

**UNIVERSITY OF  
WESTMINSTER<sup>®</sup>**

**Apprenticeships Subcontracting  
Policy 2025-26**

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## Introduction

The University of Westminster offers a variety of apprenticeship programmes to both Levy and non-Levy employers in multiple subject areas. This policy outlines the University's approach to subcontracting within its apprenticeship provision, including the selection and oversight of subcontractors and financial arrangements. The University complies with the Department for Education (DfE) rules for subcontracting, with a focus on being the lead training provider and sub-contracting specialised training when necessary. The policy covers all levels of apprenticeships including the delivery of Functional Skills in English and Maths. Its purpose is to inform external parties and potential subcontractors about the University's procurement process, pricing structure, and quality management.

## Scope and Context

The scope and context of this policy encompass several key objectives, including ensuring transparency in subcontracted provision, meeting employer needs, establishing a framework for quality monitoring, achieving high rates of achievement, and conducting due diligence on subcontractors. The policy applies to all DfE funded subcontracted provision within the University and is mandatory for such activities. The University operates in alignment with DfE rules and guidance and retains full accountability for subcontracted delivery. Subcontracting may occur for specialised or capacity-expanding purposes, emphasising quality, value for money, and support for diverse training needs. Both the University and subcontractors must adhere to funding rules and undergo transparent due diligence procedures. Funding documentation will be clearly documented and agreed upon by all parties involved.

## Rationale for Subcontracting

The rationale for subcontracting within the University's apprenticeship provision are rooted in several key objectives:

1. **Enhancing Opportunities:** Subcontracting aims to expand opportunities for apprentices.
2. **Specialist Expertise:** It maximizes content by procuring specialist or niche provision and expertise.
3. **Inclusion:** It offers entry points for disadvantaged learners and underrepresented groups.

The University enters subcontracting agreements to meet specific aims, including enhancing opportunities for learners, filling gaps in niche or expert provision. Additionally, the University currently subcontracts the teaching and delivery of English and Maths Functional skills to ensure that learners have the opportunity to complete these if they (and their employer) choose, especially if they haven't achieved English and/or Maths Level 2 prior to enrolment. This involves close monitoring of performance and progression by working with subcontractors.

## **Key Responsibilities**

The following responsibilities are indicative and will be detailed in agreements between the University and subcontractors and the University and employers.

### **University Responsibilities:**

- Ensures academic standards and quality in subcontracted apprenticeships.
- Follows procurement and due diligence processes for subcontractor selection including checks to ensure business continuity and risk management.
- Ensure supplier is setup with procurement.
- Maintains communication with employers regarding all aspects of provision (with delegated responsibilities as per the agreement).
- Handles Individualised Learner Record (ILR) returns for apprentices.
- Ensures the availability of an Evidence Pack for each cohort and learner, as required by the DfE.

### **Subcontractor Responsibilities:**

- Provides necessary documents for initial due diligence.
- Supplies required data and information for ILR returns and provides timely progress updates.
- Delivers the programme according to the agreement.
- Cooperates in ongoing monitoring and quality assurance processes, including sharing learner data.
- Informs the University of any changes to provision or status.
- Give the University sufficient evidence to assess the subcontractor's performance against Ofsted's Education Inspection Framework.

As the main provider, the University, adheres to various responsibilities outlined by the DfE including but not limited to the following:

- Agree the use of subcontractors with employers at the start of an apprenticeship
- Carry out due diligence checks on potential delivery subcontractors and retain records related to this.
- Enter into a written agreement with subcontractors
- Ensure that second-level subcontracting does not take place
- Directly deliver part of the apprenticeship programme that is of substance
- Maintain the relationship with the employer, including responsibility for resolving issues and disputes.
- Providing employers and apprentices with the University's written complaints and dispute resolution procedure.
- Take full responsibility for the quality of all aspects of delivery and carry out regular quality assurance checks of their subcontractor's provision
- Provide delivery sub-contractor declarations in line with DfE dates and manage updates if arrangements or circumstances change during the year

## **Procurement and Due Diligence**

The University will at all times undertake fair and transparent procurement activities. Selection and procurement of subcontractor will be carried out in accordance with the University's Procurement policy and commitment to responsible procurement.

The University will undertake a robust process of due diligence when selecting potential subcontractors to ensure the highest quality of learning delivery is made available which demonstrates value for money and has a positive impact on the experience of both Employers and Learners.

In line with DfE Guidance, the University will only procure the service of subcontractors who are registered on the Apprenticeship Provider and Assessment Register (APAR) to deliver services to employers, unless they are delivering less than £100,000 of apprenticeship training and on-programme assessment under contract across all main providers and employer providers.<sup>1</sup>

The University will inform the Chief Executive of the DfE in writing, about any circumstances which might lead to an actual or perceived conflict of interest.

## **Risk Management and Business Continuity**

The University recognises the importance of identifying, assessing, and mitigating risks associated with subcontracted delivery and as such considers it beneficial to appraise a provider's resilience and preparedness for disruption. This is based on the need for the University to partner with organisations that are more likely to be able to manage disruptive events and be able to continue to prioritise apprenticeship provision because they have their own business continuity procedures in place. The University will therefore consider subcontractor risk management and business continuity policies as part of our due diligence and continuing quality assurance processes.

