UNIVERSITY OF WESTMINSTER

Apprenticeships Subcontracting Policy 2026-27

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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 principles governing the selection, management, oversight and quality assurance of subcontractors and financial arrangements. The University complies with the Department for Education (DfE) rules for subcontracting, and will act as lead training provider in all subcontracted provision, sub contracting elements of delivery only where this supports the provision of specialist expertise or capacity. The policy applies to all apprenticeships including the subcontracted delivery of Functional Skills in English and Maths.. The policy is intended to provide transparency to employers, apprentices, subcontractors and other stakeholders regarding the University's approach to subcontracting, including procurement, quality assurance, oversight and funding arrangements.

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 assurance and oversight, 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 apprenticeship funding rules nd retains full accountability for subcontracted delivery. Subcontracting may occur forspecialist expertise or additional capacity , emphasising quality, value for money, and support for diverse training needs. All subcontracting arrangements are subject to appropriate due diligence, quality assurance and oversight processes. Funding arrangements and responsibilities will be clearly documented and agreed by all parties.

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**: Enables access by procuring specialist or niche provision and expertise.
3. **Inclusion**: Supports access and participation 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 apprentices who require or choose to undertake these qualifications can do so. All subcontracted provision is subject to appropriate due diligence, quality assurance and oversight arrangements, including the monitoring of learner progress and outcomes.

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, quality assurance and oversight of subcontracted apprenticeships.
- Follows procurement and due diligence processes for subcontractor selection including checks to ensure business continuity and risk management.
- Ensures subcontractors are approved through the University's procurement and onboarding processes
- 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 with the University's quality assurance, oversight and monitoring processes, including the timely sharing of 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.
- Maintain appropriate business continuity and risk management arrangements and notify the University of any significant disruption that may affect delivery.

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 ensure appropriate quality assurance, monitoring and oversight of subcontracted 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 high-quality learning delivery, value for money, effective quality assurance and oversight, and a positive experience for employers and apprentices.

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.[1]

The University will manage and declare actual, potential or perceived conflicts of interest in accordance with DfE apprenticeship funding rules and University policies.

Risk Management and Business Continuity

The University recognises the importance of identifying, assessing, and mitigating risks associated with subcontracted delivery. As part of its quality assurance, due diligence and oversight arrangements the university will consider a subcontractors resilience, preparedness for disruption and business continuity. 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 apprenticeship provision and will work collaboratively with subcontractors to monitor performance, review learner and employer outcomes and maintain quality of subcontracted provision.

The University will work with the subcontractor to ensure continuous improvements are put in place across the range of provision offered. Further details are set out in the Quality Assurance of Subcontractors policy.

Subcontractors will be required to participate in self-assessment and quality review activities and to provide information reasonably required by the University to fulfil its oversight responsibilities.

Where the quality of a subcontracted provision does not meet the required levels of compliance, quality assurance and/or learner/employer satisfaction, the university will require improvement actions to be implemented. Should improvements not be achieved, the University may terminate the arrangement and secure alternative arrangements delivery.

Internal Policies

[1] 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.

Subcontractors are required to maintain robust internal policies to ensure compliance with legislative, regulatory and contractual requirements and to demonstrate internal governance and operational practice Policies must be reviewed, updated and implemented effectively. As a minimum any subcontractor will be expected to have a policy or policies covering the following areas which are to be made available to DfE and Ofsted upon request:

- Employment law & appeals
- Data Protection (GDPR compliant)
- Health & Safety
- Equality, Diversity and Inclusion
- Assessment & Internal Quality Assurance
- 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 agreed delivery and/or assessment activities. Potential subcontractors will be provided with full contractual terms and conditions applicable to all sub-contractor arrangements. Fees and charges will be in line with DfE apprenticeship rules and standard University payment terms. Details of payments to subcontractors will be captured in the subcontract.

Funding for Functional Skills will be claimed through the Individualised Learner Record (ILR) and is not paid from employers' apprenticeship 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.

University Terms and Conditions for Contract of goods and services: Conditions of contract for goods and services (westminster.ac.uk)

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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:

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

1	**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]
1	**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]
1	**Any actual or perceived conflicts of interest between Training Provider and Subcontractor**	[[INSERT] OR N/A]
Functional Skills Provision		
1	**Maths Provision**	[Where required delivered by [INSERT] OR N/A]
1	**English Provision**	[Where required delivered by [INSERT] OR N/A]
1	**Other functional skills**	[Where required delivered by [INSERT] OR N/A]