# Explanation of proposed condition B6

1. In stage 2 of our consultation on the future quality system, we propose in the consultation document (the **'consultation document'**)[1] to introduce a number of requirements through revisions to ongoing registration condition B6. We are publishing a draft revised condition B6 to illustrate how an ongoing condition of registration would reflect these requirements, if we implement them. We are publishing the draft condition for consultation purposes, and may amend it after considering the consultation responses.

2. Below we summarise the requirements of the revised condition. You should read this document in conjunction with proposed condition B6, published alongside it.

3. You should also read this document and proposed condition B6 should alongside our published draft guidance titled 'Draft quality assessment guidance for higher education providers and assessors' (the '**draft guidance**'). The draft guidance provides further information for higher education providers and assessors about how the proposed quality system would operate, and our proposed approach to the draft B6 requirements, if implemented. In case of any inconsistency between the requirements set out in proposed condition B6 and the draft guidance, proposed condition B6 takes precedence.

## Overview of proposed B6 requirements

4. Proposed **condition B6.3** would apply to all registered providers. It sets out that providers must participate in the quality assessment system in accordance with participation requirements listed in the schedule to condition B6.

5. The participation requirements listed at paragraphs 1 to 4 of the schedule would apply to all providers, whether they are subject to a TEF assessment or minimum requirements assessment. We think these requirements should apply to all providers because TEF and minimum requirements assessments give information for students about the quality of provision at providers.

6. Requiring all registered providers to take part in the quality assessment system ensures that students and prospective students have access to accurate information that helps them understand whether a provider meets the minimum quality requirements set in England, and for TEF whether their provider has exceeded these. This contributes positively to student choice.

7. The proposed requirements listed at paragraphs 1 to 4 of the schedule relate to:

    a. Submitting a provider submission by the deadline we specify.

[1] See OfS, 'Proposals for a revised approach to assessing and rating quality'.

b. The need for the provider submission to be accurate and approved by the provider's accountable officer before it is submitted to us. The accountable officer is responsible for the accuracy of the provider submission. We have included this as a requirement under condition B6.3 and the schedule because misleading or inaccurate information may lead us to make an incorrect assessment of the quality of the provider's provision.

c. Submitting any other information or material we require for the purpose of a minimum requirements assessment or TEF assessment.

d. Facilitating and cooperating with any visit to the provider, in accordance with any requirements we specify. We have included further information about assessment visits in Part 5.18 of the draft guidance.

8. We have set out further information about provider participation in Part 2 of the draft guidance. Among other things this relates to requests for submission extension deadlines, page limits, evidence requirements and formatting. You can find further information about the student experience provider submissions and student outcomes submissions in Part 5a and Part 6 respectively.

9. The participation requirements listed at paragraph 5 of the schedule relate to a provider's obligation to facilitate an independent student submission. They would apply to providers being assessed for a TEF rating for the student experience aspect. These requirements relate to:

    a. Nominating a suitable TEF student contact.

    b. Consulting with the TEF student contact at an early stage to identify what support the student contact may require from the provider.

    c. Providing timely and reasonable support for the preparation of an independent student submission.

    d. Ensuring that the student submission remains independent.

10. Our explanation and rationale for requiring providers to facilitate an independent student submission in this way are set out at paragraphs 254 to 263 of the consultation document. Part 5b of the draft guidance provides further information about these requirements, including what we would consider to be a 'suitable' student contact, how a provider may support its student contact and ensuring the independence of the student submission.

11. Proposed **condition B6.4** would apply to all registered providers. It sets out that all providers must publish their current TEF rating ('**rating**'), minimum requirements outcome ('**outcome**') or both, as relevant, and any associated material in accordance with the publication requirements set out at paragraphs 6 to 9 of the schedule.

12. We outline our proposed approach to publication of outcomes by providers at paragraphs 461 to 476 of the consultation document. You can find further information at Part 9.6 of the draft guidance. We think these publication requirements should apply to all providers, so that students and the public have access to accurate and consistent information about quality

across the sector. The proposed publication requirements listed at paragraphs 6 to 9 of the schedule relate to:

a. Publishing current ratings or outcomes for each assessed aspect on relevant course webpages within scope of the assessment that the provider teaches directly, including providing a link to the full assessment outcome on the relevant OfS outcome webpage.

b. Using the standard wording as we specify to describe any unassessed aspects.

c. Publishing ratings and outcomes after OfS publication, and by the deadline we specify.

