

**Contract for Services (Independent Training Providers):**

Section	Change	Clause Reference
<b>Clause 12.3</b>	Clause 12.3 has been amended: 12.3 Failure to submit accounts for assessment when requested will automatically deem the assessment under Clause 12.2 as 'inadequate' and <b>the Department shall be entitled, in its absolute discretion, to take one or more of the actions set out in</b> Clauses 12.2.3 to 12.2.9.	12 Financial Health
<b>Clause 13</b>	Clause 13 has been substantially redrafted to incorporate the new Ofsted inspection grades, which came into effect from 10 November 2025. Please refer to the updated wording set out in Clause 13 of the revised Terms and Conditions attached to this Variation.	13 Inspections
<b>Clause 22.1.8</b>	Clause 22.1.8 has been amended: 22.1.8 The Contractor must register with UKRLP ( <a href="#">UK Register of Learning Providers</a> ) and Get Information About Schools ( <a href="#">Get Information about Schools - GOV.UK</a> ), <b>where appropriate</b> , and maintain contact details on an on-going basis.	22 Submission of Learner Data
<b>Clause 29.1.7</b>	Clause 29.1.7 has been amended: 29.1.7 The Department shall be entitled to terminate <b>this Contract, in accordance with</b> Clause <b>39.3 (Termination)</b> if the Contractor does not recruit and/or data returns reveal that no Learners have been enrolled for the Funding Year to which this Contract relates. Where the Department terminates the Contract under this Clause 29.1.7, the Department will withdraw the allocation of Funding for the Funding Year and will take action to recover Funds where payments have already occurred.	29 Payment, Funding and Audit

Section	Change	Clause Reference
<b>Clause 29.1.10</b>	<p>Clause 29.1.10 has been amended:</p> <p>29.1.10 Where the Department, in accordance with Clause 29.1.8, identifies errors it may at its discretion review the Contractor's controls and processes to gain assurance the errors will not occur again. Where further assurance work is required this will be at the Contractor's cost (or the Department will procure and recharge to the Contractor at its sole discretion). Where a full funding audit results in a "qualified" rating this will constitute a breach of contract <b>and the Department may terminate this Contract in accordance with Clause 39.3 (Termination).</b></p>	29 Payment, Funding and Audit
<b>Clause 29.1.13</b>	<p>Clause 29.1.13 has been amended:</p> <p>29.1.13 The Department may terminate this Contract <b>in accordance with Clause 39.3 (Termination)</b> if:</p>	29 Payment, Funding and Audit
<b>Clause 37.2</b>	<p>Clause 37.2 has been amended:</p> <p>37.2 The Contractor's attention is drawn to the criminal offences created by the Bribery Act 2010. Any offence by the Contractor or its employees or by anyone acting on its behalf under the Bribery Act 2010 in relation to this Contract or any contract with the Department or His Majesty's Government will entitle the Department to terminate the Contract <b>in accordance with Clause 39.3 (Termination)</b> and recover from the Contractor the amount of any loss resulting from such termination and/or to recover from the Contractor the amount of value of any gift, consideration or commission.</p>	37 Prohibited Acts
<b>Clause 39</b>	<p>Clause 39 has been substantially redrafted. Please refer to the updated wording set out in Clause 39 of the revised Terms and Conditions attached to this Variation.</p>	39 Termination

Section	Change	Clause Reference
<p><b>“Apprenticeship Provider and Assessment Register” “(APAR)”</b></p>	<p>Definition has been amended: means the Apprenticeship Provider and Assessment Register (APAR) which is a record of organisations that are eligible to receive government funding to train Apprentices, and/or can undertake end-point assessments, <b>or any register which replaces APAR;</b></p>	<p>Schedule 1: Definitions</p>
<p><b>“Ofsted Evaluation Areas”</b></p>	<p>Definition has been added: means, in the case of the Contractor, the following areas that will be evaluated during an Ofsted Inspection or Monitoring Visit: For the Contractor as a whole: (a) safeguarding; (b) inclusion; (c) leadership and governance; and (d) contribution to meeting skills needs (for colleges, further education colleges, sixth-form colleges and designated institutions) For each type of provision offered (apprenticeships, adult learning programme): (e) curriculum, teaching and training; (f) achievement; (g) participation and development.</p>	<p>Schedule 1: Definitions</p>

Section	Change	Clause Reference
“Ofsted Inspection”	Definition has been added: means an inspection carried out by Ofsted and includes: (a) a full inspection in accordance with the Ofsted Education Inspection Framework ( <a href="#">Ofsted Education Inspection Framework for use from November 2025</a> ); (b) an Ofsted Monitoring Inspection (as defined below); and (c) an Ofsted Monitoring Visit.	Schedule 1: Definitions
“Ofsted Monitoring Inspection”	Definition has been added: means an interim type of inspection carried out by Ofsted in accordance with the Ofsted Education Inspection Framework ( <a href="#">Ofsted Education Inspection Framework for use from November 2025</a> ).	Schedule 1: Definitions
“Ofsted Monitoring Visit”	Definition has been amended: means an interim type of inspection carried out by Ofsted, <b>prior to 10 November 2025</b> , in accordance with the Further Education and Skills Inspection Handbook ( <a href="#">Further education and skills inspection handbook - GOV.UK</a> )	Schedule 1: Definitions
“Ofsted-Related Interventions”	Definition has been added: has the meaning given to it in Clause 13.2 (Ofsted-Related Interventions);	Schedule 1: Definitions
Paragraph 1.17.1	Paragraph 1.17.1 has been amended: 1.17.1 Ofsted has rated the Contractor's leadership <b>and governance</b> as <b>Urgent Improvement (or Ofsted has rated the Contractor’s management and leadership as Inadequate if the inspection was before 10 November 2025)</b> ;	Schedule 10: Subcontracting

Section	Change	Clause Reference
<b>Paragraph 1.17.3</b>	Paragraph 1.17.3 has been amended: 1.17.3 a Subcontractor has been inspected and <b>any evaluation area at provider or provision level, has been judged as Urgent Improvement (or Inadequate if the inspection was before 10 November 2025)</b> by Ofsted; or	Schedule 10: Subcontracting

