

Regulatory advice 13: How to apply for university college and university title

**Guidance for providers about the application
process**

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Enquiries to UT@officeforstudents.org.uk

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Contents

Introduction	3
Section 1: Applying for university college or university title	4
Eligibility requirements	4
Making an application	5
Assessment of an application	5
Outcome of the assessment	6
Section 2: Annexes	8
Annex A: Summary of application process	8
Annex B: How to submit an application for university college or university title to the Office for Students	9

Introduction

1. The Higher Education and Research Act 2017 (HERA) amended relevant legislation to give the Office for Students (OfS) the power to authorise the use of the word 'university' in a higher education provider's name¹. This regulatory advice sets out guidance for providers of higher education in England that wish to use either 'university college' or 'university' as part of their name. It applies to a provider that wishes to make an application on or after 1 April 2019.
2. A higher education provider that is currently authorised to use either 'university college' or 'university' as part of its name does not need to apply to the OfS to retain this authorisation. Such providers are, however, required to register with the OfS².
3. This document provides information to help a provider to understand:
 - a. Whether it is eligible to apply to use either the word 'university college' or 'university' in its name
 - b. What evidence it will need to submit in support of its application
 - c. How its application will be assessed.
4. This guidance should be read in conjunction with the OfS's regulatory framework (OfS 2018.01)³ which sets out in full the approach that we will take to the registration and regulation of providers.

¹ Authorisation from the OfS will normally be needed where a person offering or providing educational services in England intends to use the word 'university' within or by reference to their name. This includes circumstances where, under provisions of the Companies Act 2006, a company has been permitted to include the word 'university' in their registered company name and intends to use the word 'university' without stating the full registered company name.

² More information about the OfS registration process can be found at: www.officeforstudents.org.uk/advice-and-guidance/regulation/how-to-register/.

³ Available at www.officeforstudents.org.uk/publications/securing-student-success-regulatory-framework-for-higher-education-in-england/

Section 1: Applying for university college or university title

Eligibility requirements

5. There are different eligibility criteria depending on whether a provider wishes to apply for university college or university title.
6. A provider **is eligible** to apply for **university college title** if it is a higher education provider that has:

- Registered with the OfS
- Continued to satisfy all of its ongoing conditions of registration
- Obtained degree awarding powers (DAPs) to grant taught awards (other than foundation degree-only DAPs) or research awards and that authorisation is not time limited.

7. A provider **is eligible** to apply for **university title** if in addition it has:

- A number of full-time equivalent higher education students that exceeds 55 per cent of the total number of full-time equivalent students, of which at least 50 per cent must be on courses at Level 6 or above on the Framework for Higher Education Qualifications (the '55 per cent criterion')⁴.

8. A provider is **not eligible** to apply for **university college** or **university title** if any of the following apply:

- It is a provider with time-limited Full DAPs, New DAPs, or foundation degree-only DAPs
- It is a provider that is part of the further education sector (i.e. an English further education provider as defined in section 83 of HERA)⁵

⁴ The method that the OfS will use to calculate students numbers for these purposes is published at: <https://www.officeforstudents.org.uk/data-and-analysis/calculating-student-numbers/>.

⁵ A further education corporation must apply to the Secretary of State to re-incorporate as a higher education corporation before becoming eligible to apply. Guidance on the process of re-incorporating as a higher education corporation is issued separately by the Department for Education and is available from: <https://www.gov.uk/government/publications/transferring-from-the-further-education-to-the-higher-education-sector>. A provider that is not a further education corporation, but is part of the statutory further education sector, would normally need to take any necessary steps to move out of this sector to become eligible to apply.

- It is not the same legal entity as the provider that was assessed for and granted DAPs - university college title or university title can apply only to the provider awarded DAPs, and not to any different entity.

9. All providers are encouraged to discuss the application process for university college or university title with the OfS at an early stage, to ensure that the organisation is eligible to apply and has a clear understanding of the criteria, documentation requirements and assessment processes. The OfS can provide factual information and clarify requirements and the process but cannot provide advice about the content of an individual application and its likely success.

