

Office for  
Students



# Regulatory advice 8

**Guidance for providers about  
condition of registration F1:  
transparency information**

Reference **OfS 2020.02**

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This regulatory advice has been updated to help providers to prepare to meet our requirements in respect of the collection and publication of transparency information from 2019-20 onwards.

## Introduction

1. This regulatory advice sets out guidance for higher education providers in England that are registered with the Office for Students (OfS). Section 9 of the Higher Education and Research Act 2017 (HERA) requires the OfS to ensure that the ongoing conditions of registration for certain providers include a transparency condition.
2. This mandatory condition applies to all registered higher education providers in either the Approved or Approved (fee cap) part of the register, as set out in The Higher Education (Transparency Condition and Financial Support) (England) Regulations 2018<sup>1</sup>.
3. This guidance sets out what you must do to comply with the ongoing condition of registration relating to transparency information. **More detailed technical requirements<sup>2</sup> have also been published and you will need to comply with these.** This guidance should be read in conjunction with the OfS's regulatory framework<sup>3</sup> which sets out in full the approach that we will take to the regulation of providers. If there are any inconsistencies between the regulatory framework and this document then the regulatory framework will prevail.

## What is the transparency information condition?

4. Our regulatory framework contains an ongoing condition of registration that applies to providers in either the Approved or Approved (fee cap) part of the register:

Condition F1: The provider must provide to the OfS, and publish, in the manner and form specified by the OfS, the transparency information set out in section 9 of HERA.

5. The 'transparency information' means the information we request in relation to the following:
  - a. The number of applications for admission on to higher education courses that the provider has received
  - b. The number of offers made by the provider in relation to those applications
  - c. The number of those offers accepted and the number of those who go on to register at the provider

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<sup>1</sup> See <https://www.legislation.gov.uk/ukdsi/2018/9780111170373>

<sup>2</sup> 'Condition of registration F1: transparency information. Guidance for providers on submitting the Transparency return', available at [www.officeforstudents.org.uk/publications/guidance-for-providers-on-submitting-the-transparency-return-2020/](http://www.officeforstudents.org.uk/publications/guidance-for-providers-on-submitting-the-transparency-return-2020/). Please note that this guidance will be updated on an annual basis in November of each year.

<sup>3</sup> See [www.officeforstudents.org.uk/publications/securing-student-success-regulatory-framework-for-higher-education-in-england/](http://www.officeforstudents.org.uk/publications/securing-student-success-regulatory-framework-for-higher-education-in-england/)

- d. The number of students who registered and went on to complete their course with the provider
  - e. The number of students who attained a particular degree or other academic award, or a particular level of such an award, on completion of their course with the provider.
6. In each case, the information that we ask you to provide will include those numbers by reference to the following:
- a. The gender of the individuals to which they relate
  - b. Their ethnicity
  - c. Their socioeconomic background.

## Future alignment with the access and participation dataset

7. It is our intention to incorporate the data currently collected for the transparency information condition into the access and participation dataset. Providers would then be expected to publish relevant tables from the dataset on their website. Our aim in doing this is to support providers through the provision of data relating to access and participation (which includes the transparency information) in one dataset which we can deliver to providers in an easily publishable format.
8. In order to ensure that the application data providers submit to us aligns with the categories in the access and participation dataset, we will formally consult on extending the number of student characteristics that the transparency information is currently disaggregated by (as listed in paragraph 6) to also include disability and age.

## What do I have to do?

9. If you are registered with the OfS by Monday 3 February 2020, you will be required to submit and publish the transparency information listed above for the 2019-20 academic year<sup>4</sup> onwards.
10. Those providers that were registered with the OfS before 3 June 2019 were required to comply with the transparency information condition from 1 August 2019. This was the only year for which providers were required to submit and publish the required information in August. From April 2020 onwards providers will need to submit the required information in April, and publish in May/June of each year.
11. This means that in April each year you must submit to us, information on all the applications, offers, acceptances and registrations for all courses starting between 1 August and 31 July of that academic year. You must also publish this information in May/June each year. This will ensure that you publish the information in the academic year to which it relates, while also allowing the majority of student intakes at different times during the academic year to be recorded. You must also publish information on the completion status of those applicants who started their study with you in the previous academic year and the number of **all** students in

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<sup>4</sup> We use the term 'academic year' to refer to the period from 1 August of one year to 31 July of the following year; so the 2019-20 academic year runs from 1 August 2019 to 31 July 2020. This applies irrespective of the start and end dates of your own academic year.

the transparency population (i.e. not limited to students that started their study with you in a particular academic year) who attained a particular degree or other academic award, or a particular level of such an award on completion of their course in the previous academic year. The completion and attainment data will be calculated by the OfS using HESA and ILR data and made available to providers.