**Conditions of Funding (Grant) (Employers):**

Section	Change	Clause Reference
<b>Clause 4.1.4</b>	Clause 4.1.4 has been amended:  4.1.4 The Department shall be entitled to terminate <b>this Agreement, in accordance with Clause 33.3 (Termination)</b> if the Employer does not recruit and/or data returns reveal that no Learners have been enrolled for the Funding Year to which this Agreement relates. Where the Department terminates the Agreement under this Clause 4.1.4, the Department will withdraw the allocation of Funding for the Funding Year and will take action to recover Funds where payments have already occurred.	4 Payment, Funding and Audit
<b>Clause 4.1.7</b>	Clause 4.1.7 has been amended:  4.1.7 Where the Department, in accordance with Clause 4.1.5, identifies errors it may at its discretion review the Employer's controls and processes to gain assurance the errors will not occur again. Where further assurance work is required this will be at the Employer's cost (or the Department will procure and recharge to the Employer at its sole discretion). Where a full funding audit results in a "qualified" rating this will constitute a breach of agreement <b>and the Department may terminate this Agreement in accordance with Clause 33.3 (Termination)</b> .	4 Payment, Funding and Audit
<b>Clause 18</b>	Clause 18 has been substantially redrafted to incorporate the new Ofsted inspection grades, which came into effect from 10 November 2025. Please refer to the updated wording set out in Clause 18 of the revised Terms and Conditions attached to this Variation.	18 Inspections

Section	Change	Clause Reference
<b>Clause 31.2</b>	<p>Clause 31.2 has been amended:</p> <p>31.2 The Employer’s attention is drawn to the criminal offences created by the Bribery Act 2010. Any offence by the Employer or its employees or by anyone acting on its behalf under the Bribery Act 2010 in relation to this Agreement or any Agreement with the Department or His Majesty’s Government will entitle the Department to terminate the Agreement <b>in accordance with Clause 33.3 (Termination)</b> and recover from the Employer the amount of any loss resulting from such termination and/or to recover from the Employer the amount of value of any gift, consideration or commission.</p>	31 Prohibited Acts
<b>Clause 33</b>	<p>Clause 33 has been substantially redrafted. Please refer to the updated wording set out in Clause 33 of the revised Terms and Conditions attached to this Variation.</p>	33 Termination
<b>“Apprenticeship Provider and Assessment Register” “(APAR)”</b>	<p>Definition has been amended:</p> <p>means the Apprenticeship Provider and Assessment Register (APAR) which is a record of organisations that are eligible to receive government funding to train apprentices, and/or can undertake end-point assessments, <b>or any register which replaces APAR;</b></p>	Schedule 1: Definitions

Section	Change	Clause Reference
<p><b>“Ofsted Evaluation Areas”</b></p>	<p>Definition has been added: means, in the case of the Employer, the following areas that will be evaluated during an Ofsted Inspection or Monitoring Visit:</p> <p>For the Employer as a whole:</p> <ul style="list-style-type: none"> <li>(a) safeguarding;</li> <li>(b) inclusion;</li> <li>(c) leadership and governance; and</li> <li>(d) contribution to meeting skills needs (for colleges, further education colleges, sixth-form colleges and designated institutions)</li> </ul> <p>For each type of provision offered (apprenticeships, adult learning programme):</p> <ul style="list-style-type: none"> <li>(e) curriculum, teaching and training;</li> <li>(f) achievement;</li> <li>(g) participation and development.</li> </ul>	<p>Schedule 1: Definitions</p>
<p><b>“Ofsted Inspection”</b></p>	<p>Definition has been added: means an inspection carried out by Ofsted and includes:</p> <ul style="list-style-type: none"> <li>(a) a full inspection in accordance with the Ofsted Education Inspection Framework (<a href="#">Ofsted Education Inspection Framework for use from November 2025</a>);</li> <li>(b) an Ofsted Monitoring Inspection (as defined below); and</li> <li>(c) an Ofsted Monitoring Visit.</li> </ul>	<p>Schedule 1: Definitions</p>

Section	Change	Clause Reference
“Ofsted Monitoring Inspection”	Definition has been added: means an interim type of inspection carried out by Ofsted in accordance with the Ofsted Education Inspection Framework ( <a href="#">Ofsted Education Inspection Framework for use from November 2025</a> ).	Schedule 1: Definitions
“Ofsted Monitoring Visit”	Definition has been amended: means an interim type of inspection carried out by Ofsted, <b>prior to 10 November 2025</b> , in accordance with the Further Education and Skills Inspection Handbook ( <a href="#">Further education and skills inspection handbook - GOV.UK</a> )	Schedule 1: Definitions
“Ofsted-Related Interventions”	Definition has been added: has the meaning given to it in Clause 18.2 (Ofsted-Related Interventions);	Schedule 1: Definitions
Paragraph 1.18.1	Paragraph 1.18.1 has been amended: 1.18.1 Ofsted has rated the Employer's leadership <b>and governance as Urgent Improvement (or Ofsted has rated the Employer’s management and leadership as Inadequate if the inspection was before 10 November 2025)</b> ;	Schedule 7: Subcontracting
Paragraph 1.18.3	Paragraph 1.18.3 has been amended: 1.18.3 a Subcontractor has been inspected and <b>any evaluation area at provider or provision level, has been judged as Urgent Improvement (or Inadequate if the inspection was before 10 November 2025)</b> by Ofsted; or	Schedule 7: Subcontracting