d. Publishing current ratings or outcomes alongside any other information from a related assessment report that a provider may choose to publish, and not otherwise publishing information from related assessment reports separately from its rating or outcome.

e. Clearly stating the type of provision relevant to the rating or outcome.

f. Using our full definitions of ratings and outcomes when describing ratings or outcomes.

g. Presenting TEF scorecards in the form set out in the relevant assessment report (where providers choose to publish these).

h. Where providers choose to publish all or part of an assessment report, doing so in a way that is not misleading as to the overall findings or outcome.

i. Not publishing any rating or outcome that has been suspended, removed or superseded, or is otherwise no longer current.

j. Using our standardised logos and adhering to guidance on size and presentation. We intend to make standardised TEF logos and associated technical requirements available before the publication of outcomes from the first TEF assessment cycle.

13. Proposed **condition B6.5** would apply to all providers. It would require any provider that holds a Requires improvement TEF rating or an Unsatisfactory minimum requirements outcome in any assessed aspect to improve its performance by the time of its next assessment. Specifically, it would mean the provider must not receive a Requires Improvement TEF rating or an Unsatisfactory minimum requirements outcome in any assessed aspect in its next assessment under the quality assessment system.

14. We describe our proposed approach to this requirement to improve at paragraphs 575 to 582 of the consultation document. While paragraphs 577 to 582 of the document refer to providers that receive Requires improvement TEF ratings, we intend our proposed approach to apply equally to providers assessed as Unsatisfactory, for the same reasons. You can find further information about our approach to this requirement in Part 10.7 of the draft guidance.

15. The proposed improvement requirement in condition B6.5 would not preclude us from finding a breach of another registration condition or taking enforcement action where appropriate. This includes cases where a provider receives a Requires improvement TEF rating or an Unsatisfactory minimum requirements outcome but has not previously been assessed under the quality assessment system, or did not receive a Requires improvement TEF rating or an

Unsatisfactory minimum requirements outcome in any assessed aspect in its previous assessment.

16. Proposed **condition B6.6** would apply to providers that apply for a TEF rating. It requires a provider to submit any information we request for the purpose of calculating recruitment reduction requirements or recruitment limits. We think we should include this requirement as there may be providers whose student entrant population we do not hold enough data about. We set out our approach to calculating the baseline student population in paragraphs 292 to 294 of the draft guidance.

17. Proposed **condition B6.7** would apply to providers that apply for a TEF rating. It would require a provider that receives a Requires improvement TEF rating to reduce the number of students it recruits by 10 per cent year on year for each subsequent year that it keeps the Requires Improvement TEF rating. The requirement would apply from the first assessment cycle under the quality assessment system. You can find further detail about this recruitment reduction requirement at paragraphs 494 to 501 of the consultation document and Part 10 of the draft guidance.

18. Proposed **condition B6.8** would apply to providers that apply for a TEF rating. It would impose a recruitment limit on any provider that receives a Bronze TEF rating in both assessed aspects – or, where only one aspect is assessed, a Bronze TEF rating in that aspect. It would require a provider to limit the number of entrants to courses its Bronze TEF rating covers to no more than the number of entrants to those courses in the year the rating was awarded.

19. The recruitment limit would apply from the provider's second assessment under the proposed quality assessment system or the 2030-31 quality assessment cycle, whichever was earlier. You can find further detail on this requirement, and our rationale for introducing it, at paragraphs 502 to 525 of the consultation document. The draft condition B6 gives effect to the preferred approach described in paragraphs 515(a) and paragraphs 516 to 520 of the consultation document, under which a predefined student recruitment limit would apply automatically to providers that meet the relevant criteria.

20. Proposed **condition B6.9** defines various terms used in the condition. These include the following:

    a. We define 'Academic year' to mean 17 July to 16 July, reflecting the meaning set out for an 'entrant year cohort' in paragraph 56 of Description of student outcome and experience measures used in OfS regulation. We are also considering defining 'academic year' by reference to the meaning of 'entrant year cohort' in that guidance (as amended from time to time), to accommodate any future changes made by the OfS.

    b. We define 'OfS guidance' to mean a separate document or documents that we publish from time to time, which sets out the operational requirements of the quality assessment system. For this consultation, this is the draft guidance document published on 5 November 2026.

    c. We define 'TEF scheme' and 'quality assessment system' as operating from July 2027. This is because we intend the proposed requirements in condition B6 to take effect when the quality assessment system commences, if we implement it as proposed.