12. We are aware that an April data submission will result in some students who start their courses later in the academic year not being included in the data for that year. Therefore, you will need to submit and publish 'in-year' data and 'full-year' data. For example, you would submit data relating to those applying to and starting their study with you in 2019-20 as in-year data in April 2020. You would then update this with any further late registrations and submit this as full-year data in April 2021. Please refer to the technical guidance for details of the census date for applications to be included in the 'in-year' data. Tables 1 and 2 set out what you will need to submit and publish, and when you will need to do this. The requirements set out in the tables will ensure that you will be able to include all of your students in the data that you submit and publish. We will keep the timing of publication under review to ensure that we optimise both the timeliness and completeness of the required information.
13. Table 1 sets out, in broad terms, the information you will need to submit and publish and when you will need to do this using 2019-20 and 2020-21 academic years as an example. Table 2 illustrates how this would work across those two academic years.

**Table 1: Information requirements and publication points for transparency information relating to data for the 2019-20 and 2020-21 academic years**

Data required	Month and year of submission and publication
Applications: In-year application, offer, acceptance and registration data for applicants who intend to start their course in the 2019-20 academic year; and full-year application, offer, acceptance and registration data for those who started in the 2018-19 academic year	Submission: April 2020 Publication: June 2020
Completions: Data on the completion status of those applicants who started their study with you in 2018-19 as at the end of the 2018-19 academic year	Submission: April 2020 Publication: June 2020
Attainment: The number of students who attained a particular degree or other academic award or a particular level of such an award on completion of their course in the 2018-19 academic year**	Submission: April 2020 Publication: June 2020
Applications: In-year application, offer, acceptance and registration data for applicants who intend to start their course in the 2020-21 academic year; and full-year application, offer, acceptance and registration data for those who started in the 2019-20 academic year	Submission: April 2021 Publication: May/June 2021
Completions: Data on the completion status of those applicants who started their study with you in 2018-19 or 2019-20 as at the end of the 2019-20 academic year	Submission: April 2021 Publication: May/June 2021

The number of students who attained a particular degree or other academic award or a particular level of such an award on completion of their course in the 2019-20 academic year**	Submission: April 2021 Publication: May/June 2021
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\* You should publish data on students that have completed from the cohort of students who applied for the year in question.

\*\* You should publish data for the cohort of students who are completing their courses for the year in question rather than the cohort of students who are applying.

**Table 2: Transparency information required to be published across the academic years 2019-20 and 2020-21**

Data category	Published June 2020	Published May/June 2021
In-year application, acceptance, offer and registration data	For students entering in academic year 2019-20	For students entering in academic year 2020-21
Full-year application, acceptance, offer and registration data	For students entering in academic year 2018-19	For students entering in academic year 2019-20
Completion status	For students who entered in academic year 2018-19	For students who entered in academic year 2018-19 or 2019-20
Attainment	For all students completing in 2018-19	For all students completing in 2019-20

## What does the terminology in the transparency information condition mean?

### Application, offer and acceptance data

14. The way in which the transparency information was framed in section 9 of the HERA (2017) (such that you are asked to report on the number of applications received, the number of **those** applications which receive offers, the number of **those** offers accepted, etc.) means that you must adopt an applicant cohort approach in the provision of the required data in paragraph 5 (a-d) above. This means that you will be reporting on the same set of applicants (all your home, i.e. UK-domiciled applicants) that have applied to register with you in the year in question for each of the requirements in set out in that paragraph. Please refer to the technical guidance<sup>5</sup> for the detailed description of application, offer and acceptance data and for information on how the data will be collected.