Making an application

10. To apply for university college or university title a provider must make a correct application to the OfS. A provider must submit an application form, setting out whether it is applying for university college or university title and what its preferred name is. Annex B sets out the information required for the application form and how to download and submit the form.

Assessment of an application

11. The OfS will consider its existing risk assessment for the provider in relation to the ongoing conditions of registration to determine the provider's suitability for university college or university title. Where a provider is subject to enhanced monitoring, or has one or more specific ongoing conditions of registration, and the OfS considers these to be relevant, for example because they have been imposed to mitigate increased risk of a breach of an ongoing condition relating to quality, standards, financial viability and sustainability, and management or governance, an application for university college or university title may be less likely to succeed. A provider is not required to submit any additional information in these areas with its application. The OfS may, however, request further information should it deem this necessary.
12. In carrying out an assessment of an application, the OfS will consider all relevant information including advice received, for example, from the designated quality body and other regulators. The OfS will also consider its general duties as set out in section 2 of HERA.
13. A provider must be prepared to engage with the OfS during its assessment and to submit such other information as the OfS may reasonably request in connection with an application. If a provider submits inaccurate or out of date information the OfS's decision may be delayed and it may take action, including refusing an application.

Student number criterion

14. If a provider has applied for university title, the OfS will determine whether it meets the student number requirement. The OfS will normally use data that has already been collected by the Higher Education Statistics Agency (HESA) or the Education and Skills Agency (ESFA)⁶. A provider is not required to submit additional evidence to demonstrate that this criterion is met

⁶ More detail on the method the OfS will use to calculate students numbers for these purposes is published at: www.officeforstudents.org.uk/data-and-analysis/calculating-student-numbers/.

with its application. The OfS may, however, request further information should it deem this necessary.

Proposed name

15. A provider is not entitled to any particular name. In considering an application for university college or university title, the OfS is legally obliged to have regard to the need to avoid names that are, or may be, confusing, for example, if the name proposed is very similar to another registered provider or business.
16. The OfS will consult on the provider's proposed new name and assess the extent to which the proposed name is confusing or misleading. The type of consultation undertaken by the OfS and the number and type of organisations targeted by the consultation will vary depending on the context of the provider. A provider is not required to submit any additional information about its proposed name with its application. The OfS may, however, request further information should it deem this necessary.
17. The OfS will only approve a name that it considers not to be, or have the potential to be, confusing or misleading. Should a proposed name be considered to be confusing or misleading, a provider will be invited to choose a different name on which the OfS will then consult.

Outcome of the assessment

Successful applications

18. If a provider's application is successful, the OfS will write to it, inviting it to formally change its name. The process for this differs depending on a provider's legal form. Most providers will be able to change their name in their own governing documents, and change their name with Companies House if this is necessary.
19. If a provider is a chartered body or has a Private Act it must follow the relevant procedures to change its name. The specific requirements relating to changes to such governing documents are likely to vary, and providers that remain subject to any Privy Council oversight should contact the Privy Council Office⁷.
20. Where a provider is obliged to register or change a business or company name with Companies House, a non-objection letter to the use of the word 'university' in the new name or within the provider's governing documents will be provided. A provider should submit this letter to Companies House alongside the request to use the sensitive word 'university'. Further information on the process for incorporating a company and choosing a company or business name is set out in guidance published by Companies House⁸.

Unsuccessful applications

21. If a provider's application is unsuccessful, the OfS will write to it setting out:

⁷ More information about the Privy Council Office is available at: <https://privycouncil.independent.gov.uk/work-of-the-privy-council-office/>.

⁸ This guidance is available at: <https://www.gov.uk/government/publications/incorporation-and-names>.