**Conditions of Funding (Grant) (Higher Education Institutions):**

Section	Change	Clause Reference
<b>Clause 4.1.4</b>	Clause 4.1.4 has been amended:  4.1.4 The Department shall be entitled to terminate <b>this Agreement, in accordance with Clause 33.3 (Termination)</b> if the Provider does not recruit and/or data returns reveal that no Learners have been enrolled for the Funding Year to which this Agreement relates. Where the Department terminates the Agreement under this Clause 4.1.4 the Department will withdraw the allocation of Funding for the Funding Year and will take action to recover Funds where payments have already occurred.	4 Payment, Funding and Audit
<b>Clause 4.1.7</b>	Clause 4.1.7 has been amended:  4.1.7 Where the Department, in accordance with Clause 4.1.5, identifies errors it may at its discretion review the Provider's controls and processes to gain assurance the errors will not occur again. Where further assurance work is required this will be at the Provider's cost (or the Department will procure and recharge to the Provider at its sole discretion). Where a full funding audit results in a "qualified" rating this will constitute a breach of agreement <b>and the Department may terminate this Agreement in accordance with Clause 33.3 (Termination)</b> .	4 Payment, Funding and Audit
<b>Clause 18</b>	Clause 18 has been substantially redrafted to incorporate the new Ofsted inspection grades, which came into effect from 10 November 2025. Please refer to the updated wording set out in Clause 18 of the revised Terms and Conditions attached to this Variation.	18 Inspections

Section	Change	Clause Reference
<b>Clause 31.2</b>	<p>Clause 31.2 has been amended:</p> <p>31.2 The Provider’s attention is drawn to the criminal offences created by the Bribery Act 2010. Any offence by the Provider or its employees or by anyone acting on its behalf under the Bribery Act 2010 in relation to this Agreement or any Agreement with the Department or His Majesty’s Government will entitle the Department to terminate the Agreement <b>in accordance with Clause 33.3 (Termination)</b> and recover from the Provider the amount of any loss resulting from such termination and/or to recover from the Provider the amount of value of any gift, consideration or commission.</p>	31 Prohibited Acts
<b>Clause 33</b>	<p>Clause 33 has been substantially redrafted. Please refer to the updated wording set out in Clause 33 of the revised Terms and Conditions attached to this Variation.</p>	33 Termination
<b>“Apprenticeship Provider and Assessment Register” “(APAR)”</b>	<p>Definition has been amended:</p> <p>means the Apprenticeship Provider and Assessment Register (APAR) which is a record of organisations that are eligible to receive government funding to train Apprentices, and/or can undertake end-point assessments, <b>or any register which replaces APAR;</b></p>	Schedule 1: Definitions

Section	Change	Clause Reference
<p><b>“Ofsted Evaluation Areas”</b></p>	<p>Definition has been added: means, in the case of the Provider, the following areas that will be evaluated during an Ofsted Inspection or Monitoring Visit:</p> <p>For the Provider as a whole:</p> <ul style="list-style-type: none"> <li>(a) safeguarding;</li> <li>(b) inclusion;</li> <li>(c) leadership and governance; and</li> <li>(d) contribution to meeting skills needs (for colleges, further education colleges, sixth-form colleges and designated institutions)</li> </ul> <p>For each type of provision offered (apprenticeships, adult learning programme):</p> <ul style="list-style-type: none"> <li>(e) curriculum, teaching and training;</li> <li>(f) achievement;</li> <li>(g) participation and development.</li> </ul>	<p>Schedule 1: Definitions</p>
<p><b>“Ofsted Inspection”</b></p>	<p>Definition has been added: means an inspection carried out by Ofsted and includes:</p> <ul style="list-style-type: none"> <li>(a) a full inspection in accordance with the Ofsted Education Inspection Framework (<a href="#">Ofsted Education Inspection Framework for use from November 2025</a>);</li> <li>(b) an Ofsted Monitoring Inspection (as defined below); and</li> <li>(c) an Ofsted Monitoring Visit.</li> </ul>	<p>Schedule 1: Definitions</p>

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“Ofsted-Related Interventions”	Definition has been added: has the meaning given to it in Clause 18.2 (Ofsted-Related Interventions);	Schedule 1: Definitions
Paragraph 1.18.1	Paragraph 1.18.1 has been amended: 1.18.1 Ofsted has rated the Provider's leadership <b>and governance as Urgent Improvement (or Ofsted has rated the Providers management and leadership as Inadequate if the inspection was before 10 November 2025)</b> ;	Schedule 7: Subcontracting
Paragraph 1.18.3	Paragraph 1.18.3 has been amended: 1.18.3 a Subcontractor has been inspected and <b>any evaluation area at provider or provision level, has been judged as Urgent Improvement (or Inadequate if the inspection was before 10 November 2025)</b> by Ofsted; or	Schedule 7: Subcontracting

**Conditions of Funding (Grant) (Local Authorities):**

Section	Change	Clause Reference
<b>Clause 4.1.4</b>	Clause 4.1.4 has been amended:  4.1.4 The Department shall be entitled to terminate <b>this Agreement, in accordance with Clause 33.3 (Termination)</b> if the Provider does not recruit and/or data returns reveal that no Learners have been enrolled for the Funding Year to which this Agreement relates. Where the Department terminates the Agreement under this Clause 4.1.4, the Department will withdraw the allocation of Funding for the Funding Year and will take action to recover Funds where payments have already occurred.	4 Payment, Funding and Audit
<b>Clause 4.1.7</b>	Clause 4.1.7 has been amended:  4.1.7 Where the Department, in accordance with Clause 4.1.5, identifies errors it may at its discretion review the Provider's controls and processes to gain assurance the errors will not occur again. Where further assurance work is required this will be at the Provider's cost (or the Department will procure and recharge to the Provider at its sole discretion). Where a full funding audit results in a "qualified" rating this will constitute a breach of agreement <b>and the Department may terminate this Agreement in accordance with Clause 33.3 (Termination)</b> .	4 Payment, Funding and Audit
<b>Clause 18</b>	Clause 18 has been substantially redrafted to incorporate the new Ofsted inspection grades, which came into effect from 10 November 2025. Please refer to the updated wording set out in Clause 18 of the revised Terms and Conditions attached to this Variation.	18 Inspections

