
STATUTORY INSTRUMENTS

2023 No. 74

The Education (Student Fees, Awards and Support) (Amendment) Regulations 2023

PART 2

Amendment of the Education (Student Support) Regulations 2011

CHAPTER 4

Designated courses and designated part-time courses

Designation of courses for higher technical qualifications

38. In regulation 2(1) (interpretation)(1)—

(a) after the definition of “allied health profession subject” insert—

““approved HTQ” means an approved technical education qualification (within the meaning of Chapter A1 of Part 1 of the Apprenticeships, Skills, Learning and Children Act 2009(2) (see section A12(1) of that Act)) which is—

- (a) included in the list of qualifications maintained by the Institute for Apprenticeships and Technical Education(3) in accordance with section A2HA of the Apprenticeships, Skills, Learning and Children Act 2009 (list of technical education qualifications); and
- (b) at level 4 or 5—
 - (i) on the Framework for Higher Education Qualifications of UK-Degree Awarding Bodies(4), as amended from time to time; or
 - (ii) as described in the Ofqual Handbook: General Conditions of Recognition(5), as amended from time to time;”;

(b) for the definition of “preliminary course” substitute—

““preliminary course” means—

(1) Definition inserted by [S.I. 2017/114](#).

(2) [2009 c. 22](#). Chapter A1 of Part 1 was inserted by paragraph 1 of Schedule 1 to the Deregulation Act [2015 \(c. 20\)](#). It was amended by paragraphs 4 to 6 of Schedule 4 to the Enterprise Act [2016 \(c. 12\)](#) (“the 2016 Act”), by section 1(2) of, and paragraphs 1 to 24 of Schedule 1 to, the Technical and Further Education Act [2017 \(c. 19\)](#) (“the 2017 Act”) and by sections 7, 8, 9, 12 and 13 of the Skills and Post-16 Education Act [2022 \(c. 21\)](#). There are other amendments to Chapter A1 of Part 1 not relevant to these Regulations.

(3) The Institute for Apprenticeships and Technical Education is established by section ZA1 of the Apprenticeships, Skills, Learning and Children Act 2009. Section ZA1 was inserted by paragraph 2 of Schedule 4 to the 2016 Act and amended by section 1(2)(d) of the 2017 Act.

(4) Copies of the Framework are available here: <https://www.qaa.ac.uk/the-quality-code/qualifications-frameworks> or from the Quality Assurance Agency for Higher Education, Southgate House, Southgate Street, Gloucester GL1 1UB.

(5) Copies of the Handbook is available here: <https://www.gov.uk/guidance/ofqual-handbook> or from Ofqual, Earlsdon Park, 53 to 55 Butts Road, Coventry CV1 3BH.

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- (a) a course mentioned in paragraph 2 to 4 of Schedule 2, or overseas equivalent, that is taken before a full-time degree course (other than a first degree course for the initial training of teachers);
- (b) a course mentioned in paragraph 12 of Schedule 2 that is taken before a full-time degree course; or
- (c) a foundation degree course, or overseas equivalent, taken before a full-time honours degree course;”.

39.—(1) In regulation 22 (standard entitlement of current system students on certain degree courses etc)(6)—

- (a) in paragraph (2)(a), for the words from “mentioned in paragraph” to “intensive course” substitute “specified in paragraph (2A)”;
- (b) after paragraph (2) insert—

“(2A) The courses mentioned in paragraph (2)(a) are—

- (a) an intensive course;
- (b) a course mentioned in paragraph 2, 3 or 4 of Schedule 2 or overseas equivalent;
- (c) a course mentioned in paragraph 12 of Schedule 2;
- (d) a foundation degree course or overseas equivalent.

(2B) For the purposes of paragraph (2)(a) it does not matter whether a course specified in paragraph (2A)(b), (c) or (d) was completed on a full-time, part-time or full-time distance learning basis.”.

40. In regulation 139(2A) (designated part-time courses)(7), after sub-paragraph (c) insert—

“(ca) a course which leads to an approved HTQ;”.

41. In Schedule 2 (designated courses), after paragraph 11 insert—

“**12.** A course for an approved HTQ.”.

Commencement Information

- I1** Reg. 38 in force at 16.2.2023, see [reg. 1](#)
- I2** Reg. 39 in force at 16.2.2023, see [reg. 1](#)
- I3** Reg. 40 in force at 16.2.2023, see [reg. 1](#)
- I4** Reg. 41 in force at 16.2.2023, see [reg. 1](#)

Amendments relating to courses for initial further education teacher training

42.—(1) Regulation 2 (interpretation)(8) is amended as follows.

(2) In paragraph (1)—

- (a) for the definition of “course for the initial training of teachers” substitute—
““course for the initial training of teachers” has the meaning given in paragraph (1ZA);”;
- (b) after the definition of “quarter” insert—

(6) Regulation 22 was amended by [S.I. 2012/1653](#), [2013/1728](#), [2013/3106](#), [2015/1951](#) and [2019/142](#).

(7) Paragraph (2A) was inserted by [S.I. 2018/472](#); there are amendments to that paragraph but none is relevant to these Regulations.

(8) Paragraph (1A) was inserted by [S.I. 2021/127](#). There are other amending instruments but none is relevant.

