

**Director
Further Education**



Department for the

Economy

An Roinn

Geilleagair

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16 September 2026

Dear Emer

**COMMITTEE FOR COMMUNITIES – CALL FOR EVIDENCE - CHARITIES
(AMENDMENT) BILL**

Your e-mail to Brendan Heaney dated 9 July 2026 seeking evidence from stakeholders on the Charities (Amendment) Bill refers.

Please find attached at Appendix A response from the Department for the Economy's (DfE) Further Education (FE) Division. It has been informed by the views of the six FE colleges and discussions with Department for the Communities (DfC) officials concerning the registration of FE colleges as charities.

I trust you find this helpful.

Yours sincerely

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Appendix A

RESPONSE FROM DEPARTMENT FOR THE ECONOMY (DfE) FURTHER EDUCATION (FE) DIVISION

Charities (Amendment) Bill - Committee for Communities – Call for Evidence

The Department for the Economy (DfE) Further Education (FE) Division, having considered the views of the six FE Colleges, broadly supports the Charities (Amendment) Bill.

However, DfE FE Division notes that the issue of registration of FE colleges as charities is not covered in the current Charities (Amendment) Bill and understands that the Department for Communities (DfC) intends to take this issue forward separately and that this is likely to require further legislative change. DfE FE Division welcomes the commitment of DfC to provide a future solution to the recognition of the charitable status of FE colleges and is committed to working with DfC to progress this.

DfE sought input from all six FE colleges on the Charities (Amendment) Bill and a response was received from each college.

The responses indicate broad support from the FE sector for the Charities (Amendment) Bill. Respondents considered the Bill to represent a balanced and proportionate package of reforms that would strengthen regulatory effectiveness, improve information sharing and support public confidence in the charity sector while reducing unnecessary administrative burdens on smaller charities. No significant concerns were raised regarding the overall policy direction of the Bill and no specific amendments were proposed.

A summary of responses is below:

Question	FE College Response Summary
Support for the overall purpose of the Bill	Response: 6 Yes, 0 No All 6 FE colleges supported the purpose of the Bill. Comments highlighted improved information sharing and reduced administrative burden.
Effect to Independent Review recommendations	Response: 6 Yes, 0 No All 6 FE colleges considered the Bill gives appropriate effect to the recommendations from the Independent Review of Charity Regulation.
Clause 2: Information sharing powers	Response: 6 Yes, 0 No Broad support. All 6 FE colleges viewed the powers as necessary, clear and proportionate.
Additional safeguards/reporting requirements	Response: 0 Yes, 5 No 5 colleges responded, all 5 considered existing safeguards sufficient and did not identify a need for further requirements.
Clause 3: Official warnings	Response: 6 Yes, 0 No All 6 FE colleges agreed the introduction of official warnings was a proportionate regulatory tool.

Notice, representation, publication and withdrawal arrangements	Response: 5 Yes, 0 No 5 out of 5 colleges who responded considered the arrangements sufficient, including management of reputational impacts. Comments noted opportunities for representations to be made.
Clauses 4-6: Removal, directions and disqualification powers	Response: 5 Yes, 0 No 5 out of 5 colleges who responded agreed the enhanced powers were necessary, clear and proportionate.
Safeguards and appeals	Response: 4 Yes, 0 No 4 out of 4 colleges who responded agreed that existing safeguards and appeal rights were sufficient.
Clauses 7, 8 and 10: Accounting/reporting requirements and removal of independent examination under £20k income	Response: 4 Yes, 2 No 4 FE colleges agreed that the proposed powers were clear, necessary and proportionate. 2 FE colleges did not agree. Comments included that the requirement for an independent examination should be maintained.
Impact on transparency, confidence and burden	Response: Generally positive responses from 5 FE colleges. Comments depicted that the changes were proportionate and could improve public confidence while reducing burdens on smaller charities.
Definition of gross income (Clause 9)	Response: Substantive responses from 4 FE colleges. Comments generally favoured the inclusion of all normal charity income, with definitions kept clear and practical.
Clause 11: Repeal of section 167	Response: 5 Yes, 0 No 5 out of 5 FE colleges who responded supported the proposal to repeal section 167.
Practical, regulatory and public confidence issues for the Committee's consideration	Response: Responses from 3 FE colleges. Key themes were maintaining public confidence through regulation and ensuring definitions remain simple and easy for charities to apply.
Delegated powers in the Bill	Response: 6 Yes, 0 No All 6 FE colleges agreed that proposed delegated powers relating to accounts, annual reports and returns were proportionate.
Higher level Assembly scrutiny	Response: 3 Yes, 3 No There was an even split of opinion across the 6 FE colleges on whether any of these powers should be subject to a higher level of Assembly scrutiny.
Impact on small, rural and volunteer-led charities	Response: Responses by 3 FE colleges. Comments noted possible perceptions of increased workload associated with compliance requirements and commented that measures should remain proportionate and unnecessary burden avoided.
Suggested amendments	Response: 0 responses No specific amendments were proposed by FE colleges