Section	Change	Clause Reference
<b>Clause 31.2</b>	<p>Clause 31.2 has been amended:</p> <p>31.2 The Provider’s attention is drawn to the criminal offences created by the Bribery Act 2010. Any offence by the Provider or its employees or by anyone acting on its behalf under the Bribery Act 2010 in relation to this Agreement or any Agreement with the Department or His Majesty’s Government will entitle the Department to terminate the Agreement <b>in accordance with Clause 33.3 (Termination)</b> and recover from the Provider the amount of any loss resulting from such termination and/or to recover from the Provider the amount of value of any gift, consideration or commission.</p>	31 Prohibited Acts
<b>Clause 33</b>	<p>Clause 33 has been substantially redrafted. Please refer to the updated wording set out in Clause 33 of the revised Terms and Conditions attached to this Variation.</p>	33 Termination
<b>“Apprenticeship Provider and Assessment Register” “(APAR)”</b>	<p>Definition has been amended:</p> <p>means the Apprenticeship Provider and Assessment Register (APAR) which is a record of organisations that are eligible to receive government funding to train Apprentices, and/or can undertake end-point assessments, <b>or any register which replaces APAR;</b></p>	Schedule 1: Definitions

Section	Change	Clause Reference
<p><b>“Ofsted Evaluation Areas”</b></p>	<p>Definition has been added: means, in the case of the Provider, the following areas that will be evaluated during an Ofsted Inspection or Monitoring Visit:</p> <p>For the Provider as a whole:</p> <ul style="list-style-type: none"> <li>(a) safeguarding;</li> <li>(b) inclusion;</li> <li>(c) leadership and governance; and</li> <li>(d) contribution to meeting skills needs (for colleges, further education colleges, sixth-form colleges and designated institutions)</li> </ul> <p>For each type of provision offered (apprenticeships, adult learning programme):</p> <ul style="list-style-type: none"> <li>(e) curriculum, teaching and training;</li> <li>(f) achievement;</li> <li>(g) participation and development.</li> </ul>	<p>Schedule 1: Definitions</p>
<p><b>“Ofsted Inspection”</b></p>	<p>Definition has been added: means an inspection carried out by Ofsted and includes:</p> <ul style="list-style-type: none"> <li>(a) a full inspection in accordance with the Ofsted Education Inspection Framework (<a href="#">Ofsted Education Inspection Framework for use from November 2025</a>);</li> <li>(b) an Ofsted Monitoring Inspection (as defined below); and</li> <li>(c) an Ofsted Monitoring Visit.</li> </ul>	<p>Schedule 1: Definitions</p>

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“Ofsted Monitoring Visit”	Definition has been amended: means an interim type of inspection carried out by Ofsted, <b>prior to 10 November 2025</b> , in accordance with the Further Education and Skills Inspection Handbook ( <a href="#">Further education and skills inspection handbook - GOV.UK</a> )	Schedule 1: Definitions
“Ofsted-Related Interventions”	Definition has been added: has the meaning given to it in Clause 18.3 (Ofsted-Related Interventions);	Schedule 1: Definitions
Paragraph 1.18.1	Paragraph 1.18.1 has been amended: 1.18.1 Ofsted has rated the Provider's leadership <b>and governance as Urgent Improvement (or Ofsted has rated the Provider's management and leadership as Inadequate if the inspection was before 10 November 2025)</b> ;	Schedule 7: Subcontracting
Paragraph 1.18.3	Paragraph 1.18.3 has been amended: 1.18.3 a Subcontractor has been inspected and <b>any evaluation area at provider or provision level, has been judged as Urgent Improvement (or Inadequate if the inspection was before 10 November 2025)</b> by Ofsted; or	Schedule 7: Subcontracting

**Conditions of Funding (Grant) (Non-Maintained Special Schools):**

Section	Change	Clause Reference
<b>Clause 4.1.4</b>	Clause 4.1.4 has been amended:  4.1.4 The Department shall be entitled to terminate <b>this Agreement, in accordance with Clause 36.3 (Termination)</b> if the NMSS does not enrol and/or data returns reveal that no Pupils have been enrolled for the Funding Year to which this Agreement relates. Where the Department terminates the Agreement under this Clause 4.1.4, the Department will withdraw the allocation of Funding for the Funding Year and will take action to recover Funds where payments have already occurred.	4 Payment, Funding and Audit
<b>Clause 4.1.7</b>	Clause 4.1.7 has been amended:  4.1.7 Where the Department, in accordance with Clause 4.1.5, identifies errors it may at its discretion review the NMSS's controls and processes to gain assurance the errors will not occur again. Where further assurance work is required this will be at the NMSS's cost (or the Department will procure and recharge to the NMSS at its sole discretion). Where a full funding audit results in a "qualified" rating this will constitute a breach of agreement <b>and the Department may terminate this Agreement in accordance with Clause 36.3 (Termination).</b>	4 Payment, Funding and Audit
<b>Clause 16.3</b>	Clause 16.3 has been amended:  16.3 Failure to submit accounts for assessment when requested will automatically deem the assessment under Clause 16.2 as 'inadequate' and <b>the Department shall be entitled, in its absolute discretion, to take one or more of the actions set out in Clauses 16.2.3 to 16.2.9.</b>	16 Financial Health

Section	Change	Clause Reference
<b>Clause 17</b>	Clause 17 has been substantially redrafted to incorporate the new Ofsted inspection grades, which came into effect from 10 November 2025. Please refer to the updated wording set out in Clause 17 of the revised Terms and Conditions attached to this Variation.	17 Inspections
<b>Clause 34.2</b>	<p>Clause 34.2 has been amended:</p> <p>34.2 The NMSS's attention is drawn to the criminal offences created by the Bribery Act 2010. Any offence by the NMSS or its employees or by anyone acting on its behalf under the Bribery Act 2010 in relation to this Agreement or any agreement with the Department or His Majesty's Government will entitle the Department to terminate the Agreement <b>in accordance with Clause 36.3 (Termination)</b> and recover from the NMSS the amount of any loss resulting from such termination and/or to recover from the NMSS the amount of value of any gift, consideration or commission.</p>	34 Prohibited Acts
<b>Clause 36</b>	Clause 36 has been substantially redrafted. Please refer to the updated wording set out in Clause 36 of the revised Terms and Conditions attached to this Variation.	36 Termination

