



Department  
for Education

## Guidance

# Changing the name of a further education institution

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## Who this guidance is for

This guidance is for bodies in the statutory further education (FE) sector looking to change their statutory names. It applies to:

- FE corporations
- sixth-form college corporations
- bodies conducting institutions that are designated as being within the FE sector

## Main points

Corporations or other bodies running an institution within the FE sector can change their name:

- in accordance with their Instruments and Articles
- with the approval of the Secretary of State (SoS) for Education - this does not apply to some bodies running a designated institution

There is a separate process for:

- [changing a registered name with Companies House](#)

- [adopting a business \(trading\) name](#)

## Before applying

You must:

- select a potential new name (or names)
- decide when the change will happen
- consult relevant people and organisations on the potential new name(s)
- consider responses to the consultation
- have your governing body pass a resolution agreeing to apply to the Secretary of State to adopt the new name

## Deciding your new name

Your new name must not:

- wrongly use [sensitive words and expressions](#)
- be confusing, misleading or offensive
- suggest that your college is better than others
- suggest that your college serves a wider or different area than it actually does
- be the same or too similar to that of another college or other educational organisation
- give a false impression of the type of education you offer

## Sensitive words and expressions

You will need to follow the guidance on sensitive words and expressions if you're changing:

- the statutory name of a FE or sixth-form college corporation
- the name of the body running a designated institution
- a name registered with Companies House
- a business (trading) name, or adopting a business (trading) name

You will need to follow [Companies House guidance](#) and seek approval from the relevant authority if the name that you wish to use:

- includes a sensitive word as set out in regulations made under the Companies

Act 2006

- could imply a connection with a UK government department, a devolved administration or a local or specified public authority

Follow the [Companies House guidance](#) on the [use of the following sensitive words and expressions](#):

- association or society
- federation
- institute or institution
- polytechnic
- trust
- university, including university centre, university campus or university college

The word 'group' is no longer considered a sensitive word. However 'group' should only be used in the name of a corporation or body running an institution where it:

- delivers its FE provision through more than one (former) college or other unit
- has a distinct institutional identity from a learner perspective

The Companies House guidance also covers [words and expressions](#) which could imply a connection with a government department, a devolved administration or a local or specified public authority including:

- further education
- higher education

## Consult relevant people and organisations

Consult relevant people and organisations on the potential new name(s) to make sure they are not confusing or misleading. We'll need evidence that you have consulted on the name you are applying to adopt.

You will need to decide whether to consult on:

- a single potential new name
- options for your potential new name

If you consult on multiple options for your potential new name, you may choose to set out why you would prefer a particular option.

If you have only consulted on one name and that name is unsuitable, further consultation will be required if you wish to apply to adopt an alternative name.

Contact:

- other educational organisations in the surrounding area – including universities, colleges, academy trusts and schools
- other colleges in England with a name (or set of initials) similar to that being proposed as your new name
- the emergency services – only one response is required for each area in which the body running the college would operate after the name change
- stakeholders associated with your merger partner(s), if the body running the college is changing its name as part of an upcoming merger
- other stakeholders who might have an interest like local authorities, local MPs, and relevant representative organisations

Allow enough time for everyone to respond – one calendar month is recommended.

Record your findings, including:

- who you contacted and how long the consultation lasted
- the number of responses
- a summary of the responses
- whether the responses were for or against the proposed potential new name(s) and why
- how the body running the college responded to responses which were not in favour of the proposal, or which raised relevant questions

If you consulted on more than one potential new name, give:

- the name you decided on after consultation
- the reasons behind your decision

## **Planning for the change to happen**

When requesting a date for the name change to happen, remember to factor in the time taken to assess your application. Decisions are usually made within 4 weeks from receipt of all required information.

If a request relates to a structural change like a merger, an approval would likely be conditional upon this change having completed. You need to inform the Department for Education (DfE) when this structural change has completed.

## **Apply**

Email your request to: [FECollege.NameChanges@education.gov.uk](mailto:FECollege.NameChanges@education.gov.uk) and copy in your named ESFA contact if you have one.

Include a letter from your principal or chair of the governing body stating:

- the name you want to use
- any trading names you use or plan to use, such as those of individual colleges
- the reasons for the change, including details of any structural changes (like mergers) associated with the change
- the date you want the change to take place
- confirmation that a resolution agreeing to the name change has been reached by the governing body
- [details of the consultation](#) on the proposed new name
- contact details in case we need to ask for more information or evidence

We reserve the right to ask for further information or evidence about your application. It may be easier to set out all of the details of your consultation in a separate annex to your application letter.

Bodies that are registered charities will also need to:

- follow Charity Commission policy and procedures
- arrange for their entry on the register of charities to be amended

Bodies that are exempt charities should also inform their principal regulator regarding the change.

## After you've applied

Decisions are usually made within 4 weeks, unless we ask for more information. When we get your application we check whether the:

- evidence is complete
- name could be confusing or misleading
- use of any sensitive words or expressions, specified in the regulations made under the Companies Act 2006, are appropriate and has the approval of the appropriate body

The final decision will be made by officials with delegated authority from the Secretary of State (SoS). We reserve the right to engage ministers on contentious or complex applications.

## If your application is approved

You will be informed by email on the success of your application. We expect you to:

- publicly change your name within 6 months of the consultation
- inform all interested parties

This may include changing the name on:

- official letters
- your prospectus
- directories
- the UK registry of learning providers (UKRLP)
- the Get Information About Schools service (GIAS)

We will also inform the following that your application has been successful:

- Education Skills and Funding Agency (ESFA)
- Companies House
- Ofsted
- Office for Students
- the Home Office – if the college is a Student sponsor
- the Association of Colleges and the Sixth Form Colleges Association
- other relevant stakeholders

## **Changing a registered name with Companies House**

You can change your name by special resolution or by other means provided in your articles if you are:

- a college incorporated under the Companies Act 2006
- a college-owned company

## **Choosing your name**

You must follow [Companies House guidance](#):

- on [making changes to your registered company name](#) and sensitive words and expressions
- seek agreement from the relevant authority when using sensitive words and expressions
- get approval from Companies House for the change of name

## Registering with Companies House

The change:

- takes effect when the new name is entered on the register
- does not affect any existing rights or obligations or legal proceedings

## Adopting a new business (trading) name

To minimise confusion the outward facing name (business name) of a college should usually be the same as the name of the corporation or body that runs the college.

The statutory further education sector also includes institutions which have been designated as being part of the FE sector under section 28 of the Further and Higher Education Act 1992. The outward facing name of a 'designated institution' should be the same as the name in the order by which it was designated.

Different delivery models may mean that this is not always appropriate, for example within a group structure. A governing body may choose to adopt a business name for the college that is not:

- its statutory or corporation name
- the name of the body that runs the institution

This will allow colleges to locally brand their campuses.

It's important to be clear with staff, students, parents and stakeholders when and how these names will be used. For example, by using:

- clear branding containing the business name
- the statutory name on employment contracts

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