

Regulatory notice 7: Application requirements notice

**For further education colleges
not seeking degree awarding powers**

**Notice under section 3(5) of the Higher Education and
Research Act 2017**

Reference: OfS 2026.07

Enquiries to: regulation@officeforstudents.org.uk

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Application requirements notice for further education colleges

Notice under Section 3(5) of the Higher Education and Research Act 2017. The manner and form of an application for Office for Students ('OfS') registration and the information to be contained in it or provided with it.

This notice only applies to further education colleges applying for registration that are not seeking degree awarding powers.

Whereas:

- A. 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 section 3(5) of the Higher Education and Research Act 2017 (HERA) to determine:
 - '(a) the form of an application for registration in the register (or in a particular part of the register),
 - (b) the information to be contained in it or provided with it, and
 - (c) the manner in which an application is to be submitted.'
- B. The OfS has functions which include (but are not limited to) maintaining a register of English higher education providers and assessing registration applications in accordance with section 3(3) of HERA. The OfS must establish and maintain a register (section 3(1) of HERA); the OfS must determine and publish initial registration conditions (section 5(1) of HERA); and the OfS must register an institution if it complies with section 3(3) of HERA.
- C. The OfS may determine different conditions for different descriptions of provider (section 5(2) of HERA).

Therefore:

- D. Under section 3(5) of HERA, any applicant that submits an application for registration in the OfS Register on or after 28 August 2025 (excluding any registered provider that is applying for registration in a different category of the OfS Register) is required to provide to the OfS or any person nominated by the OfS, the Specified Information in the Specified Time and in the Specified Manner, and
- E. The information contained in the application or provided with it must be accurate.

Definitions

1. **“Specified Information”** means the information set out in the column ‘Specified Information’ of the table at Schedule 1 of this Notice and in accordance with clause D of this notice.
2. **“Specified Time”** means the deadline for provision of the Specified Information as set out in the column ‘Specified Time’ of the table at Schedule 1 of this notice.
3. **“Specified Manner”** means:
 - a. an application for registration by an applicant must not be submitted within 12 months of it receiving notification of a final decision from the OfS to refuse registration to the applicant (or an applicant that is either the same entity or a new entity operating substantially the same higher education business as the previous entity), where that final decision was made in respect of a registration application submitted on or after 1 January 2026; and
 - b. the Specified Information must be provided to the OfS or any person nominated by the OfS in the manner set out in the column ‘Specified Manner’ of the table at Schedule 1 of this notice.
4. **“relevant individuals”** has the meaning given in condition E9.10, and ‘Relevant Individual’ (where referred to in this notice) has a corresponding meaning.
5. **“control”** has the meaning given by section 1124 of the Corporation Tax Act 2010, and **“change of control”** means a change in control so defined. Where two or more entities or individuals, by agreement or practice, exercise their rights in a coordinated way, with the result that they together have control so defined, each will be treated as having control of the provider. A provider is required to notify the OfS of any change in the individual(s) or entity(ies) who have control of the provider.
6. **“Further education college/s”** refers to a further education corporation, a sixth-form college corporation, or a Designated Institution established or designated under the Further and Higher Education Act 1992.¹ Collectively, these are referred to as further education college/s.

¹ See GOV.UK, [Further and Higher Education Act 1992](#).

Schedule 1 Part A

Element of registration	Providers this is applicable to	Specified information	Specified time	Specified manner							
General	All providers	The OfS's registration application form which includes the following sections:<table><tr><th>Provider details</th></tr><tr><td>Application details</td></tr><tr><td>Subcontractual arrangements</td></tr><tr><td>Validation arrangements</td></tr><tr><td>Named roles</td></tr><tr><td>Shareholders</td></tr><tr><td>Directors and trustees</td></tr></table>	Provider details	Application details	Subcontractual arrangements	Validation arrangements	Named roles	Shareholders	Directors and trustees	To be submitted with application	Via the OfS Portal ²
Provider details											
Application details											
Subcontractual arrangements											
Validation arrangements											
Named roles											
Shareholders											
Directors and trustees											
Use of sensitive term 'University' or 'University College'	Any provider proposing to be registered with a name containing 'University' or 'University college' in its business, or trading, name, under the Companies Act are sensitive terms	A letter of non-objection from the Department for Education to use of this sensitive term in the provider's business/trading name ³	To be submitted with application	Via the OfS Portal							

² Unless otherwise stated, we cannot accept links to documents instead of submissions of documents because they do not constitute a reliable record of the information we will use in our assessment. They may be moved, updated or broken over time.

