

Explanation of amendments to the OfS's regulatory framework

Following our consultation on revisions to our publication of information policy,¹ we are making amendments to the regulatory framework, with effect from 30 September 2022.

We have reproduced the relevant sections of the regulatory framework published in February 2018, below. Where our amendments will result in deletion of text from the regulatory framework, this is shown as follows: ~~deleted text~~. Where our amendments will result in the addition of text to the regulatory framework, this is shown as follows: additional text.

Paragraph numbers are those of the regulatory framework.

This document is for information purposes only and does not form part of the regulatory framework.

Content of the Register

71. The Register will provide a single, authoritative reference for students, businesses, providers, other regulators, and members of the public about a provider's regulatory status.

72. The Secretary of State for Education has laid regulations under section 3(6) of HERA² to set out the information that must be contained in a provider's entry in the Register. In addition, the OfS has decided that further information should also be published for each provider in the interests of transparency. Both categories of information are set out in the table below, with those items required by statute identified by an asterisk. We have published a general policy in relation to publication decisions³.

The provider's name*	The legal name and any trading names of the registered higher education provider, including any names granted by, or by virtue of, any Act or Royal Charter.
The provider's unique identifier	The UK Register of Learning Providers assigns a unique UKPRN number to a provider to support the sharing of information about learning providers with government departments, agencies, learners, and employers. This number helps to identify individual providers correctly and will be included on a provider's Register entry.
The provider's contact details*	An address, email address, and telephone number at which the provider may be contacted. An address at which the provider carries on its activities, or which is the provider's principal place of business or which is otherwise suitable for the service of documents on the provider.

¹ See www.officeforstudents.org.uk/publications/consultation-on-publication-of-information-about-higher-education-providers-analysis-of-responses-and-decision/.

² The Office for Students (Register of English Higher Education Providers) Regulations 2017 (SI 2017/1196), which are available at <https://www.legislation.gov.uk/uksi/2017/1196/made>.

³ See www.officeforstudents.org.uk/publications/regulatory-advice-21-publication-of-information/.

The address of the provider's website*	The address of the principal website maintained by, or on behalf of, the provider. A link between the OfS Register and the provider's website will enable Register users to check that they are looking at the correct provider and to find further information about a provider's activities.
The provider's legal form	<p>The provider's legal form, for example whether it was created by Royal Charter, Act of Parliament, or as a company limited by shares or by guarantee.</p> <p>Whether the provider is an exempt or registered charity and a link to information about its charitable status on the provider's website.</p>
The category in which the provider is registered*	This information allows users of the Register to understand the regulatory requirements placed on a provider and the provider's eligibility for public grant funding, student support funding, and a Tier 4 <u>student</u> sponsorship licence.
The general ongoing conditions of registration applied to the provider	<p>The general ongoing conditions of registration that apply to the provider will be listed, together with information that shows any current breach of any of these conditions.</p> <p>Any general ongoing conditions of registration that have been dis-applied for the provider under section 5(6) of the Higher Education and Research Act 2017 will be listed.</p> <p>A link to explanatory text for each condition will be included.</p>
A link to the provider's access and participation plan, where a plan is in place*	The Register will state whether the provider has an access and participation plan in place and the period for which the plan is in place. Such plans should be easily accessible to students and prospective students on the provider's own website. The Register will include a link to the plan on the provider's website.
A link to the provider's access and participation statement, where a statement is in place	The Register will state whether the provider has an access and participation statement in place. Such statements should be easily accessible to students and prospective students on the provider's own website. The Register will include a link to the statement on the provider's website.
The fee limits that apply to the provider*	Section 11 of HERA requires the OfS to publish annually a list of registered providers that have a fee limit condition and the level of that limit. The provider's Register entry will contain information about the fee limits applicable to the provider.
The provider's access to the student support system for its initial teacher training courses	Providers accredited by the Department for Education are able to deliver initial teacher training courses and their students are able to access the student support system. The provider's Register entry will <u>confirm whether this is the case.</u> contain this information.

<p>A list of the provider's courses that provide access to the student support system, where the OfS has determined that approval on a course-by-course basis is desirable for that provider</p>	<p>The OfS may determine that access to the student support system should operate on a course-by-course basis for a provider. In these circumstances, the Register entry for the provider will contain the list of approved courses.</p>
<p>The outcome of any assessment of quality and standards undertaken for the provider by the DQB</p>	<p>The OfS may ask the designated quality body (DQB) to assess, <u>or make arrangements for an assessment of,</u> the quality and standards of the provider. The outcome of such assessments will be published on the Register.</p>
<p>The <u>provider's TEF eligibility and outcome</u> outcome of the provider's entry in the TEF</p>	<p>The Register will state whether the provider has met the eligibility criteria to take part in the Teaching Excellence and Student Outcomes Framework (TEF) and will contain the provider's current TEF rating(s) <u>outcome.</u></p>
<p>Any specific ongoing conditions of registration applied to the provider</p>	<p>Any specific ongoing conditions of registration that have been applied to the provider will be listed, together with an explanation of the reasons that these have been applied unless the OfS considers it inappropriate to do so.</p>
<p>Any sanctions applied to the provider</p>	<p>Information will be published about any sanctions applied to the provider. This information will be published after the provider has completed any appeal process and remain available until the sanction is withdrawn. The OfS will maintain a summary of sanctions that it has previously applied over the last three years</p> <p><u>Any decision to impose a sanction on a provider, including information about a provisional decision to impose a sanction in circumstances where the OfS has published information about an investigation that led to the provisional decision.</u></p> <p>A monetary penalty – including the amount of the penalty and the reason for it.</p> <p>Suspension of registration* – section 16 of HERA requires the Register to state that a provider's registration is suspended during any suspension, to show the limits of that suspension, and the end date for the suspension. The reason for the suspension will also be included.</p> <p>De-registration of the provider* – section 18 of HERA requires the OfS to maintain a list of deregistered providers and to publish this,</p>

