

To: The governing body, [*name*] (the 'Provider')

Notice under general ongoing condition of registration F3: Provision of information to the Office for Students ('OfS') and general ongoing condition of registration F4: Provision of information to the Designated Data Body

Whereas:

(A) The Provider was registered by the OfS in accordance with section 3 of the Higher Education and Research Act 2017 (HERA) on the Register of English Higher Education Providers.

(B) For the purpose of assisting the OfS in performing any function, or exercising any power, conferred under any legislation, the OfS has the power under general ongoing condition F3(i) (and by virtue of section 8(1)(b) of HERA) to compel the governing body of a registered English higher education provider to provide the OfS, or a person nominated by the OfS, with such information as the OfS specifies at the time, manner and form specified.

(C) For the purposes of the Designated Data Body's duties under sections 64(1) and 65(1) of HERA, under registration condition F4 the provider must provide the Designated Data Body with such information as the Designated Data Body specifies at the time and in the manner and form specified by the Designated Data Body.

Therefore:

Pursuant to general ongoing conditions of registration F3 and F4, the Provider is required to provide the Specified Information at the Specified Time and in the Specified Manner.

Specified Information

The Provider is required to submit to the relevant 'Collection Organisation' the following information, where it applies to its provider type, as set out in Annex A:

- a. Annual Financial Return
- b. Graduate Outcomes Contact Details
- c. Individualised Learner Record
- d. Prevent Monitoring
- e. Reportable Events
- f. Unistats Data

Definitions

‘Annual Financial Return’ means the information specified in Annex B.

‘Collection Organisation’ means the organisation to which the Specified Information must be sent, as set out in Annex A. This is either the OfS, the Education and Skills Funding Agency (ESFA) or the Higher Education Statistics Agency (HESA) as appropriate.

‘Designated Data Body’ means the designated body as defined in section 66 of HERA and refers to HESA.

‘Graduate Outcomes Contact Details’ means the information that HESA collects about graduate contact details to allow them to conduct the Graduate Outcomes surveys, further specified in Annex A.

‘Individualised Learner Record’ means information about learners and the courses they are studying that further education providers must collect and return to ESFA as required by ESFA funding agreements.

‘OfS Portal’ means the online portal used by providers to submit information to the OfS.¹

‘Prevent Monitoring’ means monitoring requirements as set out in ‘Prevent duty: Framework for monitoring in higher education in England’.² This reflects the Provider’s duty under the Counter-Terrorism and Security Act 2015 (CTSA), as a Relevant Higher Education Body (RHEB) to have due regard to the need to prevent people from being drawn into terrorism.

‘Reportable Events’ means the reportable events described in ‘Guidance for providers about reportable events during coronavirus (COVID-19) pandemic’.³

‘Specified Manner’ means the Specified Information must be provided as set out in Annex A of this Notice.

‘Specified Time’ means the Specified Information must be provided as set out in Annex A of this Notice.

‘Supply-Side Code of Practice’ means the Code published on the HESA website which outlines the principles that apply to all data preparation and collection by higher education providers.⁴

‘Unistats Data’ means:

- i. The 2020 Unistats data return and a properly completed sign-off form, compliant with the requirements of the ‘Unistats Guidance’; or

¹ Available at <https://extranet.officeforstudents.org.uk/Data/>

² Available at www.officeforstudents.org.uk/publications/prevent-duty-framework-for-monitoring-in-higher-education-in-england-2018-19-onwards/

³ Available at www.officeforstudents.org.uk/publications/regulatory-requirements-during-the-coronavirus-covid19-pandemic/

⁴ Available at <https://www.hesa.ac.uk/innovation/data-landscape/Codes-of-practice/Supply-side>

- ii. If no data meets the “coverage of the record” as specified in the ‘Unistats Guidance’, a properly completed non-submission form.

‘Unistats Guidance’ means the guidance published on the HESA website for the 2020 Unistats data collection.⁵

Signed on behalf of the OfS and authorised for that purpose

Susan Lapworth
Director of Competition and Registration

Date: 25 March 2020

⁵ Available at <https://www.hesa.ac.uk/collection/c20061>. Please note, the guidance available is not yet complete; providers will be notified once this has been updated.