³ The process for seeking this letter is as described in government guidance, '[Use of university, polytechnic and higher education in business and company names \(other than for university and university college title\)](#)'.

Element of registration	Providers this is applicable to	Specified information	Specified time	Specified manner
General	All providers	A diagram showing the provider's corporate structure and ownership. The diagram should: - include all legal and beneficial owners of the provider (direct and indirect) including the ultimate beneficial owner, whether individuals or corporate entities - include any trusts with ownership interests (direct or indirect) in the provider together with an explanation of what ownership interests the trust has and the nature of the trust, including whether it is owned by any other legal or natural person and who its beneficiaries are - illustrate the provider's position alongside its parent and subsidiary undertakings (where it has these), as defined by the Companies Act 2006 - include other entities that fall under a common parent undertaking to the provider applying to be registered - illustrate the relationship between all individuals and entities shown.	To be submitted with application	Via the OfS Portal
General	All providers	A completed investigations declaration form (Appendix 3)	To be submitted with application	Via the OfS Portal
A1	Providers applying in the Approved (fee cap) category that will, if OfS registration is granted, have, at some point in the 4 years after registration, students registered to them on courses subject to the	- An access and participation plan that meets the information requirements set out in OfS Regulatory notice 1⁴ - Supporting information about fees, targets and investment as set out in OfS Regulatory notice 1	To be submitted with application	Via the OfS Portal

⁴ OfS, [Regulatory notice 1: Access and participation plan guidance](#).

Element of registration	Providers this is applicable to	Specified information	Specified time	Specified manner
	regulated undergraduate tuition fee regime and intending to charge higher fees			
B7	All providers	• A quality plan explaining, for each of the requirements in conditions B1, B2 and B4, the provider's plans and processes for achieving compliance, with supporting evidence. The quality plan and supporting evidence must meet requirements set out in Annex G of Regulatory advice 3⁵ • Detailed supporting evidence which demonstrates how each element of the condition will be satisfied, as set out in Annex G of Regulatory advice 3⁶ • An itemised list of each piece of supporting evidence submitted as set out in Annex G of Regulatory advice 3⁷	To be submitted with application	Via the OfS Portal
B8	All providers	Provider information form in the template provided at Annex I of Regulatory advice 3 ⁸	To be submitted with application	Via the OfS Portal

⁵ OfS, [Regulatory advice 3: How to register with the Office for Students](#).

⁶ OfS, [Regulatory advice 3: How to register with the Office for Students](#).

⁷ OfS, [Regulatory advice 3: How to register with the Office for Students](#).

⁸ See B8 provider template at: [Regulatory advice 3: How to register with the Office for Students](#).

Element of registration	Providers this is applicable to	Specified information	Specified time	Specified manner
B8	All providers	- Final or draft course documentation which will be determined from the information submitted by the provider in the provider information form on the template in Annex I of Regulatory advice 3⁹ - Where a provider has delivered or is delivering courses that are intended to be provided if registered, and there is evidence of student achievement in relation to those courses, evidence of student achievement in assessed work and associated records of this achievement must be submitted in line with Annex H of Regulatory advice 3	This information will be requested by the OfS when the provider is referred for a quality and standards assessment. The OfS will write to the provider to advise what information should be submitted. This information is to be submitted within five working days of the OfS's request.	Via the OfS Portal
B7, B8	Any provider that is referred for a quality and standards assessment as part of the assessment of its registration application	Proof of payment, by the agreed deadline, of the fee for the OfS's quality and standards assessment	Providers will need to provide this when referred for a quality and standards assessment. The OfS will write to the provider to confirm when it requires this. Proof of payment is to be submitted within ten working days of the OfS's request.	Via the OfS Portal
C5	All providers	Template contract(s) that set out terms and conditions for the provision of higher education and any documents which form part of those contracts. This must include all the following that apply to the provider's circumstances:	To be submitted with application	Via the OfS Portal

⁹ See B8 provider template at: [Regulatory advice 3: How to register with the Office for Students](#).

