent compliance reviews
- Learner voice activities, including surveys and interviews

Monitoring activity will be proportionate to risk and will ensure early identification issues and timely intervention.

- 8.4 The College will operate a clear intervention framework where concerns are identified. This may include:

- Informal improvement actions and support
- Formal action plans with defined milestones
- Enhanced monitoring and increased oversight
- Restrictions on recruitment or delivery
- Suspension or termination of subcontracting arrangements

All intervention activity will be evidence-based, proportionate, and focused on protecting learners and public funds.

- 8.5 The College retains full accountability for all subcontracted provision and will take timely and decisive action where performance, compliance or safeguarding concerns arise. Subcontractors are required to cooperate fully with all monitoring and intervention processes.
- 8.6 A central register of subcontractors will be maintained, including details of contracts, risk ratings, monitoring activity and performance outcomes. This will be reviewed regularly by the Senior Leadership Team and reported to the Corporation to ensure transparency and effective governance.

9. Regulations, Fees and Charges

- 9.1 Every subcontract must detail the rationale for subcontracting and clearly state the fees and charges applied by the College. Management fees will be based on the actual cost of oversight, quality assurance and administrative responsibilities. All fees must represent value for money and be proportionate to the level of support and risk associated with the subcontracted provision.
- 9.2 The College anticipates applying a standard management fee of up to 20%, unless greater or lesser oversight is required. Any variation must be transparently documented and approved by SLT.
- 9.3 The College will ensure that subcontractors comply with evidence retention requirements, maintaining audit trails until at least 31 December 2034, and adhering to all relevant funding requirements, including those set by the ESFA and GLA, including cross-cutting obligations where applicable.

10 Selection and Procurement of Subcontractors

- 10.1 All subcontractors will be procured through a fair, open and transparent process. Selection will be based on demonstrated capability, quality, financial stability, safeguarding arrangements, and alignment with the College's curriculum and strategic aims. The College will apply a structured evaluation and scoring framework

to assess all potential subcontractors. All procurement decisions will be documented and retained to provide a clear audit trail.

- 10.2 The College will not enter into subcontracting where there is an actual or perceived conflict of interest unless explicit permission has been granted by the funding body.
- 10.3 All procurement activity will comply with relevant public procurement regulations and the College's internal financial regulations and governance procedures.

11. Due Diligence Requirements

- 11.1 Before entering any subcontracting arrangement, the College will undertake comprehensive and robust due diligence. This will include but is not limited to, assessment of financial health, governance arrangements, credit rating, Ofsted performance (where applicable), safeguarding and Prevent compliance, staff qualifications, facilities, and delivery capacity.

All due diligence activity will be documented and retained, forming a clear audit trail to support decision-making.

- 11.2. As part of the due diligence process, all prospective subcontractors will be subject to a formal risk assessment and assigned a risk rating (low, medium or high), in line with the College's subcontracting risk management framework.

The outcome of due diligence and risk assessment will inform approval decisions, contract conditions, and the level of ongoing monitoring required.

- 11.3 Due diligence will not be limited to pre-contract checks. The College will undertake ongoing and periodic reviews of subcontractors, including annual financial reassessment, performance review, and compliance checks.

Where due diligence concerns arise, or where ongoing monitoring identifies unacceptable levels of risk, the College may take proportionate action, including enhanced monitoring, restrictions on delivery, suspension, or termination of subcontracting arrangements.

Subcontractors are required to notify the College immediately of any material changes affecting their financial, operational or organisational capacity.

The College will terminate, suspend or restrict subcontractor activity where due diligence concerns arise or where ongoing monitoring identifies unacceptable levels of risk. Subcontractors must notify the College immediately of material changes affecting their financial or operational capacity.

12. Entering into a Subcontract

- 12.1. The College will not misrepresent delivery or use subcontracting to avoid regulatory requirements. It will not engage in second-level subcontracting, brokerage arrangements or delivery models that obscure accountability.
- 12.2. All learners must be informed of the respective roles of the College and the subcontractor. Any new subcontractor added during a contract period will require an updated declaration to be submitted to the funding body.

13. Contractual Requirements

- 13.1. A legally binding contract must be in place before any subcontracted delivery begins. The contract will grant the College the right to oversee, monitor and direct delivery and must allow access for auditors, funding bodies and College personnel.
- 13.2. The contract will specify services provided by the College, associated costs, quality expectations, data requirements, safeguarding duties, GLA obligations, termination arrangements and procedures for managing irregularities, allegations or performance concerns.

14. Monitoring of Subcontracted Delivery

- 14.1. The College remains responsible for all aspects of delivery, including quality, compliance, safeguarding, Prevent and learner outcomes. Subcontracted provision will be monitored through a structured and risk-based approach, which will include regular visits, teaching and learning observations, learner eligibility checks, audits of evidence, data reviews and learner interviews.