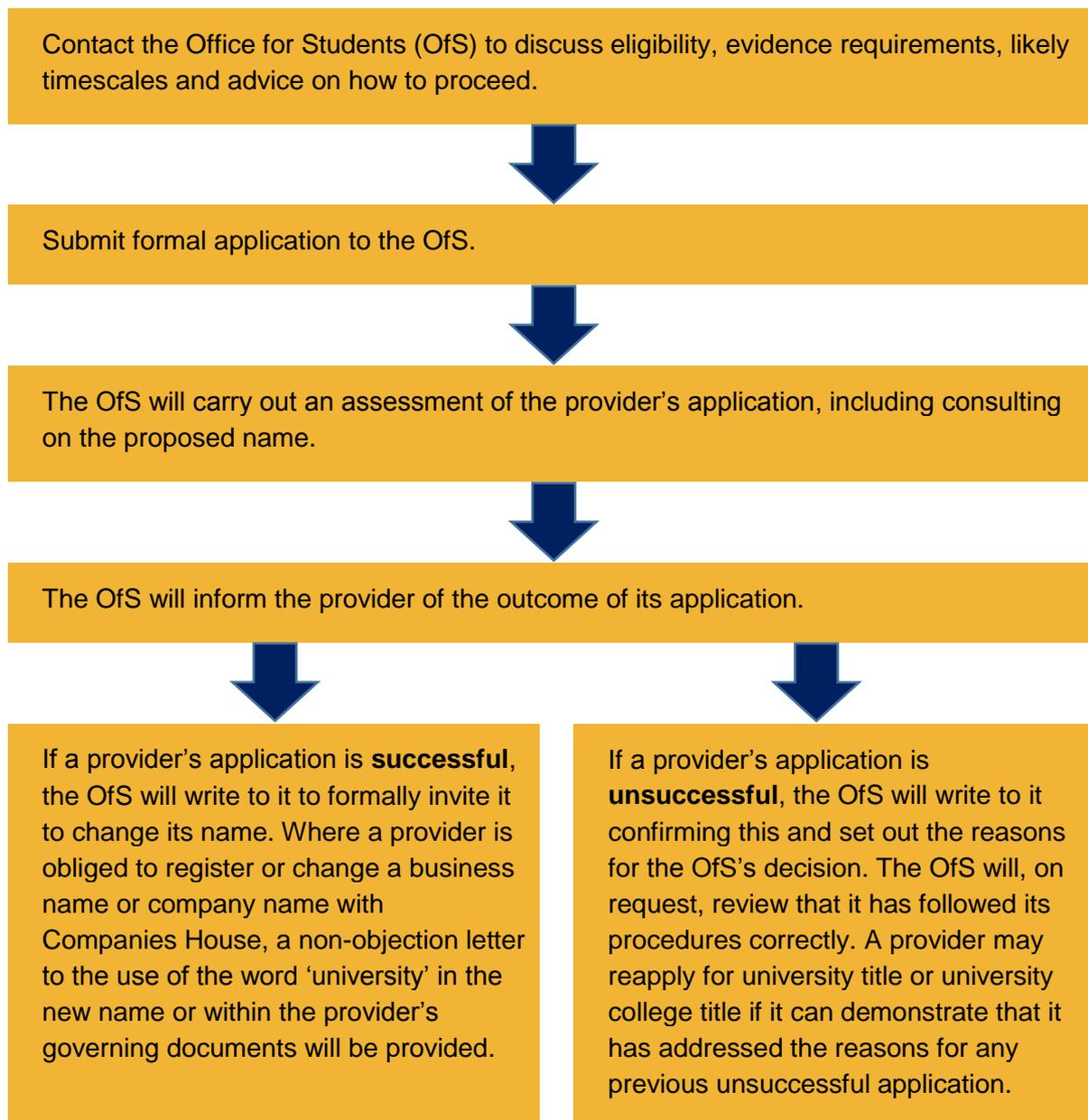
a. The reasons for the decision

b. How the provider can request a review that the OfS correctly followed its procedures.

22. A provider may reapply for university college or university title once it has addressed the reasons for its previously unsuccessful application.