Element of registration	Providers this is applicable to	Specified information	Specified time	Specified manner
		• template contract(s) between the provider and any students it will teach • template contract(s) between other parties and any students the provider will teach. This includes: – template contract(s) between students the provider will teach and any other higher education provider, where the provider seeking registration is delivering higher education on behalf of that provider (for example, through a subcontractual arrangement) – relevant extracts of template contracts between apprentice or other employer-sponsored students and their employer where there are specific terms and conditions related to the higher education that will be delivered by the provider seeking registration • template contract(s) between the provider and any students that will be taught by another party on the provider's behalf • template contract(s) between other parties and students that will be taught by those parties on the provider's behalf. These template contracts must include terms related to any tuition fees payable and any additional costs that may apply (including but not limited to additional fees to re-sit exams). • Any template contracts (including terms and conditions) between a student and the provider for the following ancillary services or facilities (where the provider offers these and there is a separate contract that students are required to sign):		

Element of registration	Providers this is applicable to	Specified information	Specified time	Specified manner
		– library services – disability support packages – scholarships – accommodation – sports facilities. • A policy (or policies), including those of partner providers if applicable, relating to the circumstances in which the provider may make changes to: – courses (including changes to material components or content of a course, changes to subjects offered and course closure) – qualifications to be awarded (including circumstances where a validating partner has withdrawn validation) – modes of study (including full-time, part-time, online and hybrid provision, and including measures to address the needs of specific student groups, including accessibility needs) – teaching location and facilities (including closure of a campus, building or other facilities, and including measures to address the needs of specific student groups, including accessibility needs) – course fees and other related fees or charges (for example, additional fees to re-sit exams). • Complaints process(es) related to the provision of higher education – where there are different processes for different categories of student, all must be submitted • A policy (or policies) that set out the terms for refund and compensation for higher education students and the policy/policies of any partner providers that set out the		

Element of registration	Providers this is applicable to	Specified information	Specified time	Specified manner
		terms for refund and compensation for higher education students • A completed initial condition C5 declaration form (see Appendix 1) • A completed initial condition C5 submission checklist (see Appendix 2).		

Schedule 1 Part B

Providers this is applicable to	Specified Information	Specified time	Specified manner
All providers	Any of the following matters: - Any change to the identity of any Relevant Individual at the provider according to the definition in initial condition E9 - The legal entity applying for registration ceasing to exist - A merger of the provider with another registered or unregistered higher education provider - A change to the provider's legal or beneficial ownership - A change of control of the provider - A change in the provider's legal form - Amendments to the governing documents submitted by the provider in connection with its registration application - An acquisition by the provider of another entity - A notification to the provider of the opening of an investigation of the provider or any Relevant Individual at the provider by, or on behalf of, any awarding organisation, awarding body, professional body, regulatory body, funding body, statutory body, enforcement body, public body or other higher education provider. (This includes but is not	After submission of the provider's registration application and prior to the OfS making a final decision about the provider's registration application, and within 28 working days of the provider becoming aware of the Specified Information	Via the OfS Portal