Section	Change	Clause Reference
<p><b>“Ofsted Evaluation Areas”</b></p>	<p>Definition has been added:  means, in the case of the NMSS, the following areas that will be evaluated during an Ofsted Inspection or Monitoring Visit:</p> <p>For the NMSS as a whole:</p> <ul style="list-style-type: none"> <li>(a) safeguarding;</li> <li>(b) inclusion;</li> <li>(c) leadership and governance; and</li> <li>(d) contribution to meeting skills needs (for colleges, further education colleges, sixth-form colleges and designated institutions)</li> </ul> <p>For each type of provision offered (apprenticeships, adult learning programme):</p> <ul style="list-style-type: none"> <li>(e) curriculum, teaching and training;</li> <li>(f) achievement;</li> <li>(h) participation and development.</li> </ul>	<p>Schedule 1:  Definitions</p>
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<p><b>“Ofsted Monitoring Visit”</b></p>	<p>Definition has been amended: means an interim type of inspection carried out by Ofsted, <b>prior to 10 November 2025</b>, in accordance with the Further Education and Skills Inspection Handbook (<a href="#">Further education and skills inspection handbook - GOV.UK</a>)</p>	<p>Schedule 1: Definitions</p>
<p><b>“Ofsted-Related Interventions”</b></p>	<p>Definition has been added: has the meaning given to it in Clause 17.2 (Ofsted-Related Interventions);</p>	<p>Schedule 1: Definitions</p>

**Conditions of Funding (Grant) (Specialist Post-16 Institutions):**

Section	Change	Clause Reference
<b>Clause 4.1.4</b>	Clause 4.1.4 has been amended:  4.1.4 The Department shall be entitled to terminate <b>this Agreement, in accordance with Clause 34.3 (Termination)</b> if the Provider does not recruit and/or data returns reveal that no Learners have been enrolled for the Funding Year to which this Agreement relates. Where the Department terminates the Agreement under this Clause 4.1.4, the Department will withdraw the allocation of Funding for the Funding Year and will take action to recover Funds where payments have already occurred.	4 Payment, Funding and Audit
<b>Clause 4.1.7</b>	Clause 4.1.7 has been amended:  4.1.7 Where the Department, in accordance with Clause 4.1.5, identifies errors it may at its discretion review the Provider's controls and processes to gain assurance the errors will not occur again. Where further assurance work is required this will be at the Provider's cost (or the Department will procure and recharge to the Provider at its sole discretion). Where a full funding audit results in a "qualified" rating this will constitute a breach of agreement <b>and the Department may terminate this Agreement in accordance with Clause 34.3 (Termination).</b>	4 Payment, Funding and Audit
<b>Clause 17.3</b>	Clause 17.3 has been amended:  17.3 Failure to submit accounts for assessment when requested will automatically deem the assessment under Clause 17.2 as 'inadequate' and <b>the Department shall be entitled, in its absolute discretion, to take one or more of the actions set out in Clauses 17.2.3 to 17.2.9.</b>	17 Financial Health

Section	Change	Clause Reference
<b>Clause 18</b>	Clause 18 has been substantially redrafted to incorporate the new Ofsted inspection grades, which came into effect from 10 November 2025. Please refer to the updated wording set out in Clause 18 of the revised Terms and Conditions attached to this Variation.	18 Inspections
<b>Clause 32.2</b>	<p>Clause 32.2 has been amended:</p> <p>32.2 The Provider’s attention is drawn to the criminal offences created by the Bribery Act 2010. Any offence by the Provider or its employees or by anyone acting on its behalf under the Bribery Act 2010 in relation to this Agreement or any Agreement with the Department or His Majesty’s Government will entitle the Department to terminate the Agreement <b>in accordance with Clause 34.3 (Termination)</b> and recover from the Provider the amount of any loss resulting from such termination and/or to recover from the Provider the amount of value of any gift, consideration or commission.</p>	32 Prohibited Acts
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<b>“Apprenticeship Provider and Assessment Register” “(APAR)”</b>	<p>Definition has been amended:</p> <p>means the Apprenticeship Provider and Assessment Register (APAR) which is a record of organisations that are eligible to receive government funding to train apprentices, and/or can undertake end-point assessments, <b>or any register which replaces APAR;</b></p>	Schedule 1: Definitions

Section	Change	Clause Reference
<p><b>“Ofsted Evaluation Areas”</b></p>	<p>Definition has been added:  means, in the case of the Provider, the following areas that will be evaluated during an Ofsted Inspection or Monitoring Visit:</p> <p>For the Provider as a whole:</p> <ul style="list-style-type: none"> <li>(a) safeguarding;</li> <li>(b) inclusion;</li> <li>(c) leadership and governance; and</li> <li>(d) contribution to meeting skills needs (for colleges, further education colleges, sixth-form colleges and designated institutions)</li> </ul> <p>For each type of provision offered (apprenticeships, adult learning programme):</p> <ul style="list-style-type: none"> <li>(e) curriculum, teaching and training;</li> <li>(f) achievement;</li> <li>(g) participation and development.</li> </ul>	<p>Schedule 1:  Definitions</p>
<p><b>“Ofsted Inspection”</b></p>	<p>Definition has been added:  means an inspection carried out by Ofsted and includes:</p> <ul style="list-style-type: none"> <li>(d) a full inspection in accordance with the Ofsted Education Inspection Framework (<a href="#">Ofsted Education Inspection Framework for use from November 2025</a>);</li> <li>(e) an Ofsted Monitoring Inspection (as defined below); and</li> <li>(f) an Ofsted Monitoring Visit.</li> </ul>	<p>Schedule 1:  Definitions</p>