Section 2: Annexes

Annex A: Summary of application process



Annex B: How to submit an application for university college or university title to the Office for Students

This annex provides step-by-step guidance on how to submit your application for university college and university title to the Office for Students (OfS).

Part 1	How do I access the OfS online application portal? <ul style="list-style-type: none">• How to log in to the OfS portal• How to create an account• What to do if you do not have access to the university college and university title section of the OfS portal or have lost your access key
Part 2	How do I download the application form?
Part 3	How do I complete the application form?
Part 4	How do I upload the application form?
Part 5	How do I confirm my application for university college or university title is complete and submit it to the OfS? <ul style="list-style-type: none">• How to confirm your application is complete and submit it to the OfS• How you will know that the OfS has received your application• What happens next
Part 6	How do I submit any supporting evidence requested by the OfS?

Part 1: How do I access the OfS online application portal?

1. All applications for university college and university title must be submitted to the OfS via the online application portal. The login page for the portal can be accessed at <https://extranet.officeforstudents.org.uk/Data>. This is same portal that you will have used when you applied to register with the OfS.
2. To access the portal you will require an access key. This is the same access key that you were given when you applied to register with the OfS. If you require assistance accessing the portal please contact UT@officeforstudents.org.uk.
3. To access the OfS portal, you also require an account. If you have used the OfS portal (for example, to apply to register with the OfS) or were previously a user of the HEFCE extranet you will already have an account and can use your existing login details as described in paragraph 4. If you need to create an account please follow the instructions in paragraph 8.

How to log in to the OfS portal

4. To log in to the portal go to <https://extranet.officeforstudents.org.uk/Data> and enter your email address and password.
5. 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.
6. Once you have logged in click on '[University college and university title](#)'.
7. This will take you to the university college and university title section of the portal (shown below).

University college and university title

Welcome to the Office for Students university college and university title application portal.

The portal enables you to:

- Download and complete the [application form](#)
- Confirm your application is complete and submit it to the OfS
- Submit [evidence](#) specifically requested by the OfS

Full guidance on how to use the portal can be found in Annex B of [Regulatory advice 13: How to apply for university college and university title](#).

If you need assistance completing your application please contact UT@officeforstudents.org.uk.

The OfS will not begin to assess your application until you have checked the yellow box below and clicked 'Submit'.

Confirm your application is complete and submit it to the OfS

Once you have uploaded your completed application form and supporting evidence you need to confirm that the application is complete and ready to be assessed by the OfS. You do this by checking the box below and then by clicking on the 'Submit' button.

Once submitted, you will be unable to submit further information unless you contact us to ask to do so. Confirmation of receipt of your application will be provided to you by email – this email is not automatically generated and so there may be a delay between your upload and receiving the email confirmation.

By checking this box and clicking 'Submit', you are confirming that the application for university college or university title for your provider is complete and that the OfS can begin its assessment.

Submit

How to create an account

8. If you have **not** previously used the OfS portal or were **not** previously a user of the HEFCE extranet, please follow these steps to create an account:
 - a. Click on the '[Create account](#)' button on the login page (accessed from <https://extranet.officeforstudents.org.uk/Data>)
 - b. Enter your name and email address and choose a password. Your password must be at least six characters, containing at least one upper case letter, one lower case letter and one number
 - c. Enter the access key in the email sent to you by the OfS
 - d. Click the '[Create account](#)' button
 - e. You will be told whether registration was successful. If you have successfully registered click '[Continue](#)' to navigate back to the login page
 - f. Log in using your registered email address and password.

What to do if you do not have access to the university college and university title section of the OfS portal or have lost your access key

9. If you do not have access to the university college and university title section of the OfS portal or have lost your access key, please contact UT@officeforstudents.org.uk and we will email you the key.
10. Once you have the key, log in to the portal. Click on 'My account' and then 'Activate an access key'. Enter the key and click 'Activate'. You will be told that you have successfully joined the section of the OfS portal.