““recognised initial further education teacher training course” means a course included in the list maintained by the Secretary of State in accordance with regulation 2B;”;

(3) After paragraph (1) insert—

“(1ZA) “Course for the initial training of teachers” means any of the following courses other than an employment-based teaching training scheme—

- (a) a course of initial teacher training undertaken in England and leading to the recommendation of qualified teacher status in England;
- (b) a course of initial teacher training undertaken in Wales and accredited as initial teacher training by the Education Workforce Council⁽⁹⁾;
- (c) a course of initial teacher training undertaken in Scotland and accredited as initial teacher training by the General Teaching Council for Scotland⁽¹⁰⁾;
- (d) a course of initial teacher training undertaken in Northern Ireland and accredited as initial teacher training by the General Teaching Council for Northern Ireland⁽¹¹⁾;
- (e) a course for the initial training of teachers in further education undertaken in England leading to a Diploma in Education and Training awarded by a recognised body, or with content equivalent to a Diploma in Education and Training and leading to a qualification awarded by a relevant provider, which—
 - (i) is not a recognised initial further education teacher training course; and
 - (ii) begins before 1st September 2024;
- (f) a recognised initial further education teacher training course undertaken in England;
- (g) a course for the initial training of teachers in further education which is undertaken in Wales and leads to a qualification the standard of which is at least equivalent to a Diploma in Higher Education;
- (h) a course for the Teaching Qualification in Further Education which is undertaken in Scotland;
- (i) a course for the initial training of teachers in further education undertaken in Northern Ireland which leads to a qualification which is approved by the Department for the Economy as a qualification which entitles a person to work as a full-time, associate or essential skills lecturer in a further education college in Northern Ireland.

(1ZB) For the purposes of paragraph (1ZA)—

- (a) a course mentioned in sub-paragraph (a), (b), (c), (d), (g), (h) or (i) of that paragraph includes a course leading to a first degree;
- (b) “recognised body” means an awarding body (within the meaning of section 132 of the Apprenticeships, Skills, Children and Learning Act 2009) which is recognised by the Office of Qualifications and Examinations Regulation⁽¹²⁾ in accordance with that section;

⁽⁹⁾ See section 2 of the Education (Wales) Act 2014 (anaw 5).

⁽¹⁰⁾ See article 4 of the Public Services Reform (General Teaching Council for Scotland) Order 2011 (S.S.I. 2011/215).

⁽¹¹⁾ Established by article 34 of S.I. 1998/1759.

⁽¹²⁾ The Office of Qualifications and Examinations Regulation was established by section 127 of the Apprenticeships, Skills, Children and Learning Act 2009.

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- (c) “relevant provider” means an English higher education provider which has been granted degree awarding powers by a Royal Charter or by or under an Act of Parliament.”.

43. In regulation 2A (as inserted by regulation 13 of these Regulations)—

- (a) in paragraph (5) (definition of “course designation event”), at the end of sub-paragraph (c) insert—

“; or

- (d) the course becomes a recognised initial further education teacher training course.”;

- (b) in paragraph (6) (definition of “part-time course designation event”), at the end of sub-paragraph (c) insert—

“; or

- (d) the course becomes a recognised initial further education teacher training course.”.

44. After regulation 2A insert—

“Recognition of initial further education teacher training courses

2B.—(1) The Secretary of State must—

- (a) publish in such manner as the Secretary of State considers appropriate; and
(b) maintain,

a list of courses which are, in the opinion of the Secretary of State, initial further education teacher training courses.

(2) For the purposes of this regulation, a course is an initial further education teacher training course if successful completion of the course means that a person meets the occupational standard for a learning and skills teacher as determined by the Institute for Apprenticeships and Technical Education from time to time(**13**).”.

45. In regulation 12(4ZA) (previous course)(**14**), for sub-paragraph (a) (other than “and” at the end of that sub-paragraph) substitute—

- “(a) the current course is a course falling within regulation 2(1ZA)(e), (f), (g), (h) or (i);”.

46. In regulation 13(2ZA) (miscellaneous)(**15**), for sub-paragraph (a) (other than “and” at the end of that sub-paragraph) substitute—

- “(a) the current course is a course falling within regulation 2(1ZA)(e), (f), (g), (h) or (i);”.

47. In regulation 144(6A) (fee loans for designated part-time courses beginning on or after 1st September 2012)(**16**), for sub-paragraph (a) (other than “and” at the end of that sub-paragraph) substitute—

- “(a) the current course is a course falling within regulation 2(1ZA)(e), (f), (g), (h) or (i);”.

(13) Copies of the current version of the occupational standard for a “learning and skills teacher” are available at <https://www.instituteforapprenticeships.org/apprenticeship-standards/learning-and-skills-teacher-v1-1>.

(14) Paragraph (4ZA) was inserted by S.I. 2021/1348.

(15) Paragraph (2ZA) was inserted by S.I. 2021/1348.

(16) Paragraph (6A) was inserted by S.I. 2021/1348.

Commencement Information

- I5** Reg. 42 in force at 16.2.2023, see [reg. 1](#)
- I6** Reg. 43 in force at 16.2.2023, see [reg. 1](#)
- I7** Reg. 44 in force at 16.2.2023, see [reg. 1](#)
- I8** Reg. 45 in force at 16.2.2023, see [reg. 1](#)
- I9** Reg. 46 in force at 16.2.2023, see [reg. 1](#)
- I10** Reg. 47 in force at 16.2.2023, see [reg. 1](#)

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