Providers this is applicable to	Specified Information	Specified time	Specified manner
	limited to any notification to the provider that a third party is investigating the provider in relation to a possible fraud, financial irregularity or the inappropriate use of public funds, or that a third party has made a finding that the provider has committed fraud) j. The provider resolving to cease carrying on its business principally in England k. The provider resolving to fully or substantially cease providing higher education, or if it was applying for registration as a provider in prospect, resolving to no longer provide higher education in future l. A notification to the provider that its awarding organisation or awarding body is to withdraw from the arrangement m. Termination of a partnership arrangement, whether in the UK or internationally. Establishment of a new partnership arrangement, whether in the UK or internationally n. For a provider with a legally binding obligation of, or which otherwise receives, financial support underpinning its financial viability and sustainability, the withdrawal of the obligation or that financial support (including as a result of a change of ownership or control of the provider, even where the new owner will offer a similar obligation or financial support), or an adverse change in the counterparty's financial position or other standing that could affect its suitability as a counterparty o. Any notification from a provider's external auditor that it has concluded that the provider is not a going concern, or any assessment by the provider's trustees or directors that the provider is not a going concern p. Any material change to the information contained in the quality plan which explains for each of the requirements in conditions B1, B2 and B4 what the provider's plans and processes are for achieving compliance with each requirement in accordance with initial condition B7.		

Appendix 1: Initial condition C5 declaration form

Please place an X in the relevant box.		YES	NO
In a context that directly or indirectly relates to the provision of education and Ancillary Services , has your provider been subject to adverse findings under any of the matters listed from a. to d.	a. non-compliance with Consumer Protection Law , as found by a UK court or Competent Authority ;	☐	☐
	b. offering, granting, or promoting a qualification that: - could be mistaken for a degree from a UK university or college, and - is either called a degree, or claims to give the holder the title of bachelor, master, or doctor¹⁰	☐	☐
	c. failure to comply with a Secretary of State direction to change a company name ¹¹	☐	☐
	d. use of a name which gives a misleading indication about the activities of a business ¹²	☐	☐
If you have answered 'yes' to any of the above questions, please provide further details below. This should include a summary of the circumstances and, where relevant, any mitigations that have been put in place following the adverse finding. Please note: if the answer is 'yes' to any of the above questions, unless the provider can otherwise demonstrate that it has addressed any issues related to the offences to the satisfaction of the OfS, the provider will not satisfy the requirements of initial condition C5.			

¹⁰ See GOV.UK, [section 214\(1\) of the Education Reform Act 1988](#).

¹¹ See GOV.UK, [section 76\(6\) of the Companies Act 2006](#).

¹² See GOV.UK, [section 1198 of the Companies Act 2006](#).

Appendix 2: Initial condition C5 checklist

I confirm that I have submitted the following documents:	
Template contract(s) that set out terms and conditions for the provision of higher education and any documents which form part of those contracts, including terms related to any tuition fees payable and any additional costs that may apply (including but not limited to additional fees to re-sit exams)	Choose at least one the following options (and all that apply): ▪ I have submitted template contract(s) between my provider and any students my provider will teach ☐ ▪ I have submitted template contract(s) between other parties and any students my provider will teach (select as appropriate): ○ template contract(s) between students my provider will teach and any other higher education provider, where my provider is delivering higher education on behalf of that provider (for example, through a subcontractual arrangement) ☐ ○ relevant extracts of template contract(s) between apprentice or other employer-sponsored students and their employer, where there are specific terms and conditions related to the higher education that will be delivered by my provider ☐ ▪ I have submitted template contract(s) between my provider and any students that will be taught by another party on my provider's behalf ☐ ▪ I have submitted template contract(s) between another party and students that will be taught by that party on my provider's behalf ☐ Please include document names and any additional information you consider to be relevant: Click or tap here to enter text.
Template contracts (including terms and conditions) between students and my provider for the provision of ancillary services or facilities (where my provider offers these and there is a separate contract that students are required to sign)	Library services Choose one of the following options: ▪ Yes ☐ ▪ My provider does not offer these services (or they are offered by a third party on my provider's premises) ☐ ▪ My provider offers these services but there is no separate contract that students are required to sign ☐ Please include document names and any additional information you consider to be relevant: Click or tap here to enter text.