Section	Change	Clause Reference
“Ofsted Monitoring Inspection”	Definition has been added: means an interim type of inspection carried out by Ofsted in accordance with the Ofsted Education Inspection Framework ( <a href="#">Ofsted Education Inspection Framework for use from November 2025</a> ).	Schedule 1: Definitions
“Ofsted Monitoring Visit”	Definition has been amended: means an interim type of inspection carried out by Ofsted, <b>prior to 10 November 2025</b> , in accordance with the Further Education and Skills Inspection Handbook ( <a href="#">Further education and skills inspection handbook - GOV.UK</a> )	Schedule 1: Definitions
“Ofsted-Related Interventions”	Definition has been added: has the meaning given to it in Clause 18.2 (Ofsted-Related Interventions);	Schedule 1: Definitions
Paragraph 1.17.1	Paragraph 1.17.1 has been amended: 1.17.1 Ofsted has rated the Provider's leadership <b>and governance as Urgent Improvement (or Ofsted has rated the Provider's management and leadership as Inadequate if the inspection was before 10 November 2025)</b> ;	Schedule 7: Subcontracting
Paragraph 1.17.3	Paragraph 1.17.3 has been amended: 1.17.3 a Subcontractor has been inspected and <b>any evaluation area at provider or provision level, has been judged as Urgent Improvement (or Inadequate if the inspection was before 10 November 2025)</b> by Ofsted; or	Schedule 7: Subcontracting

**Conditions of Funding (Grant) (Trusts):**

Section	Change	Clause Reference
<b>Clause 4.1.4</b>	Clause 4.1.4 has been amended:  4.1.4 The Department shall be entitled to terminate <b>this Agreement, in accordance with Clause 33.3 (Termination)</b> if the Provider does not recruit and/or data returns reveal that no Learners have been enrolled for the Funding Year to which this Agreement relates. Where the Department terminates the Agreement under this Clause 4.1.4, the Department will withdraw the allocation of Funding for the Funding Year and will take action to recover Funds where payments have already occurred.	4 Payment, Funding and Audit
<b>Clause 4.1.7</b>	Clause 4.1.7 has been amended:  4.1.7 Where the Department, in accordance with Clause 4.1.5, identifies errors it may at its discretion review the Provider's controls and processes to gain assurance the errors will not occur again. Where further assurance work is required this will be at the Provider's cost (or the Department will procure and recharge to the Provider at its sole discretion). Where a full funding audit results in a "qualified" rating this will constitute a breach of agreement <b>and the Department may terminate this Agreement in accordance with Clause 33.3 (Termination).</b>	4 Payment, Funding and Audit
<b>Clause 18</b>	Clause 18 has been substantially redrafted to incorporate the new Ofsted inspection grades, which came into effect from 10 November 2025. Please refer to the updated wording set out in Clause 18 of the revised Terms and Conditions attached to this Variation.	18 Inspections

Section	Change	Clause Reference
<b>Clause 31.2</b>	<p>Clause 31.2 has been amended:</p> <p>31.2 The Provider’s attention is drawn to the criminal offences created by the Bribery Act 2010. Any offence by the Provider or its employees or by anyone acting on its behalf under the Bribery Act 2010 in relation to this Agreement or any Agreement with the Department or His Majesty’s Government will entitle the Department to terminate the Agreement <b>in accordance with Clause 33.3 (Termination)</b> and recover from the Provider the amount of any loss resulting from such termination and/or to recover from the Provider the amount of value of any gift, consideration or commission.</p>	31 Prohibited Acts
<b>Clause 33</b>	<p>Clause 33 has been substantially redrafted. Please refer to the updated wording set out in Clause 33 of the revised Terms and Conditions attached to this Variation.</p>	33 Termination
<b>“Apprenticeship Provider and Assessment Register” “(APAR)”</b>	<p>Definition has been amended:</p> <p>means the Apprenticeship Provider and Assessment Register (APAR) which is a record of organisations that are eligible to receive government funding to train apprentices, and/or can undertake end-point assessments, <b>or any register which replaces APAR;</b></p>	Schedule 1: Definitions

Section	Change	Clause Reference
<p><b>“Ofsted Evaluation Areas”</b></p>	<p>Definition has been added: means, in the case of the Provider, the following areas that will be evaluated during an Ofsted Inspection or Monitoring Visit:</p> <p>For the Provider as a whole:</p> <ul style="list-style-type: none"> <li>(a) safeguarding;</li> <li>(b) inclusion;</li> <li>(c) leadership and governance; and</li> <li>(d) contribution to meeting skills needs (for colleges, further education colleges, sixth-form colleges and designated institutions)</li> </ul> <p>For each type of provision offered (apprenticeships, adult learning programme):</p> <ul style="list-style-type: none"> <li>(e) curriculum, teaching and training;</li> <li>(f) achievement;</li> <li>(g) participation and development.</li> </ul>	<p>Schedule 1: Definitions</p>
<p><b>“Ofsted Inspection”</b></p>	<p>Definition has been added: means an inspection carried out by Ofsted and includes:</p> <ul style="list-style-type: none"> <li>(d) a full inspection in accordance with the Ofsted Education Inspection Framework (<a href="#">Ofsted Education Inspection Framework for use from November 2025</a>);</li> <li>(e) an Ofsted Monitoring Inspection (as defined below); and</li> <li>(f) an Ofsted Monitoring Visit.</li> </ul>	<p>Schedule 1: Definitions</p>

Section	Change	Clause Reference
“Ofsted Monitoring Inspection”	Definition has been added: means an interim type of inspection carried out by Ofsted in accordance with the Ofsted Education Inspection Framework ( <a href="#">Ofsted Education Inspection Framework for use from November 2025</a> ).	Schedule 1: Definitions
“Ofsted Monitoring Visit”	Definition has been amended: means an interim type of inspection carried out by Ofsted, <b>prior to 10 November 2025</b> , in accordance with the Further Education and Skills Inspection Handbook ( <a href="#">Further education and skills inspection handbook - GOV.UK</a> )	Schedule 1: Definitions
“Ofsted-Related Interventions”	Definition has been added: has the meaning given to it in Clause 18.2 (Ofsted-Related Interventions);	Schedule 1: Definitions
Paragraph 1.18.1	Paragraph 1.18.1 has been amended: 1.18.1 Ofsted has rated the Provider's leadership <b>and governance as Urgent Improvement (or Ofsted has rated the Providers management and leadership as Inadequate if the inspection was before 10 November 2025)</b> ;	Schedule 7: Subcontracting
Paragraph 1.18.3	Paragraph 1.18.3 has been amended: 1.18.3 a Subcontractor has been inspected and <b>any evaluation area at provider or provision level, has been judged as Urgent Improvement (or Inadequate if the inspection was before 10 November 2025)</b> by Ofsted; or	Schedule 7: Subcontracting

