

ESFA reminds providers it will take action to crack down on poor sub-contracting practice

ESFA Chief Executive, Eileen Milner, has today (Thursday, 03 October 2019) written to education and training providers to remind them that the ESFA will take action where there is evidence any provider is not playing by its strict sub-contracted rules.

Under the rules, a sub-contractor can deliver education and training on behalf of a lead provider in receipt of ESFA funds. However, lead providers have a legal duty to make sure public funds are spent according to the ESFA's sub-contracting rules, so that learners receive the best possible education or training. The majority of subcontracting is done well and in accordance with the rules.

In accepting ESFA or public funds, providers confirm they accept the terms and conditions of their funding agreement, and that they have a process in place to ensure that sub-contracted provision is delivered properly, securely and meets ESFA rules.

The [letter](#) builds on the action the ESFA has already taken this year to tighten its sub-contracting requirements.

This includes launching a review to improve subcontracting arrangements, more robust examination of data and information, holding individuals and organisations to full account, pursuing all avenues available and, where appropriate recovering public money.

Later this year, ESFA will also be seeking views from the sector to inform the ongoing review of sub-contracting.