Annex A

Specified Information	Collection Organisation	Specified Manner	Specified Time	Provider Type
<p>Annual Financial Return</p> <p>pursuant to Condition F3. This replaces the previous F3 Notice issued on 28 October 2019.</p>	OfS	This must be provided as set out in Annex B following the instructions in Annex C.	<p>The Provider must:</p> <ul style="list-style-type: none"> i. Submit the Specified Information annually within five calendar months of the end of the Provider’s financial reporting period to which the audited financial statements relate, and no later than 12 noon on the last day of this period; and ii. If a legal entity giving a legally binding obligation of financial support to the Provider has a financial year end that is different from the Provider’s year end, the audited financial statements for that legal entity’s most recent financial reporting period must be submitted within five calendar months of the end of the Provider’s financial reporting period, and no later than 12 noon on the last day of this five calendar month period. 	All excluding FECs
<p>Graduate Outcomes Contact Details</p> <p>pursuant to Condition F4. This replaces the previous F3/F4 Notice</p>		Providers are required to submit and check the contact details of their students who have completed their studies. Students will then be surveyed by HESA. For further education colleges (FECs), initial contact details will be sourced from	Providers are required to adhere to the deadlines set out at: https://www.hesa.ac.uk/collection/c18071/data_collection_schedule	All

Specified Information	Collection Organisation	Specified Manner	Specified Time	Provider Type
issued on 31 July 2019 or within two weeks of a Provider's date of registration.		the Individualised Learner Record but will still need to be checked by the Provider. Instructions for how to comply can be found at https://www.hesa.ac.uk/collection/c18071/		
Individualised Learner Record pursuant to Condition F3. This replaces the previous F3/F4 Notice issued on 31 July 2019 or within two weeks of a Provider's date of registration.	ESFA	Providers that are FECs are required to submit details of individual students and the courses they are studying. Instructions for how to submit this information can be found at https://www.gov.uk/government/collections/individualised-learner-record-ilr	Providers are required to adhere to the deadlines set out here: https://www.gov.uk/government/collections/individualised-learner-record-ilr	FECs
Prevent Monitoring pursuant to Condition F3. This replaces the previous F3/F4 Notice issued on 31 July 2019 or within two weeks of a Provider's date of registration.	OfS	Providers that are not FECs are required to submit monitoring information in relation to Prevent. Instructions for how to comply can be found at www.officeforstudents.org.uk/publications/prevent-duty-framework-for-monitoring-in-higher-education-in-england-2018-19-onwards/	Providers are required to adhere to the deadlines set out at www.officeforstudents.org.uk/publications/prevent-duty-framework-for-monitoring-in-higher-education-in-england-2018-19-onwards/	All excluding FECs
Reportable Events pursuant to Condition F3. This replaces the	OfS	Events set out in 'Guidance for providers about reportable events during coronavirus (COVID-19) pandemic'	Within five days of the date that the reportable event is identified or, if that is not possible due to exceptional circumstances	All

Specified Information	Collection Organisation	Specified Manner	Specified Time	Provider Type
previous F3 Notice issued on 15 October 2019.		(available at www.officeforstudents.org.uk/publications/regulatory-requirements-during-the-coronavirus-covid19-pandemic/) must be provided to the OfS via the 'OfS Portal'. Instructions for the use of the portal are set out in Annex D.	beyond the control of the Provider, as soon as reasonably practicable thereafter and without undue delay.	
<p>Unistats Data</p> <p>pursuant to Condition F4. This replaces the previous F3/F4 Notice issued on 31 July 2019 or within two weeks of a Provider's date of registration.</p>	HESA	<p>'Unistats Data' must:</p> <ul style="list-style-type: none"> i. be provided to the 'Designated Data Body' via the HESA data collection system⁶; ii. comply fully with the 'Unistats Guidance'; iii. adhere fully to the 'Supply-Side Code of Practice' for higher education data; and iv. be signed off by the Provider's Accountable Officer 	Noon on 16 August 2020 or two calendar months after the date of the Provider's registration (whichever is later).	All

⁶ Available at <https://www.hesa.ac.uk/collection/c20061>

Annex B

Annual Financial Return

The Provider is required to submit to the OfS the following information:

- a. Signed audited financial statements that are fully compliant with the OfS's accounts direction (OfS 2018.26 or OfS 2019.41 or subsequent accounts direction, depending on which is applicable to the accounting period being reported on).
- b. Financial and student number tables, in the template from the OfS, only for Year 1, Year 2 and Year 3 (covering audited data and the current year) – the Provider should download its template from the OfS Portal as specified in Annex C to this Notice. The financial and student number tables must be approved by the Provider's Governing Body prior to submission.
- c. Commentary in the template from the OfS. The commentary must be approved by the Provider's Governing Body prior to submission.
- d. A business plan which sets out the Provider's plans for the same period as the financial and student number tables:
 - i. This is required where the Provider has delivered higher education for fewer than three years prior to the Specified Time.
 - ii. This is optional where the Provider has delivered higher education for at least three years prior to the Specified Time. The Provider may choose to use the business plan as part of its demonstration of how it is ensuring its financial viability and sustainability.