Activate key

To access an area of the portal, enter your access key exactly as provided in your letter or email.

Access key

- - -

Having problems? Contact portal@officeforstudents.org.uk providing details.

Part 2: How do I download the application form?

11. To download your provider's application form:
 - a. Log in to the OfS portal and click on 'University college and university title'. This will take you to the university college and university title section of the portal
 - b. Click on 'Application form'
 - c. Then click on the 'Download' button at the bottom of the page, selecting 'Save' if prompted
 - d. Save the zip file (compressed folder) onto your system.

University college and university title: Application form

Full guidance on how to use the portal can be found in Annex B of Regulatory advice 13: [How to apply for university college and university title](#).

If you need assistance completing your application for university college or university title please contact UT@officeforstudents.org.uk.

Download the application form

By clicking on the 'Download' button below you can download the application form. When you are presented with a choice to save or open the file, choose **save**.

Upload your completed application form

Once you have completed your application form please upload this by pressing the 'Upload' button below and browsing for the location of your file and then choosing upload. Your file will be processed automatically. Processing the file may take up to a few minutes, depending on how busy the server is.

A 'Success' message will appear on this page below and in the 'History of submissions' section when the document has uploaded successfully.

When the submission process has completed successfully you can save a copy of the application form that has been uploaded. To do this click the 'Result' button and save the file onto your own network.

The OfS will not begin to assess your application until you have confirmed that the application is complete.

Download	Download the files required for University college and university title: Application form
Upload	Upload the files for University college and university title: Application form

12. The zip file contains the following file:

Name of file	Type of file
UTApplicationForm_XXXXXXXXX.xlsx (where the suffix is your provider's 8-digit UKPRN).	Excel file

13. To complete the application form 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.

14. Guidance on how to complete the application form can be found in part 3 of this annex. Guidance on how to upload your application form can be found in part 4 of this annex.

Part 3: How do I complete the application form?

15. The application form is an Excel document. Guidance about how to complete the application form is set out in the table below.

16. Some of the application form will be pre-populated with information that we already hold about your provider.

Application form field	Notes and guidance
Submission of application	This part of the form asks you to confirm that the information you have submitted is accurate and that it is being submitted on behalf of the governing body.
UKPRN	These cells are pre-populated and you will not be able to amend the information. If the information is incorrect, email UT@officeforstudents.org.uk
Legal name	
Trading names	
Contact details for your application for university college or university title	<p>The contact for your application for university college or university title should be someone with whom we can discuss your application, and who is able to:</p> <ul style="list-style-type: none"> • receive and act on detailed guidance about the application process • coordinate the production of the supporting evidence that we require • respond to queries that we may have during the assessment of your application. <p>The contact can be the same individual as your OfS registration contact and where possible we have pre-populated this in the application form.</p> <p>If your contact for your application for university college or university title is different to your registration contact please provide their details.</p>
Are you applying for university college or university title?	<p>Using the drop-down menu please select either:</p> <ul style="list-style-type: none"> • University college • University <p>Guidance on the eligibility criteria can be found in paragraphs 5-9 of this document.</p>
Proposed name	<p>Please include the name that you propose to use if you are awarded university college or university title.</p> <p>Further guidance on this can be found in paragraphs 15-17 of this document.</p>

Part 4: How do I upload the application form?

Note: the OfS will not begin to assess your application for university college or university title until you have confirmed that the application is complete – details of how to do this can be found in part 5 of this annex.

17. When you have completed your application form and are ready to submit it:

- a. Log in to the OfS portal and click on ‘[University college and university title](#)’. This will take you to the university college and university title section of the portal
- b. Click on ‘[Application form](#)’

- c. Then click the 'Upload' button
- d. Use the 'Choose file' button to locate the application form file on your computer or network. If you have selected the wrong file there is an option to cancel the submitted file
- e. Click on 'Upload'.

University college and university title: Application form

Please use the form below to locate files on your computer or network, then select the 'Upload' button.