	Disability support packages Choose one of the following options: ▪ Yes ☐ ▪ My provider does not offer these services (or they are offered by a third party on my provider's premises) ☐ ▪ My provider offers these services but there is no separate contract that students are required to sign ☐ Please include document names and any additional information you consider to be relevant: Click or tap here to enter text.
	Scholarships Choose one of the following options: ▪ Yes ☐ ▪ My provider does not offer these services (or they are offered by a third party on my provider's premises) ☐ ▪ My provider offers these services but there is no separate contract that students are required to sign ☐ Please include document names and any additional information you consider to be relevant: Click or tap here to enter text.
	Accommodation Choose one of the following options: ▪ Yes ☐ ▪ My provider does not offer these services (or they are offered by a third party on my provider's premises) ☐ ▪ My provider offers these services but there is no separate contract that students are required to sign ☐ Please include document names and any additional information you consider to be relevant: Click or tap here to enter text.
	Sports facilities Choose one of the following options: ▪ Yes ☐ ▪ My provider does not offer these services (or they are offered by a third party on my provider's premises) ☐ ▪ My provider offers these services but there is no separate contract that students are required to sign ☐

	Please include document names and any additional information you consider to be relevant: Click or tap here to enter text.
Policy (or policies) relating to the circumstances in which my provider may make changes to: ▪ courses (including changes to: material components or content of a course, changes to subjects offered and course closure) ▪ qualifications to be awarded (including circumstances where a validating partner has withdrawn validation) ▪ modes of study (including full-time, part-time, online and hybrid provision, and including measures to address the needs of specific student groups, including accessibility needs) ▪ teaching location and facilities (including, closure of a campus, building or other facilities and including measures to address the needs of specific student groups, including accessibility needs) ▪ course fees and other related fees or charges (for example, additional fees to re-sit exams)	Yes ☐ Please include document names and any additional information you consider to be relevant: Click or tap here to enter text.
Complaints process(es) related to the provision of higher education – where there are different processes for different categories of student, I have included all of these in my submission	Yes ☐
Policy (or policies) that set out the terms for refund and compensation for higher education students	Choose at least one of the following options (and all that apply): ▪ I have submitted the refund and compensation policies of my provider ☐ ▪ I have submitted the refund and compensation policies of another higher education provider ☐ ▪ I have submitted other refund and compensation policies ☐ Please include document names and any additional information you consider to be relevant: Click or tap here to enter text.
Completed initial condition C5 declaration form	Yes ☐

Information about submission requirements for condition C5

Providers must submit the required documents, even where a provider seeking registration is not yet in operation, not yet delivering higher education, or does not register any students when it submits its application to register with the OfS, but it intends to do so if registered.

In making our assessment, we will consider the contracts, policies and process documents your provider uses in its relationships with students. We have set out detailed information about the documents you will need to submit in the application requirements notice.¹³

You will also need to make a declaration about:

- findings of non-compliance with consumer protection law
- other relevant adverse findings
- undertakings accepted by consumer protection enforcement bodies
- outstanding applications for enforcement orders made by consumer protection enforcement bodies.

We have provided a declaration form at Appendix 1 of Annex A: 'C5 declaration form'.

In compiling your application documents, you should make sure they comply with the requirements of OfS initial condition C5, including the OfS prohibited behaviours list.¹⁴

Separately to the requirements of the condition, you should make sure your documents comply with consumer protection law. The Competition and Markets Authority (CMA) has previously published guidance for higher education providers to support legal compliance.¹⁵ You may also find it useful to refer to the CMA's general guidance for traders to make sure you keep up to date with changes to legislation.¹⁶

You will also be required to subscribe to (and cooperate with the requirements of) the Office of the Independent Adjudicator for Higher Education's (OIA) complaints scheme under ongoing condition C2 if you are successfully registered. We note that CMA guidance for higher education providers indicates that complaints procedures are more likely to comply with legal requirements where they follow the OIA's Good Practice Framework (GPF).¹⁷ You should be aware that 'fairness' is one of a number of principles in the GPF and the OIA may separately review your documents against its principles. If your provider already subscribes to the OIA's complaints scheme, the OIA may have previously considered your documents. Please be aware that the OfS's review of your documents and our judgement against initial condition C5 is independent from any view the OIA may have taken (or may take in future) about your documents, including any view taken by the OIA in relation to its own fairness principle.

¹³ See OfS, Annex A: Application requirements notice at [Supporting documents](#).

¹⁴ See OfS, [Regulatory framework for higher education in England](#).