Where submitted, the business plan must be approved by the Provider's Governing Body prior to submission.

- e. A signed legally binding obligation of financial support if one is being provided for the first time – a Provider that is relying on a legally binding obligation of financial support must ensure it meets the OfS's requirements set out in paragraphs 403 to 407 of the regulatory framework (OfS 2018.01).
- f. Where a legally binding obligation of financial support is in place, audited financial statements from the legal entity giving the legally binding obligation of financial support to the Provider – these must be for the legal entity's most recent financial reporting period.

Annex C

Technical instructions for submitting the annual financial return

1. This Annex gives guidance on the submission of the Provider's annual financial return. The Provider should read this Annex before submitting any of the required files.
2. The annual financial return must be submitted through the OfS Portal. The Provider must also download the templates for the required files on the Portal.

Accessing the annual financial return Portal area

3. In order to download the templates and submit the annual financial return, the Provider will need access to the annual financial return area on the OfS Portal:
<https://extranet.officeforstudents.org.uk/Data/>.
4. The person submitting the return for the Provider ('the Submitter') will need to be a registered user of the OfS Portal in order to be granted access to the area.
5. If the Submitter has not registered on the OfS Portal before, they will need to ask the nominated OfS Portal user administrator at the Provider to create an account for them. Each person who requires access to the annual financial return will need to be registered with their own account. Instructions on how the user administrator creates an account can be downloaded from the login page of the Portal (see the link in paragraph 3).
6. The Submitter will need to be assigned to the 'Annual financial return 2019' area by the nominated OfS Portal user administrator at the Provider. The user administrator can find guidance on how to add Portal users to Portal areas on the main Portal login page (see the link in paragraph 3). If the Submitter is the user administrator, they will still need to assign themselves to the area.
7. If the Submitter does not know who the user administrator is, they can view the user administrators at the Provider by logging onto the OfS Portal. Select 'My account' towards the right-hand side of the yellow banner, and then click 'Activate an access key'. The names and contact details of the user administrators at the Provider will be at the top of the page. If the Submitter is not registered and does not know who the Provider's user administrator is, please contact Portal@officeforstudents.org.uk.

Navigating the annual financial return Portal area

8. Once the Submitter has been assigned to the annual financial return area, they can log in to the OfS Portal and click a link for the 'Annual financial return 2019' area under the 'Home' section:

Annual financial return 2019

Here you can submit all documents for the annual financial return 2019

9. This link will take the user to the homepage for the annual financial return:

Annual financial return 2019

Homepage

This area is used to submit the suite of files required for the annual financial return 2019, and also contains the blank templates which need to be completed.

10. The annual financial return homepage is used to download the submission information for the Provider (this is described further in paragraph 13) and templates, and to upload all of the required files (apart from any Excel files).
11. There are two other sub-areas for the annual financial return which can be navigated to from the homepage:
 - **Workbook** – The area used to submit the financial return workbook.
 - **Data verification query responses** – The area used to submit responses to queries raised for the data in the financial return workbook.

Workbook: [Click here to submit your workbook](#)

Data verification query responses: [Click here to submit your data verification query responses](#)

12. The sub-areas will only be used for the Submitter to upload Excel files. All other files will be submitted through the homepage. All downloadable information will also only be available through the homepage.

Submission information

13. Providers need to submit different files to different deadlines for the annual financial return, depending on their financial year end. Therefore, the return deadline is not displayed on the Portal homepage as it would be with other OfS data returns.
14. A submission information file will be made available to the Provider shortly which will be able to be downloaded from the annual financial return homepage. This file will contain the specific deadlines for the Provider, along with the files that it is required to submit.
15. Until the submission information file is made available, the Provider can view its deadlines in the 'Information' tab of the annual financial return workbook. There are two main deadlines:
 - **Initial submission deadline** – The deadline by which the Provider needs to have submitted its annual financial return workbook.
 - **Final sign-off deadline** – The deadline by which all other files need to be submitted. The Provider's workbook should be final by this point with any queries regarding its data responded to. The Provider will also be required to complete a sign-off form before the deadline once all other files have been submitted.