## **Quality Assurance of Subcontractor Delivery**

The University is committed to delivering high quality teaching and learning for the Apprentice and Employer across its provision and will work with subcontractors to review progress and manage the quality of external provision.

The University will work with the subcontractor to ensure continuous improvements are put in place across the range of provision offered. Meetings between the University and its subcontractors are arranged to help monitor the quality of subcontracted provision and actively improve quality on an on-going basis.

All subcontractors are required to undertake a self-assessment process in accordance with the Education and Skills Inspection Framework and produce a Self-Assessment Report

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<sup>1</sup> Only main providers and employer-providers who have written confirmation from the DfE that they have fully achieved the subcontracting standard, at the point of subcontracting, can use a subcontractor who is not on APAR. Please refer to the DfE funding rules for further guidance.

(SAR). The University will support in this process and in the setting of clear targets for improvement.

Where the quality of a subcontracted provision does not meet the required levels of compliance, quality assurance and/or learner/employer satisfaction, an Improvement Plan will be initiated and, should that not be achieved, the University will secure alternative arrangements for delivery.

## **Internal Policies**

Subcontractors are required to have robust internal policies to ensure compliance with legislative undertakings and general good practice and make certain that policies are regularly updated and effectively implemented. As a minimum any subcontractor will be expected to have a policy or policies covering the following topics approved at an appropriate level in the organisation, which are to be made available to DfE and Ofsted as part of their inspection and Audit regime:

- Employment law & appeals
- Data Protection (GDPR compliant)
- Health & Safety
- Equal Opportunity/Equality & Diversity
- Assessment & Internal Validation
- Safeguarding & Prevent
- Risk Management and Business Continuity Policies
- Insurance:
  - Employers (compulsory) Liability Insurance = £10,000,000 any one occurrence/number of occurrences.
  - Public Liability Insurance Cover = £5,000,000 any one occurrence/number of occurrences.

## **Fees and Payments**

The University will pay subcontractors for their delivery and/or assessment activities. The University will provide potential subcontractors with full contractual terms to apply to all subcontractor payments. Fees and charges will be in line with EFSA apprenticeship rules and standard University payment terms. Details of payments to subcontractors will be captured in the subcontract.

Functional Skills funding is to be claimed via the ILR and is not paid from employers' levy accounts.

## **Declaration of Use of Sub-contractors**

In line with DfE funding rules, the University will submit a subcontractor use declaration of DfE at least twice each year summarising the value of any sub-contracted provision paid for in the previous period. The University will also publish a summary of payments made to sub-contractors in the previous year.

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University Terms and Conditions for Contract of goods and services: [Conditions of contract for goods and services \(westminster.ac.uk\)](https://www.westminster.ac.uk/conditions-of-contract)

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## **Annexe A:**

### **Subcontracting**

The Training Provider shall be entitled to use the following Subcontractors in delivering the Apprenticeship Programme, as well as any other Subcontractors agreed with the Employer in writing. Where there are multiple Subcontractors, a table in the form below shall be completed in relation to each Subcontractor:

<b>Subcontracting</b>		
1	<b>Reason for subcontracting</b>	[[INSERT] OR N/A]
2	<b>Name of Subcontractor</b>	[[INSERT] OR N/A]
3	<b>The apprenticeship training and / or on-programme assessment that the Training Provider will directly deliver</b>	[[INSERT] OR N/A]
4	<b>The amount of funding the Training Provider will retain for its direct delivery</b>	[[INSERT] OR N/A]
5	<b>Training and/or on programme assessment to be delivered by Subcontractor</b>	[[INSERT] OR N/A]

6	The amount of funding the Training Provider will pay the Subcontractor for its contribution	[[INSERT] OR N/A]
7	Training Provider monitoring of Subcontractor to ensure the quality of the apprentice training and/or on-programme assessment the Training Provider has contracted its Subcontractor to carry out	[[INSERT] OR N/A]
8	The specific amount of funding the Training Provider will retain to manage and monitor the Subcontractor	[[INSERT] OR N/A]
9	The specific amount of funding the Training Provider will retain for each other support activity it will provide to the Subcontractor	[[INSERT] OR N/A]
10	The specific amount of funding the Training Provider will retain for the monitoring the Training Provider will undertake to ensure the quality of the apprentice training and/or on-programme assessment the Training Provider has contracted the Subcontractor to carry out	[[INSERT] OR N/A]
11	A detailed description of how the funding retained for each activity detailed in 8, 9 and 10 above contributes to delivering high quality training and how the funding retained is reasonable and proportionate to delivery of the apprenticeship training described in 5 above	[[INSERT] OR N/A]
12	Any actual or perceived conflicts of interest between Training Provider and Subcontractor	[[INSERT] OR N/A]
Functional Skills Provision		



	<b>1 Maths Provision</b>	[Where required delivered by [INSERT] OR N/A]
	<b>1 English Provision</b>	[Where required delivered by [INSERT] OR N/A]
	<b>1 Other functional skills</b>	[Where required delivered by [INSERT] OR N/A]