<sup>5</sup> Available at: [www.officeforstudents.org.uk/publications/guidance-for-providers-on-submitting-the-transparency-return-2020/](http://www.officeforstudents.org.uk/publications/guidance-for-providers-on-submitting-the-transparency-return-2020/)

## Completion and attainment data

15. You will need to publish data showing the number of students in the relevant applicant cohort who accepted offers and completed their course with you.
16. Higher education courses will vary in the length of time taken to complete. Generally, completion of full-time undergraduate courses can vary from one to seven years, with part-time courses taking significantly longer. Therefore, we will consider the last eight applicant cohorts for full-time students and the last 16 applicant cohorts for part-time students when compiling your completion and attainment data. This would mean that, for the purposes of the transparency information condition, the last point at which applicants who entered to study full-time in 2019-20 could be recorded in the completion and attainment data would be 2027-28. For those who entered to study part-time in 2019-20 the last recordable year would be 2035-36.
17. It is also the case that students may take breaks in study, re-take a year or transfer to another provider.
18. In recognition of the complexities involved in reporting on completion for applicant cohorts, you will need to publish information about students who:
  - have completed
  - are still studying with you, are taking a break in study or are dormant
  - have left without completing.
19. As the information required to determine the completion status of students will already have been returned to the Higher Education Statistics Agency (HESA) student record or in the Individualised Learner Record (ILR), we will deliver the necessary information to you to enable you to meet the requirements for completion data. The data you receive from us will be derived from the data you had submitted in your HESA and ILR returns, signed off as accurate by the head of provider or accountable officer. Students who have transferred from one course to another within your institution will be recorded as still studying with you. Students who have transferred to another provider will be recorded as having left without completing. If you have large numbers of such students you may wish to reference this in any contextual information you publish with your data.
20. If you do not have the relevant HESA or ILR data because this is the first year you have been required to return your data to HESA or the ILR, you will not be required to publish your completion and attainment data. In subsequent years, as this data becomes available, we will deliver it to you as described in paragraph 19.
21. With respect to the requirements for attainment data, it is not necessary for you to report this by the applicant cohort. The attainment data required is in respect of the number of students who attained a particular degree or other academic award, or a particular level of such an award, on completion of their course with the provider in the year in question. Therefore, we will give you attainment information from the HESA student record or the ILR for the latest cohort for which it is available.

22. From April 2020 the OfS will provide completion data for those students that entered and completed in 2018-19 (i.e. those completing after one year or less). Please note that we will only count as completed those students who have completed the course or programme for which they were originally registered or one of an equivalent or higher level (e.g. a student registered for a first degree in one subject but transferred to a different first degree course at the same provider which was then completed). We will not count those students who withdraw from their course or programme before it was completed and leave with a lower level award (e.g. a student who registered for a first degree but withdrew after one year and was awarded a Certificate of Higher Education).

## **Breakdown by student characteristics**

23. You will need to break down all of the information for UK students on applications, offers, acceptances, registrations, completions and attainment by the characteristics listed in the transparency information condition which are:
- a. The gender of the individuals to which they relate
  - b. Their ethnicity
  - c. Their socioeconomic background.
24. Please refer to the technical guidance<sup>6</sup> for further detail on how you should split the data by the specified characteristics. The data collection tool will include the relevant characteristics for your direct applicants, and, if you use the UCAS system, the UCAS data extract will provide the breakdowns for you. When reporting such data you need to minimise the risk of individuals being identified. You, we, UCAS and others will need to comply with the General Data Protection Regulation 2018 with regard to data disclosures.

## **Socioeconomic background**

25. While a student or applicant's gender and ethnicity can be reliably and directly extracted from application and administrative (HESA/ILR) data, in most cases, individualised measures of socioeconomic background are not as straightforward.
26. In view of the need to ensure that you can derive the information from the most readily available, reliable and robust data sources, we will base the breakdown for socioeconomic background on the Index of Multiple Deprivation. This is a postcode-based measure and necessarily a proxy for socioeconomic background rather than a direct measure, but you should be able to readily access postcode information for all applicants. Please see the technical guidance<sup>7</sup> for more information.

## **Publication of the transparency information**

27. You will need to publish your aggregate data on an easily accessible area of your website. A link to the relevant area on your website where the data is situated should be prominently displayed either from your home page or your admissions page. The OfS will carry out checks

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<sup>6 7</sup> Available at: [www.officeforstudents.org.uk/publications/guidance-for-providers-on-submitting-the-transparency-return-2020/](http://www.officeforstudents.org.uk/publications/guidance-for-providers-on-submitting-the-transparency-return-2020/)



on provider websites to ensure that the information has been published and is easily accessible.