Downloadable files and templates

16. As well as the submission information file (once available), the following files are contained within the downloadable zip file package on the homepage:

- Blank annual financial return workbook template. The workbook is bespoke for the Provider and this is the version that it must complete and submit.
- Blank annual financial return commentary template. The commentary should be completed alongside the completion of the Provider's workbook using this template and then submitted.
- Data verification queries Excel file. This will appear when the Provider submits its workbook, and will update every time a workbook is submitted, or the OfS has sent additional queries or responses.
- Once the Portal is open for submissions, any submitted files will also appear in the download package, and will be assigned a date and upload number.

Submitting the required files

17. The Accountable Officer has been supplied a list of the files that the Provider needs to be submit via the initial email that detailed the return requirements. This will also be made available in the submission information file once it is released.

18. Each file is listed in detail below, and the complete list is as follows:

- Signed audited full financial statements
- Financial return workbook
- Commentary
- Business plan
- Signed legally binding obligation of financial support
- Audited financial statements from the legal entity giving the legally binding obligation of financial support to the provider
- Data verification query responses.

Financial return workbook

Downloading the workbook template

19. The Provider will need to obtain the blank financial return workbook from the download package on the homepage. This is the file 'FinancialReturn2019_Blank_100XXXXX.xlsx' (where 100XXXXX is the Provider's UKPRN).

20. The Submitter may need to click on 'Enable editing' on the yellow banner if it appears on the screen when they open the workbook. Save the workbook to a memorable location on the computer. The Submitter can download this empty workbook as many times as required.

Completing the workbook template

21. The Provider should not attempt to alter the format of the worksheets by adding or deleting columns or rows. Only cells where data is required should be edited. The workbook is protected to ensure that the data submitted is accurate and is only entered into the relevant cells. Worksheets contain information critical to accurate loading of the data; it is essential that this is preserved. The workbook should not be unprotected by any unofficial macro downloaded from the internet, or otherwise. We will refuse to accept any workbooks which have been unprotected or tampered with. If the Provider would like to view an unprotected version of the workbook, it can download sample workbook from the OfS website⁷; however, the Provider must not use these sample tables as the final submission.

22. If the Provider wishes to copy and paste data within the workbook, they must ensure that they use the 'paste values' option. This will not copy the formatting of the data being pasted and will preserve the formatting of the workbook.

23. Once the Provider has completed the workbook, they will need to ensure that there are no validation errors showing, as displayed on the 'Information' tab of the workbook:

Validation information Tables with validation errors: No validation errors
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24. If there are validation errors, the Provider will need to resolve these before they can successfully submit their workbook. We will not accept a workbook with validation errors as a successful submission.

25. There may also be validation warnings present in the Provider's workbook, again detailed on the 'Information' tab of the workbook:

Validation information Tables with validation errors: No validation errors Tables with validation warnings: No validation warnings

26. The Provider should review these validation warnings before submitting their workbook. The Provider can submit their workbook with validation warnings; however, we will raise queries regarding any outstanding validation warnings as part of the data verification phase.

All other files

27. All other non-Excel files must be submitted through the homepage.

⁷ Available at <https://www.officeforstudents.org.uk/publications/regulatory-advice-14-guidance-for-providers-for-the-annual-financial-return/>

28. The Provider will receive a data verification query workbook shortly after they submit their workbook.

Annex D

How do I submit a reportable event?

Details of reportable events, including accountable officer and governing body chair changes, must be submitted via the OfS online portal as usual.

The login page for the portal can be accessed by the following link:

<https://extranet.officeforstudents.org.uk/Data>. To upload a reportable event, select the title 'OfS Regulation – reporting of reportable events including accountable officer/chair of governing body changes'.

This area of the portal will be accessible on an ongoing basis to allow you to submit details of reportable events as and when they occur.

All registered providers were provided with an access key shortly after registering with the OfS, to allow them to upload information via the portal. This access key is specific to your provider and gives access to both the '**OfS Regulation – reporting of reportable events including accountable officer/chair of governing body changes**' and '**OfS Regulation – Submissions**' sections of the OfS portal. Please note – the latter area should only be used under specific instruction from the OfS.

The access key should not be shared with other providers. The access key should only be shared with colleagues within your provider who are responsible for uploading the data.

How to access the OfS portal

To access the OfS portal, you will need to use the same account details as used during your application to register with the OfS.