Monitoring activity will be proportionate to risk and aligned to the College's quality assurance processes.

Subcontracted learners will receive equitable access to support services, including information, advice and guidance, bursary information, wellbeing support and safeguarding arrangements. The College will take timely and proportionate action where concerns arise, in line with its formal intervention framework, including escalation, enhanced monitoring, or suspension of delivery where required.

15. Reporting and External Audit

- 15.1. The College will comply with all reporting obligations, including maintaining accurate ILR and census data and submitting subcontractor declarations through MYESF or GLA systems.
- 15.2. Where subcontracting exceeds £100,000 or funding rules require it, the College will commission an external subcontracting assurance review and submit the resulting report by the required deadline. The review will result in a report that will be submitted to the relevant funding body within the required timescales, and any recommendations will be addressed through a formal action plan.
- 15.3. The College will maintain robust data validation and funding assurance processes. All subcontractor data, including ILR returns and funding claims, will be subject to internal validation, reconciliation and quality checks prior to submission.

The College retains full accountability for the accuracy, completeness and integrity of all data submitted to funding bodies and will take prompt and appropriate action where discrepancies, errors or irregularities are identified.

16. DfE 16–19 Funding Requirements

- 16.1. Where subcontracting forms part of a 16–19 study programme, the College retains responsibility for enrolment, eligibility, programme structure, assessment, tracking and enrichment. Delivery must comply with study programme rules.
- 16.2. Distance or whole-programme subcontracting may only occur with written approval from the funding body. Learners must not be enrolled with multiple lead providers for the same funded programme.

17. Further Information

- 17.1. The College will make full use of the Auditor's Guidance, Subcontracting Standard and DfE/GLA funding rules to ensure high-quality and compliant subcontract management. These documents provide further expectations for evidence, monitoring, assurance and reporting.

18. Capel Manor College's Approach to Subcontracting

- 18.1. Capel Manor College will subcontract only where it demonstrably improves access to learning, supports the development of green skills across London. The College will partner exclusively with high-quality, low-risk organisations capable of delivering specialist services aligned with the College's mission.
- 18.2. Subcontractors will be fully integrated into the College's quality assurance processes, including self-assessment, quality reviews, professional development, safeguarding expectations and curriculum oversight. Learners studying through subcontractors will receive the same high-quality experience and support as those studying directly with the College.

19. Quality Processes

- 19.1. The College will monitor teaching, learning, assessment and learner progress rigorously. Subcontractors will be fully integrated into the College's quality processes and will be required to participate in all relevant quality assurance and improvement activities, including curriculum reviews, teaching observations, performance reviews, and self-assessment.
- 19.2. Evidence from subcontracted provision will contribute directly to the College's annual Self-Assessment Report (SAR) and Quality Improvement Plan (QIP), ensuring that all provision is subject to consistent standards, scrutiny, and continuous improvement.
- 19.3. Learners studying with subcontractors will have equitable access to appropriate College support services, including information, advice and guidance (IAG), wellbeing support, learning resources, and safeguarding arrangements, where applicable.

20. Data Protection

- 20.1. The College will act as the primary Data Controller for subcontracted activity. Subcontractors may act as joint controllers and must therefore comply fully with UK

GDPR and the Data Protection Act 2018. They must provide clear privacy notices, secure data transfer processes and immediate notification of any data breach.

- 20.2. All subcontracting arrangements will be supported by appropriate data sharing or data processing agreements, clearly setting out roles, responsibilities, and lawful bases for processing personal data. Subcontractors must ensure that personal data is processed securely, that appropriate technical and organisational measures are in place, and that clear privacy notices are provided to learners. Any actual or suspected data breach must be reported to the College immediately, in line with the College's data protection and incident management procedures.

21. Subcontract Values

- 21.1. The College currently holds no subcontracting arrangements and therefore has no subcontract values for 2025/2026. Should the College enter into subcontracting, values will be published within the Supply Chain Fees and Charges Statement and approved by the Corporation.

22. External Assurance

- 22.1. Where required by funding rules or organisational risk assessment, the College will commission an external assurance review of subcontracting arrangements. Reports will be submitted to the relevant funding body and action plans implemented where necessary.

External assurance will provide independent evaluation of the College's compliance with funding requirements, the effectiveness of its subcontracting controls, and the quality of subcontracted provision. The outcomes of external assurance reviews will be reported to the Senior Leadership Team (SLT) and the Corporation. Any recommendations will be addressed through a formal action plan, with progress monitored to ensure timely and effective resolution.