File to upload

No file chosen

18. A 'Success' message will appear on the page when the document has uploaded successfully.
19. When the submission process has completed successfully you can save a copy of the uploaded application form. To do this click the 'Result' button and save the file onto your own network.

Part 5: How do I confirm my application for university college or university title is complete and submit it to the OfS?

20. Once you have uploaded your completed application form to apply for university college or university title, you need to confirm that the application is complete and ready to be submitted to and assessed by the OfS. To do this:
 - a. Log in to the OfS portal and click on 'University college and university title'. This will take you to the university college and university title section of the portal
 - b. Scroll to the bottom of the screen and tick the confirmation box
 - c. Then click on 'Submit'.
21. This will notify the OfS that your submission has been completed. **Once you submit your application, you should not submit further information unless specifically requested to do so.** For this reason, we suggest that your nominated contact should collate and submit the full application at one time.

Confirm your application is complete and submit it to the OfS

Once you have uploaded your completed application form and supporting evidence you need to confirm that the application is complete and ready to be assessed by the OfS. You do this by checking the box below and then by clicking on the 'Submit' button.

Once submitted, you will be unable to submit further information unless you contact us to ask to do so. Confirmation of receipt of your application will be provided to you by email – this email is not automatically generated and so there may be a delay between your upload and receiving the email confirmation.

By checking this box and clicking 'Submit', you are confirming that the application for university college or university title for your provider is complete and that the OfS can begin its assessment.

Submit

How will you know that the OfS has received your application?

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

What happens next?

23. Once you have submitted your application, the portal will be locked and you will be unable to make changes to your application. This is to ensure that we have an audit trail of your application.
24. We will check that we have all the information we need to assess your application. We will contact you as soon as possible after your submission if we believe any information is missing from your application. If you have any queries about your application for university college or university title please contact us at UT@officeforstudents.org.uk.

Part 6: How do I submit supporting evidence requested by the OfS?

25. You must be prepared to engage with the OfS during its assessment of your application and to submit such other information as the OfS may reasonably request in connection with this.
26. If you are asked by the OfS to provide supporting evidence you will need to upload this via the portal. When you are ready to submit it:
- Log in to the OfS portal and click on '[University college and university title](#)'. This will take you to the university college and university title section of the portal
 - Click on '[evidence](#)'
 - Then click the '[Upload](#)' button

- d. Use the 'Choose file' button to locate the application form file on your computer or network. If you have selected the wrong file there is an option to cancel the submitted file
- e. Click on 'Upload'.

27. Repeat the process to upload further files. There is no limit to the number of files that you can upload.

University college and university title: evidence

The OfS may require additional evidence during its assessment of your application. If you are asked to provide evidence please upload it here.

Full guidance on how to use the portal can be found in Annex B of [Regulatory advice 13: How to apply for university college and university title](#).

If you need assistance completing your application please contact UT@officeforstudents.org.uk.

Upload your evidence

Once you have compiled the evidence required please upload each file by pressing the 'Upload' button below and browsing for the location of your file and then choosing upload. Your file will be processed automatically. Processing the file may take up to a few minutes, depending on how busy the server is.

A 'Success' message will appear on this page below and in the 'History of submissions' section when the document has uploaded successfully.

Repeat the process to upload further files. There is no limit to the number of files that can be uploaded.

This page can be printed as a record of files submitted; the 'History' section below includes the file names, the date and time they were submitted, and whether they were successfully uploaded.

The OfS will not begin to assess your application until you have confirmed that the application is complete.

Upload	Upload the files for University college and university title: evidence
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28. A 'Success' message will appear on the page when each document has uploaded successfully. This page can be printed as a record of files submitted; the 'History of submissions' section below includes the file names, the date and time they were submitted, and whether they were successfully uploaded.

29. If you have difficulty uploading the documents, email UT@officeforstudents.org.uk.



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www.nationalarchives.gov.uk/doc/open-government-licence/version/3/