	<p>together with any transitional and savings provisions. This list of deregistered providers does not have to be on the Register. In most cases, information about a provider's de-registration and reason for this will be published in the OfS's historic records, after a final decision has been made and any appeal process has concluded.</p>
<p>Any transitional provisions to 'teach out' a provider's students after the provider has been deregistered</p>	<p>When the OfS deregisters a provider, it may make a transitional or saving provision, which means treating the provider as though it were registered for a transitional period.</p> <p>Transitional and savings provisions may include any arrangements to teach out students registered with the provider at the date of its deregistration and to allow such students to continue to access the student support system until the end of their course. In these circumstances, the provider's deregistration and reason for this will be published on the Register for the duration of the teach out period.</p>
<p>Any authorisation for the provider to grant degrees*</p>	<p>The Register will include information about whether the provider has degree awarding powers and, if so, what type of powers it has and, where relevant, the period for which they have been granted.</p>
<p>Variation of authorisation to grant degrees*</p>	<p>The OfS has powers to vary a provider's authorisation to grant taught awards and research awards. The OfS will publish information on the Register about any variation in the provider's authorisation to grant degrees and the reason for this.</p>
<p>Revocation of authorisation to grant degrees</p>	<p>The OfS has powers to revoke a provider's authorisation to grant taught awards and research awards. When a provider remains registered after the revocation of such powers, the OfS will publish the timing and reasons for the revocation on the provider's entry on the Register.</p> <p>When a provider is deregistered after the revocation of such powers, it will no longer appear on the Register and information about the revocation will be recorded in the OfS's historic records.</p>
<p>Recognised awards*</p>	<p>The Register will identify whether awards granted by the provider have been designated by the Secretary of State or the OfS under section 214(2)(c) of the Education Reform Act 1988 (c).</p>
<p>The provider's validation arrangements*</p>	<p>The Register will identify where a provider has entered into validation agreements, which is where the courses of a provider without degree awarding powers are awarded by another provider with degree awarding powers.</p>

<p>The provider's subcontractual arrangements</p>	<p>The Register will include information relating to a provider's subcontractual arrangements. A lead provider may subcontract teaching of some or all of a course to a delivery provider or to another organisation. The lead provider remains responsible for the students studying at the delivery provider. The Register entry for the lead provider will include information about those providers delivering its courses under subcontractual arrangements.</p>
<p>The provider's right to use 'university' in its title*</p>	<p>The OfS has powers to authorise the use of 'university' or 'university college' in a provider's title. The OfS Register will state whether the provider has this right and, if so, when and how the right was granted.</p>
<p>Revocation of authorisation to use 'university' or 'university college' in the provider's title</p>	<p>The OfS has powers to revoke authorisation to use 'university' or 'university college' in a provider's title.</p> <p>When a provider remains registered after the revocation of such authorisation, the OfS will publish the timing and reasons for the revocation on the provider's entry on the Register. When a provider is deregistered after the revocation of such authorisation, it will no longer appear on the Register and information about the revocation will be recorded in the OfS's historic records.</p>
<p>A link to the provider's entry on the Home Office's Register of licenced sponsors, where the provider holds a Tier 4 sponsor licence</p> <p><u>Information about any Home Office student sponsor licence</u></p>	<p>The Register will link to the Home Office's Register of licensed sponsors to show whether the provider has a Tier 4 licence to recruit students from outside the European Economic Area.</p> <p><u>The Register will confirm whether the provider holds a Home Office student sponsor licence to recruit students from outside the UK.</u></p>
<p><u>Information about</u> A link to the provider's primary regulator, where this is not the OfS</p>	<p>The Register will include a link to <u>information about</u> the provider's primary regulator where this is not the OfS (for example the ESFA for further education and sixth form colleges). It will also identify those of the provider's general ongoing conditions of registration that are satisfied by evidence provided by the primary regulator.</p>
<p>A link to information designed to support prospective and current students to make informed study choices</p>	<p>The Register is not intended to be the primary place for students to find information about higher education providers and courses. Instead the Register will link to the provider's entry on the <u>Unistats Discover Uni</u> website so that users can find further information about a provider and its undergraduate courses.</p>