

CLMK Subcontracting Policy 2026-27.

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Community Learning Milton Keynes (CLMK)

Subcontracting Policy

1. Introduction

Community Learning Milton Keynes (CLMK) is committed to delivering high-quality learning opportunities that support local residents to improve their skills, progress into employment, and contribute positively to their communities.

This Subcontracting Policy sets out the principles, rationale and processes that CLMK will follow when entering into subcontracting arrangements for the delivery of education and training funded through the Adult Skills Fund (ASF) and any other publicly funded provision.

CLMK recognises that it remains fully accountable for all subcontracted provision and will ensure that all subcontracting arrangements are managed in accordance with the requirements of the Department for Education (DfE) and all applicable funding rules. The DfE requires providers to have a clear educational rationale for subcontracting, robust oversight arrangements, and transparency regarding the use of public funds.

2. Purpose of Subcontracting

CLMK will only engage subcontractors where there is a clear and demonstrable benefit to learners, employers and communities.

Subcontracting may be used to:

- Extend learning opportunities into communities that may otherwise face barriers to participation.
- Access specialist expertise, facilities or curriculum provision that is not available directly through CLMK.
- Improve learner engagement, retention, achievement and progression.
- Meet identified local skills needs and employer demand.
- Increase participation amongst priority and disadvantaged groups.
- Support innovation and flexibility in programme delivery.

CLMK will not subcontract provision solely for financial reasons or for the purpose of acting as a funding intermediary.

3. Principles

All subcontracting arrangements will be based upon the following principles:

Learner First

The needs and interests of learners will be the primary consideration when making subcontracting decisions.

Quality

All subcontracted provision must demonstrate high standards of teaching, learning, assessment and learner support.

Accountability

CLMK will retain overall responsibility for the quality, compliance, performance and outcomes of subcontracted provision.

Transparency

The rationale for subcontracting and any management fees charged will be transparent and publicly available where required by DfE regulations.

Value for Money

Public funding must be used efficiently and effectively to maximise learner benefit.

4. Selection of Subcontractors

Before entering into any subcontracting arrangement, CLMK will undertake appropriate due diligence to assess the suitability of the organisation.

This assessment may include consideration of:

- Legal status and organisational structure.
- Financial health and sustainability.
- Previous delivery experience.
- Quality performance and learner outcomes.
- Ofsted findings where applicable.
- Safeguarding arrangements.
- Governance and leadership capacity.
- Data protection compliance.
- Insurance arrangements.
- Equality, diversity and inclusion practices.

Only organisations that can demonstrate sufficient capacity, capability and compliance will be approved to deliver funded provision on behalf of CLMK.

5. Oversight and Management

CLMK will maintain effective oversight of all subcontracted provision and will implement monitoring arrangements proportionate to the level of risk associated with each subcontractor.

Monitoring activities may include:

- Contract review meetings.
- Performance monitoring.
- Quality assurance visits.
- Teaching, learning and assessment observations.
- Learner feedback surveys.
- Data and funding compliance reviews.
- Audit activity.
- Review of learner achievement and progression outcomes.

Where concerns are identified, CLMK will agree improvement actions and monitor their implementation.

6. Quality Assurance

CLMK expects subcontractors to deliver provision that meets high standards of quality and supports positive learner outcomes.

Subcontractors will be required to:

- Maintain accurate learner records.
- Comply with quality assurance processes.
- Participate in monitoring activities.
- Provide evidence requested by CLMK.
- Take prompt action to address any identified weaknesses.

Where necessary, CLMK may require an improvement plan and enhanced monitoring arrangements.

7. Safeguarding and Learner Welfare

CLMK is committed to creating safe learning environments for all learners.

All subcontractors must maintain effective safeguarding arrangements and comply with relevant statutory guidance and legislation, including safeguarding and Prevent Duty requirements.

Subcontractors are expected to:

- Appoint an appropriately trained Designated Safeguarding Lead.
- Maintain safeguarding policies and procedures.
- Ensure staff receive appropriate training.
- Report safeguarding concerns promptly.
- Cooperate with safeguarding reviews and investigations.

Learner welfare, wellbeing and protection will remain a priority throughout the duration of any subcontracting arrangement.

8. Equality, Diversity and Inclusion

CLMK is committed to promoting equality of opportunity and creating an inclusive learning environment.

Subcontractors must demonstrate compliance with the Equality Act 2010 and actively promote equality, diversity and inclusion throughout their delivery.

Reasonable adjustments must be made where required to ensure learners can participate and achieve successfully.

9. Data Protection

All subcontractors must comply with UK GDPR, the Data Protection Act 2018 and any information-sharing arrangements established by CLMK.

Learner information must be handled securely and only used for legitimate purposes related to programme delivery and funding requirements.

10. Management Fees

Where CLMK retains a management fee, the fee will reflect the costs incurred in managing and overseeing subcontracted provision.

Such activities may include:

- Contract management.
- Quality assurance.
- Performance monitoring.
- Compliance checks.
- Data administration.
- Audit preparation and support.
- Learner protection activities.

CLMK will maintain transparency regarding subcontracting arrangements and management fees in accordance with DfE requirements.

11. Risk Management

CLMK will assess the risks associated with subcontracting arrangements and maintain appropriate controls to mitigate those risks.

Risk assessments will consider factors including:

- Financial stability.
- Quality performance.
- Compliance history.
- Organisational capacity.
- Safeguarding arrangements.

Monitoring arrangements will be adjusted according to the assessed level of risk.

12. Learner Protection

CLMK will ensure that appropriate arrangements are in place to minimise disruption to learners in the event that a subcontractor is unable to continue delivery.

Subcontractors must maintain an up-to-date Business Continuity and Disaster Recovery Plan that sets out how learning delivery will be maintained or restored in the event of significant disruption, including but not limited to:

- Flooding, fire or loss of premises;
- Severe weather events;
- IT system failure or cyber security incidents;
- Staff shortages or loss of key personnel;
- Utilities failure;
- Organisational insolvency or closure.

Subcontractors must notify CLMK immediately of any incident that is likely to impact learner delivery, learner safety, attendance, achievement, or compliance with funding requirements.

Where disruption occurs, CLMK will work with the subcontractor and other partners to:

- Protect the interests of learners;
- Maintain continuity of learning wherever possible;
- Secure alternative delivery arrangements where necessary;
- Ensure learners are able to complete their programmes with minimal disruption.

CLMK reserves the right to implement additional oversight, intervention measures, or transfer learners to alternative provision where this is required to safeguard learner outcomes.

13. Review of Subcontracting Arrangements

The performance and effectiveness of subcontracting arrangements will be reviewed regularly throughout the contract period.

CLMK will consider:

- Learner outcomes.
- Quality performance.
- Compliance with funding requirements.

- Value for money.
- Contribution to local priorities.

Decisions regarding continuation or renewal of subcontracting arrangements will be informed by these reviews.

14. Publication and Review

This Policy will be reviewed annually and updated as necessary to reflect changes in legislation, funding rules and organisational requirements.

The Policy will be published and made available to current and prospective subcontractors and other stakeholders as required.

15. Responsibility

Overall responsibility for this Policy rests with the Strategic Lead, Community Learning & Employment Support.

CLMK remains accountable to the Department for Education for all subcontracted provision delivered on its behalf and will ensure that appropriate arrangements are in place to monitor quality, compliance and learner outcomes.