¹⁵ See GOV.UK, [Higher education: consumer law advice for providers](#).

¹⁶ See GOV.UK, [Consumer rights and issues](#).

¹⁷ See OIA, [Good Practice Framework](#).

Submitting additional contextual information alongside mandatory documents

You may use the text boxes provided in this submission checklist to provide additional information about any of the documents you are submitting. Where you consider the space provided is insufficient, you may submit further information separately. Any additional information must:

- be clearly labelled as supporting information for initial condition C5
- not seek to justify the non-submission of mandatory information
- not seek to justify the inclusion of provisions in student-facing documents that would otherwise be contrary to any of the provisions set out in the OfS prohibited behaviours list.

Providers in subcontractual partnerships or delivering employer-sponsored provision

Where your provider does not intend to charge fees to any students if successfully registered, you must still submit all the required documents. This is relevant to the following providers in particular:

- providers that intend only to provide higher education via a subcontractual partnership
- providers that intend only to deliver higher education as part of an apprenticeship or other employer-sponsored provision.

To meet the submission requirements, you will need to submit documents for your provider and of other higher education providers or organisations connected with your provider's higher education provision where they are charging fees. This only applies to documents related to the charging of tuition fees, as follows:

- template terms and conditions for the provision of higher education and any documents which form part of those contracts, including terms related to any tuition fees payable and any additional costs that may apply
- policies that set out the terms for refund and compensation for higher education students.

You will be responsible for the submission of these documents so you may need to liaise with your partners in preparing your submission.

In a subcontractual partnership, if your provider considers the lead provider's documents do not comply with the requirements of initial condition C5, you should seek to address this with your partners before submitting your application.

If you are seeking registration and intend to deliver apprenticeship or other employer-sponsored provision you will need to submit relevant extracts of template contracts between students and their employer. Relevant extracts are specific terms and conditions related to the higher education that will be delivered by your provider. We will not assess these contracts, but we will use them to check that any content in your provider's documents (or other published information) is consistent with information provided to students by their employer.

Appendix 3: Investigations declaration form

Investigations into the provider

In the 60 months preceding the date of the provider's OfS registration application, has your provider been subject to any investigation, by or on behalf of, any of the bodies listed in the table below?

	Please place an X in the relevant box.	
Type of body conducting the investigation	Yes	No
Awarding organisation	☐	☐
Awarding body	☐	☐
Professional body	☐	☐
Regulatory body	☐	☐
Funding body	☐	☐
Statutory body	☐	☐
Enforcement body	☐	☐
Public body	☐	☐
Other higher education provider	☐	☐

In the 60 months preceding the date of the provider's OfS registration application means:

- any investigation that was concluded within the 60 months preceding the date of the provider's OfS registration application (regardless of when it was opened)
- any investigation that was opened within the 60 months preceding the date of the provider's OfS registration application and is not yet concluded, that is, is still open or where the outcomes are still pending.

If you have answered 'yes', please provide further information for each investigation into the provider as follows.

For any investigation into the provider, a brief description of the scope including subject matter of the investigation as notified to the provider by or on behalf of the investigating body. This should also include information about the organisation or body that carried out the investigation and when it was carried out.

For any investigation into the provider that has been concluded, a brief description of the scope including subject matter of the investigation as notified to the provider by or on behalf of the investigating body. This should also include information about the organisation or body that carried out the investigation and when it was carried out, the outcomes or

findings of the investigation, including any sanctions or penalties applied, and any actions taken by the provider in response. Include even if no findings were made.

For any investigation into the provider that is not yet concluded (where it is still open or where the outcomes are still pending), a brief description of the status of the investigation.

Investigations into individuals

Please note that you should not include any information that may identify any individuals. If you answer 'yes' to this question, the OfS will be in contact to request further details.

Please place an X in the relevant box.	Yes	No
Are there currently any open investigations into any relevant individuals ? The meaning of relevant individuals is defined in condition E9.	☐	☐

I, the nominated accountable officer, declare that the information provided above is true and correct to the best of my knowledge.

Name of provider:

Name of nominated accountable officer:

Signature:



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