Please follow these steps to log in with a registered email address and password:

- Use the login page to enter your email address and password. If you have forgotten your password, click the 'Forgotten password?' link and enter your email address. You will then be emailed a link to a page where you can reset your password.
- If you have not used the access key before click on 'My account' found in the top right-hand corner and then click on 'Activate an access key'.
- Enter the access key shown in the letter sent to you by the OfS Monitoring and Intervention Team, and click 'Activate'. You will be told that you have successfully joined the relevant section of the OfS portal.
- Click on the 'Home' link below the yellow band at the top of your screen.

Please note that this access key gives you access to both the 'OfS Regulation – reporting of reportable events including accountable officer/chair of governing body changes' and 'OfS Regulation – submissions' areas of the portal. You should only use the latter if you have been specifically requested to do so. You can submit reportable events at any point through the 'OfS Regulation – reporting of reportable events including accountable officer/chair of governing body changes' area.

What to do if you have lost your access key?

If you have lost your access key, please contact regulation@officeforstudents.org.uk as soon as possible and we will ensure that it is reissued to you.

How to upload details of your reportable event and supporting documents

Once you have successfully logged in to the 'OfS Regulation – reporting of reportable events including accountable officer/chair of governing body changes' page, you will see a download bar (see figure 1).

Figure 1: Download and upload bar

Download	Download the files required for OfS Regulation – reporting of reportable events including accountable officer/chair of governing body changes
Upload	Upload the files for OfS Regulation – reporting of reportable events including accountable officer/chair of governing body changes

Click on 'Download' to download a zip file with all the standardised forms required to submit a reportable event. This file should contain three forms:

- Form 1A - Accountable Officer and Chair of Governing Body changes
- Form 1B - Declaration of directorships/trusteeships at other organisations
- Form 2 - Other Reportable Events

All forms are Microsoft Excel files.

Depending on the type of reportable event, you will need to submit different forms:

- If it is an accountable officer or chair of governing body change, please download, complete and submit Forms 1A and 1B.
- All other reportable events should be reported through Form 2.

You will be able to upload supporting material here, but please ensure you have listed each document in Form 2.

Please note that where the form requires you to sign (as the person submitting the information), this can be in the form of a digital signature or typed name. You are not required to print the form, sign and scan in.

After clicking on the 'Download' button, select 'Save' when prompted. Save the zip file (compressed folder) ReportableEvents_XXXXXXXX.zip (where the suffix is your provider's 8-digit UKPRN) in a location on your network where you can access it later.

To complete the forms, you will need to unzip the package. Windows 7, 8 and 10, Vista, XP and Windows ME can perform this task without a third party tool. Other operating systems will need an additional program.

When you have completed the forms required, and are ready to submit them, save your changes to your computer or network and then log in to the OfS Regulation section of the online portal again using your email address, password and access key.

Once you have logged into the 'OfS Regulation – reporting of reportable events including accountable officer/chair of governing body changes, click the 'Upload' button, and then use the 'Browse'\Choose file' button to locate files on your computer or network. Once the relevant file has been selected, click on 'Upload file'. Repeat for each document you wish to submit to the OfS.

Once you have uploaded the relevant forms and any supporting documents for your reportable event, you should confirm that all information is accurate and complete, and then click the 'Submit' button.

Submitting the file may take up to a few minutes, depending on how busy the server is. A message will appear on the screen to tell you the status of your submission. You may see one of the following messages:

- 'Your files have been submitted and are waiting to be processed'
- 'Your files are being processed'
- 'Completed successfully'.

Once completed successfully, the OfS Monitoring and Intervention Team will be notified that you have submitted details of a reportable event.

If you need assistance completing the standardised forms to report a reportable event, or experience difficulty uploading supporting documents, please contact regulation@officeforstudents.org.uk for general guidance or portal@officeforstudents.org.uk for technical issues. For technical support, you can also phone 0117 931 7399.

How will I know that you have received the information?

As soon as you submit your information, the portal will provide you with an onscreen confirmation that you have successfully submitted. We will email you to confirm that we have received your documents – **this email is not automatically generated and so there may be a short delay between your upload and receiving an email confirmation.**

You can upload further information at any time through the portal, but it would be helpful to advise us by emailing regulation@officeforstudents.org.uk beforehand of any further documents that relate to or supersede a previously reported event.

What happens next?

As soon as your reportable event has been submitted, a member of the OfS Monitoring and Intervention Team will review the information received. We will then contact you as soon as possible to confirm if further information is required.