

# Notice of determination of general ongoing condition of registration

## WHEREAS:

1. Section 5 of the Higher Education and Research Act 2017 ('HERA') provides that:
  - a. the OfS must determine, and may subsequently revise, the initial and general ongoing conditions of registration;
  - b. different conditions may be determined for different descriptions of provider and for registration in different parts of the Register;
  - c. before determining or revising the conditions, the OfS must, if it appears to it appropriate to do so, consult bodies representing the interests of English higher education providers which appear to the OfS to be concerned; and
  - d. the OfS must publish the conditions determined and as revised.
2. Section 75 of HERA provides that the OfS must, from time to time, prepare and publish a regulatory framework which consists of a statement of how it intends to perform its functions and guidance for registered higher education providers (and students' unions). Before publishing a regulatory framework, the OfS is required to consult with the persons and bodies listed in section 75(8).
3. A consultation was held between 22 July 2025 and 1 October 2025 about the OfS's proposed new requirements for the oversight of subcontractual arrangements in English higher education through the introduction of a new general ongoing condition of registration in relation to subcontracting and adding guidance to the regulatory framework to accompany the condition.
4. The OfS has carefully considered submissions made to this consultation and has set out its policy response to these in published documents.<sup>1</sup> The OfS has decided to proceed with the condition of registration and guidance proposed in the consultation with some amendments, as explained in 'Consultation outcomes: New requirements for the oversight of subcontractual arrangements in English higher education'.

## THEREFORE:

5. In accordance with the powers contained in sections 5 and 75 of HERA, the OfS has determined that:

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<sup>1</sup> See [Consultation outcomes: New requirements for the oversight of subcontractual arrangements in English higher education](#).

- a. A new general ongoing condition of registration E10 and guidance directly relating to that condition as set out in 'Condition E10: Subcontracting' will apply in respect of all registered providers as set out in the table below.<sup>2</sup>

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<sup>2</sup> See Condition E10: Subcontracting.

**Table 1: Effective date of Condition E10**

<b>Description of condition</b>	<b>When condition applies</b>
New general ongoing condition of registration E10	Applies on and from 31 March 2026