28. You must publish the data as it appears in the publication tables the OfS provides. This is to ensure that the transparency information is consistently presented across all providers. Each of the tables will have summary data at the top with the detail underneath. You should publish the summary data from each of the tables directly on the webpage and then provide a link to a downloadable document which contains the complete dataset.
29. It will be for you to determine what explanatory information you wish to publish alongside the transparency information. However, all providers should publish the following introductory text:

**The information published on these pages shows:**

The number of applications for admission onto recognised, undergraduate higher education courses that we have received from UK-domiciled applicants.

The number of offers we have made in relation to those applications.

The number of those offers accepted and the number of those who have registered with us.

The number of those students who registered with us who have completed their course.

The number of students who attained a particular degree or other academic award, or a particular level of such an award, on completion of their course with us.

It also shows these numbers by reference to:

- The gender of the individuals to which they relate
- Their ethnicity
- Their socioeconomic background.

It is important to note that the data presented has not been contextualised. This means, for example, that you will not be able to see from this data how many of those applying to courses met the entry criteria. It is also the case that universities and colleges will often receive many more applications than they have spaces on courses and so offer rates will necessarily be lower than application rates in those circumstances.

30. We recognise the importance of providing a relevant contextual narrative alongside the data which allows the transparency information to be considered within the broader circumstances of the provider. But it will be important within this to recognise where the data has highlighted differences, and to explain what actions will be or are being undertaken to address them. You should refer to the commitments you have made in your access and participation plan or your access and participation statement, to improve your provision and support across the student lifecycle.

31. The information you are required to publish is the aggregated numbers in each category. These are not benchmarked. You must not add benchmarked figures to the published tables. Should you wish to publish benchmarked data, such as that produced by UCAS in respect of equalities information, this must be done separately from the transparency information publication tables.

### **How the OfS will use and publish the transparency information**

32. As stated in paragraphs 7 and 8, it is our intention to include the transparency information data in the access and participation dataset and work will take place over 2020 to determine the most effective incorporation and presentation of the information in the dataset. However, this is unlikely to be completed in time to enable us to publish a timely sector view of the transparency information for the 2019-20 data. Therefore, we will publish a report on the transparency information in summer 2020 which is intended to provide a national overview of the information and draw out any key themes that emerge from it.
33. The transparency information condition is a regulatory mechanism that we will use to support our ambitions and priorities for access and participation. The report we publish will therefore reflect the issues of importance to this element of our work.

### **The access and participation dataset and dashboard**

34. The OfS has created and published an access and participation dataset which will be updated each year. The dataset provides both a sector-level and provider-level picture of the challenges in access and participation across the student lifecycle. It also provides greater clarity on how we assess performance across the lifecycle.
35. The dataset consists of a dashboard of data in the form of graphs, supported by access to additional and more granular supporting data. The dataset covers the following stages of the student lifecycle:
- access – profile of higher education entrants
  - continuation – continuation in year following entry
  - attainment – percentage awarded first class or 2:1 degree
  - progression – highly skilled employment or further study at a level higher than the qualification obtained.
36. For each stage of the student lifecycle, the main dashboard shows gaps in access and participation for the following groups:
- POLAR4<sup>8</sup> – gap between quintile 1 and quintile 5 students
  - ethnicity – gap between white and black, Asian and minority ethnic (BAME) students
  - age – gap between young (under 21 on entry) and mature (21 and over on entry) students

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<sup>8</sup> POLAR is an area-based measure of young participation in higher education. For more information, see [www.officeforstudents.org.uk/data-and-analysis/young-participation-by-area/](http://www.officeforstudents.org.uk/data-and-analysis/young-participation-by-area/)

- disability – gap between disabled and non-disabled students
- Index of Multiple Deprivation – gap between quintile 1 and quintile 5 students
- Sex – gap between male and female students
- Free School Meals at key stage 4 (KS4) – gap between those in receipt of Free School Meals at KS4 and those not in receipt of Free School Meals at KS4.

37. The dataset allows users to explore student characteristics in more detail (for example, individual ethnic group and a more granular breakdown of age groups).

38. The dashboard provides an accessible and meaningful picture of the outcomes for different groups of students in universities and colleges. Gaps between different groups that are identified within the dashboard take account, where appropriate, of distributions observed in the underlying UK population as well as the cohort size informing the measure. It clearly shows where universities and colleges are closing gaps and, importantly, where more progress is needed to ensure equality of opportunity and outcomes. It has formed the basis of our discussions with individual universities and colleges on the steps they will take and the targets they will set through their access and participation plans to address any gaps for their students in terms of access, student success and progression to further study or high skilled employment.



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