**Accountability Agreement (Colleges):**

Section	Change	Clause Reference
<b>Clause 4.1.5</b>	Clause 4.1.5 has been amended:  4.1.5 The Department shall be entitled to terminate <b>this Agreement in accordance with Clause 32.3 (Termination)</b> if the College does not recruit and/or data returns reveal that no Learners have been enrolled for the Funding Year to which this Agreement relates. Where the Department terminates the Agreement under this Clause 4.1.5, the Department will withdraw the allocation of Funding for the Funding Year and will take action to recover Funds where payments have already occurred.	4 Payment, Funding and Audit
<b>Clause 4.1.8</b>	Clause 4.1.8 has been amended:  4.1.8 Where the Department, in accordance with Clause 4.1.6, identifies errors it may at its discretion review the College's controls and processes to gain assurance the errors will not occur again. Where further assurance work is required this will be at the College's cost (or the Department will procure and recharge to the College at its sole discretion). Where a full funding audit results in a "qualified" rating this will constitute a breach of agreement <b>and the Department may terminate this Agreement in accordance with Clause 32.3 (Termination).</b>	4 Payment, Funding and Audit
<b>Clause 17</b>	Clause 17 has been <b>Renamed</b> as "INTERVENTION AND IMPROVEMENT SUPPORT".  Clause 17 has been substantially redrafted to align with the revised College Oversight Policy guidance, which came into effect from November 2025. Please refer to the updated wording set out in Clause 17 of the revised Terms and Conditions attached to this Variation.	17 Intervention

Section	Change	Clause Reference
<b>Clause 30.2</b>	<p>Clause 30.2 has been amended:</p> <p>30.2 The College’s attention is drawn to the criminal offences created by the Bribery Act 2010. Any offence by the College or its employees or by anyone acting on its behalf under the Bribery Act 2010 in relation to this Agreement or any Agreement with the Department or His Majesty’s Government will entitle the Department to terminate the Agreement <b>in accordance with Clause 32.3 (Termination)</b> and recover from the College the amount of any loss resulting from such termination and/or to recover from the College the amount of value of any gift, consideration or commission.</p>	30 Prohibited Acts
<b>Clause 32</b>	<p>Clause 32 has been substantially redrafted. Please refer to the updated wording set out in Clause 32 of the revised Terms and Conditions attached to this Variation.</p>	32 Termination
<b>“Apprenticeship Provider and Assessment Register” “(APAR)”</b>	<p>Definition has been amended:</p> <p>means the Apprenticeship Provider and Assessment Register (APAR) which is a record of organisations that are eligible to receive government funding to train apprentices, and/or can undertake end-point assessments, <b>or any register which replaces APAR;</b></p>	Schedule 1: Definitions
<b>“College Oversight Policy”</b>	<p>Definition title has been renamed as <b>“College Oversight Policy”</b></p>	Schedule 1: Definitions
<b>“Intervention”</b>	<p>Definition has been amended:</p> <p>means the process through which the Department requires Colleges to take steps to improve financial, <b>leadership, governance</b> or quality performance in <b>certain</b> circumstances, as <b>described in the College Oversight Policy;</b></p>	Schedule 1: Definitions

Section	Change	Clause Reference
<b>"Letter to Improve"</b>	Definition has been added: means the letter issued by the Department to the College, as described in the College Oversight Policy;	Schedule 1: Definitions
<b>"Notice to Improve"</b>	Definition has been amended: means a notice issued by the Department to the College in those instances where the Department has placed the College in Intervention for financial reasons, <b>as described in the College Oversight Policy</b> . Such a notice may include additional conditions of funding as well as the time period for improvement and compliance by the College;	Schedule 1: Definitions
<b>"Ofsted Evaluation Areas"</b>	Definition has been added: means, in the case of the College, the following areas that will be evaluated during an Ofsted Inspection or Monitoring Visit: For the College as a whole: (a) safeguarding; (b) inclusion; (c) leadership and governance; and (d) contribution to meeting skills needs (for colleges, further education colleges, sixth-form colleges and designated institutions) For each type of provision offered (apprenticeships, adult learning programme): (e) curriculum, teaching and training; (f) achievement; (g) participation and development.	Schedule 1: Definitions

Section	Change	Clause Reference
<p><b>“Ofsted Inspection”</b></p>	<p>Definition has been added: means an inspection carried out by Ofsted and includes:</p> <ul style="list-style-type: none"> <li>(g) a full inspection in accordance with the Ofsted Education Inspection Framework (<a href="#">Ofsted Education Inspection Framework for use from November 2025</a>);</li> <li>(h) an Ofsted Monitoring Inspection (as defined below); and</li> <li>(i) an Ofsted Monitoring Visit.</li> </ul>	<p>Schedule 1: Definitions</p>
<p><b>“Ofsted Monitoring Inspection”</b></p>	<p>Definition has been added: means an interim type of inspection carried out by Ofsted in accordance with the Ofsted Education Inspection Framework (<a href="#">Ofsted Education Inspection Framework for use from November 2025</a>).</p>	<p>Schedule 1: Definitions</p>
<p><b>“Ofsted Monitoring Visit”</b></p>	<p>Definition has been amended: means an interim type of inspection carried out by Ofsted, <b>prior to 10 November 2025</b>, in accordance with the Further Education and Skills Inspection Handbook (<a href="#">Further education and skills inspection handbook - GOV.UK</a>)</p>	<p>Schedule 1: Definitions</p>
<p><b>“Single Improvement Plan” or “SIP”</b></p>	<p>Definition has been amended: A plan drafted to address areas for improvement by College governors and leaders for a College in Intervention that are critical for the future sustainability and long-term success of the College, <b>as described in the College Oversight Policy</b>.</p>	<p>Schedule 1: Definitions</p>

