

Publication date: 9 July 2026

Other amendments to the regulatory framework

The Office for Students (OfS) published the outcomes of its consultation on regulation of further education colleges on 9 July 2026.¹ As a result, some initial and ongoing conditions of registration will be disapplied for certain further education colleges.

In our consultation on these changes, we signalled our intention to make consequential amendments to the guidance in the regulatory framework (version published in November 20²⁰²⁵~~2026~~) to reflect final decisions on these changes. This document sets out these consequential amendments.

The consequential amendments form part of the regulatory framework and therefore constitute material published by the OfS under section 75 of the Higher Education and Research Act 2017. The amendments should be read in conjunction with the whole regulatory framework.

The guidance set out in the regulatory framework is amended as follows:

a. Requirements for initial registration

Amend paragraph 73(c) to read as follows (new wording underlined and removed wording struck out):

Satisfies the 'initial conditions of registration' applicable to ~~the relevant category of the~~
Register it.

b. Guidance on eligibility for registration

At paragraph 93, add the following footnote after 'different descriptions of provider':

For example, certain initial conditions do not apply to further education colleges, and some apply to further education colleges only where they are applying for degree awarding powers.

¹ See [Changes to the OfS's regulation of further education colleges in England: Consultation outcomes - Office for Students](#).

² see [Regulatory framework for higher education in England - Office for Students](#)

Amend paragraph 100 to read as follows (new wording underlined and removed wording struck out; text not shown is unchanged):

With its application, a provider is required to submit evidence that demonstrates that it satisfies the initial conditions of registration that are applicable to ~~the registration category for which it is applying it~~. [...]

Amend paragraph 107 to read as follows (new wording underlined):

When the OfS has determined that a provider has made a compliant application, is eligible for registration and that it satisfies the initial conditions of registration, the OfS will determine which general and specific ongoing conditions should apply to that provider. It will do this in accordance with the requirements of the registration category in which the provider will be registered, the description of provider, and on the basis of its risk assessment.

Add the following footnote at the end of paragraph 108 after 'protecting students':

Note, for example, that some ongoing conditions of registration have been disapplied for further education colleges: see 'Changes to the OfS's regulation of further education colleges in England: Consultation outcomes'.

c. Guidance on requirements to remain registered

Amend paragraph 112(b) to read as follows (new wording underlined):

The general ongoing conditions of registration that apply to the registration category for which the provider has applied, and the description of provider.

Amend paragraph 113 to read as follows (new wording underlined and removed wording struck out; text not shown is unchanged):

To remain registered, a provider must continue to meet the definition of 'an English higher education provider' and must demonstrate that it satisfies the ongoing general conditions of registration applicable to ~~the category of the Register in which it is registered~~ it. [...]

Add the following footnote at the end of paragraph 117 after 'protecting students':

Note, for example, that some ongoing conditions of registration have been disapplied for further education colleges: see 'Changes to the OfS's regulation of further education colleges in England: Consultation outcomes'.

d. Condition A2: Access and participation statement

Amend the Summary to read as follows (new wording underlined):

Applies to: Approved (fee cap) providers charging fees up to the basic amount and all Approved providers, except for further education colleges in either registration category.

Add the following footnote at the end of the above sentence:

As of 9 July 2026 initial and general ongoing condition of registration A2 does not apply to further education colleges.

e. Condition D: Financial viability and sustainability

Amend the Summary to read as follows (new wording underlined):

Applies to: all registered providers, except for further education colleges that do not hold degree awarding powers and do not have a live application for degree awarding powers.

Add the following footnote at the end of the above sentence:

Note that the condition will apply where a further education college applies for, or is granted, degree awarding powers.

f. Condition E1: Public interest governance

Amend the Summary to read as follows (new wording underlined):

Applies to: all registered providers, except for further education colleges that do not hold degree awarding powers and do not have a live application for degree awarding powers.

Add the following footnote at the end of the above sentence:

Note that the condition will apply where a further education college applies for, or is granted, degree awarding powers.

g. Condition E2: Management and governance

Amend the Summary to read as follows (new wording underlined):

Applies to: all registered providers, except for further education colleges that do not hold degree awarding powers and do not have a live application for degree awarding powers.

Add the following footnote at the end of the above sentence:

Note that the condition will apply where a further education college applies for, or is granted, degree awarding powers.

h. Condition E7: A set of governing documents and business plans

Amend the Summary to read as follows (new wording underlined):

Applies to: all providers seeking registration, except for further education colleges that are not applying for degree awarding powers.

i. Condition E8: Fraud and inappropriate use of public funds

Amend the Summary to read as follows (new wording underlined):

Applies to: all providers seeking registration, except for further education colleges that are not applying for degree awarding powers.

j. Condition E9: Individuals

Amend the Summary to read as follows (new wording underlined):

Applies to: all providers seeking registration, except for further education colleges that are not applying for degree awarding powers.

k. Annex A: Initial and general ongoing conditions of registration

Add the following footnote in the first column of the table at Annex A, after 'Condition A2':

Note that this condition does not apply to further education colleges.

Add the following footnote in the first column of the table at Annex A, after 'Condition D', 'Condition E1', 'Condition E2':

Note that this condition does not apply to further education colleges that do not hold degree awarding powers and do not have a live application for degree awarding powers.

Add the following footnote in the first column of the table at Annex A, after 'Condition E7', 'Condition E8', and 'Condition E9':

Note that this condition does not apply to further education colleges that are not applying for degree awarding powers.

I. Glossary

Add the following definition after the definition of 'Fit and Proper person':

Further education college

A further education corporation, a sixth-form college corporation, or a Designated Institution established or designated under the Further and Higher Education Act 1992.