Section	Change	Clause Reference
<b>Paragraph 1.18.1</b>	Paragraph 1.18.1 has been amended: 1.18.1 Ofsted has rated the College's leadership and governance as <b>Urgent Improvement (or Ofsted has rated the College's management and leadership as Inadequate if the inspection was before 10 November 2025);</b>	Schedule 8: Subcontracting
<b>Paragraph 1.18.3</b>	Paragraph 1.18.3 has been amended: 1.18.3 a Subcontractor has been inspected and <b>any evaluation area at provider or provision level, has been judged as Urgent Improvement (or Inadequate if the inspection was before 10 November 2025)</b> by Ofsted; or	Schedule 8: Subcontracting

**Accountability Agreement (Local Authorities):**

Section	Change	Clause Reference
<b>Clause 4.1.4</b>	Clause 4.1.4 has been amended:  4.1.4 The Department shall be entitled to terminate <b>this Agreement, in accordance with Clause 33.3 (Termination)</b> if the Provider does not recruit and/or data returns reveal that no Learners have been enrolled for the Funding Year to which this Agreement relates. Where the Department terminates the Agreement under this Clause 4.1.4, the Department will withdraw the allocation of Funding for the Funding Year and will take action to recover Funds where payments have already occurred.	4 Payment, Funding and Audit
<b>Clause 4.1.7</b>	Clause 4.1.7 has been amended:  4.1.7 Where the Department, in accordance with Clause 4.1.5, identifies errors it may at its discretion review the Provider's controls and processes to gain assurance the errors will not occur again. Where further assurance work is required this will be at the Provider's cost (or the Department will procure and recharge to the Provider at its sole discretion). Where a full funding audit results in a "qualified" rating this will constitute a breach of agreement <b>and the Department may terminate this Agreement in accordance with Clause 33.3 (Termination)</b> .	4 Payment, Funding and Audit
<b>Clause 18</b>	Clause 18 has been substantially redrafted to incorporate the new Ofsted inspection grades, which came into effect from 10 November 2025. Please refer to the updated wording set out in Clause 18 of the revised Terms and Conditions attached to this Variation.	18 Inspections

Section	Change	Clause Reference
<b>Clause 31.2</b>	<p>Clause 31.2 has been amended:</p> <p>31.2 The Provider’s attention is drawn to the criminal offences created by the Bribery Act 2010. Any offence by the Provider or its employees or by anyone acting on its behalf under the Bribery Act 2010 in relation to this Agreement or any Agreement with the Department or His Majesty’s Government will entitle the Department to terminate the Agreement <b>in accordance with Clause 33.3 (Termination)</b> and recover from the Provider the amount of any loss resulting from such termination and/or to recover from the Provider the amount of value of any gift, consideration or commission.</p>	31 Prohibited Acts
<b>Clause 33</b>	<p>Clause 33 has been substantially redrafted. Please refer to the updated wording set out in Clause 33 of the revised Terms and Conditions attached to this Variation.</p>	33 Termination
<b>“Apprenticeship Provider and Assessment Register” “(APAR)”</b>	<p>Definition has been amended:</p> <p>means the Apprenticeship Provider and Assessment Register (APAR) which is a record of organisations that are eligible to receive government funding to train apprentices, and/or can undertake end-point assessments, <b>or any register which replaces APAR;</b></p>	Schedule 1: Definitions

Section	Change	Clause Reference
<p><b>“Ofsted Evaluation Areas”</b></p>	<p>Definition has been added:  means, in the case of the Provider, the following areas that will be evaluated during an Ofsted Inspection or Monitoring Visit:</p> <p>For the Provider as a whole:</p> <ul style="list-style-type: none"> <li>(a) safeguarding;</li> <li>(b) inclusion;</li> <li>(c) leadership and governance; and</li> <li>(d) contribution to meeting skills needs (for colleges, further education colleges, sixth-form colleges and designated institutions)</li> </ul> <p>For each type of provision offered (apprenticeships, adult learning programme):</p> <ul style="list-style-type: none"> <li>(e) curriculum, teaching and training;</li> <li>(f) achievement;</li> <li>(h) participation and development.</li> </ul>	<p>Schedule 1:  Definitions</p>
<p><b>“Ofsted Inspection”</b></p>	<p>Definition has been added:  means an inspection carried out by Ofsted and includes:</p> <ul style="list-style-type: none"> <li>(a) a full inspection in accordance with the Ofsted Education Inspection Framework (<a href="#">Ofsted Education Inspection Framework for use from November 2025</a>);</li> <li>(b) an Ofsted Monitoring Inspection (as defined below); and</li> <li>(c) an Ofsted Monitoring Visit.</li> </ul>	<p>Schedule 1:  Definitions</p>

Section	Change	Clause Reference
“Ofsted Monitoring Inspection”	Definition has been added: means an interim type of inspection carried out by Ofsted in accordance with the Ofsted Education Inspection Framework ( <a href="#">Ofsted Education Inspection Framework for use from November 2025</a> ).	Schedule 1: Definitions
“Ofsted Monitoring Visit”	Definition has been amended: means an interim type of inspection carried out by Ofsted, <b>prior to 10 November 2025</b> , in accordance with the Further Education and Skills Inspection Handbook ( <a href="#">Further education and skills inspection handbook - GOV.UK</a> )	Schedule 1: Definitions
“Ofsted-Related Interventions”	Definition has been added: has the meaning given to it in Clause 18.3 (Ofsted-Related Interventions);	Schedule 1: Definitions
Paragraph 1.18.1	Paragraph 1.18.1 has been amended: 1.18.1 Ofsted has rated the Provider's leadership <b>and governance as Urgent Improvement (or Ofsted has rated the Provider's management and leadership as Inadequate if the inspection was before 10 November 2025)</b> ;	Schedule 7: Subcontracting
Paragraph 1.18.3	Paragraph 1.18.3 has been amended: 1.18.3 a Subcontractor has been inspected and <b>any evaluation area at provider or provision level, has been judged as Urgent Improvement (or Inadequate if the inspection was before 10 November 2025)</b> by Ofsted; or	Schedule 7: Subcontracting