

Reforms to OfS registration requirements

Part 3: Analysis of consultation responses and decisions on proposals to change registration application requirements

Reference: OfS 2025.50

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Publication date: 21 August 2025

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Some of the abbreviations used in this document

APP: Access and participation plan

DAP: Degree awarding powers

DfE: Department for Education

HERA: Higher Education and Research Act 2017

LLE: Lifelong Learning Entitlement

OfS: Office for Students

Summary of decisions

1. In this document, we set out and explain the decision of the Office for Students ('OfS') to make changes to the requirements for a registration application. These changes will set out clearly for providers seeking a registration, the information that they need to submit at each stage of the process. The changes are also intended to provide incentives for providers to submit registration applications that are complete and high quality.
2. In February 2025, we set out proposals to change entry requirements for providers seeking registration, which included changes to the requirements for the registration application (the February consultation). In this consultation we proposed introducing a section 3(5) notice under the Higher Education and Research Act 2017 (HERA). This notice would clarify the application requirements and establish a resubmission restriction window for providers who were refused registration.¹ This was intended to allow us to focus our resources on registering providers that are well-prepared and meet our regulatory requirements increasing the overall efficiency of our registration processes.
3. We also proposed strengthening the financial information required from a provider seeking registration. Specifically, we proposed that applicants submit detailed financial scenario planning, commentary and mitigation plans to enhance our understanding of how a provider would remain financially viable and sustainable and updated financial and student numbers tables with commentary towards the end of a registration assessment. In addition, we proposed requiring the disclosure of any investigations into the provider which had taken place in the preceding 60 months, and provision of updated corporate structure diagrams and audited statements to enhance our understanding of the provider's governance and operational context.
4. In response to our proposed changes to our registration processes, we received 13 responses. Broadly these responses supported the intent of our proposals, with some feedback provided on specific elements of our proposals. We have reviewed all the responses, alongside other evidence including feedback from our consultation events, and after further policy consideration we have decided to continue with the majority of the proposals as set out in the consultation document. We have made some changes and Table 1 contains a summary of our decisions.

¹ See section 3(5) at [Higher Education and Research Act 2017 - Section 3](#).

Table 1: The OfS's decisions – Part 3 of the consultation

Proposal	Decision
1: To determine requirements for registration applications under section 3(5) of HERA	<p>We have decided to implement the section 3(5) notice. We have made consequential changes to the notice to reflect decisions made on conditions C5 and E7, E8 and E9 as set out in the other parts of this consultation, and to improve clarity. These are:</p> <p>An additional reporting requirement: We have included an additional requirement for providers to report any material changes to their business plans or quality plans that occur during the registration process.</p> <p>A clarification to the C5 section of Schedule 1 Part A: We have clarified that, in addition to apprentices, providers must also submit relevant extracts of template contracts with employer-sponsored students.</p> <p>Amendments to the investigations declaration form: We have made minor amendments to the declaration form in the notice appendices to allow a provider to inform the OfS of any actions it has taken in response to the outcomes or findings of investigations.</p> <p>Application form improvements: We have streamlined the application form to reduce potential sources of duplication, simplify the information required and enhance the control of personal data. A new 'yes/no' tick box has also been added to the investigations declaration form, asking whether any live investigations are ongoing into relevant individuals.</p>
2: Information about financial viability and sustainability and corporate structure	We have decided to implement this proposal. Please see the individual decisions below.
2a: Financial scenario planning with commentary and mitigation plans	We have decided to implement this proposal with no changes.
2b: Requiring updated financial and student numbers tables with commentary towards the end of a registration assessment	We have decided to implement this proposal with no changes.
2c: Requiring audited financial statements during the registration application	We have decided to implement this proposal with no changes.
2d: Diagram showing corporate structure and ownership	We have decided to implement this proposal with no changes.

Proposal	Decision
3: Submitting information about historical and current investigations	We have decided to revise the proposed requirement for investigations into relevant individuals to be disclosed. We will no longer require information regarding investigations into individuals that have concluded within the preceding 60 months. However, we have decided to add a 'yes/no' tick box to declare if there are any ongoing investigations into any relevant individual. We have decided to implement the rest of the proposal relating to investigations opened or closed into providers within the preceding 60 months.
4: Reporting specified matters that affect an application to register	We have decided to include an additional specific matter, requiring providers to inform the OfS of material changes to their business plans or quality plans. Other than this addition, we have decided to implement this proposal as originally set out.
5: Fixed-term resubmission restriction for registration refusals	We have decided to implement this proposal with a change to the timeframe made in response to consultation feedback. The resubmission restriction period has been reduced from 18 months to 12 months.

5. These new registration requirements will apply to new applications for registration received by the OfS on or after 28 August 2025, with the exception of the fixed-term resubmission period which will come into force for applications made on or after 1 January 2026. For the avoidance of doubt, however these requirements will not automatically apply to any application by a registered provider for registration in a different category of the OfS Register. Where a registered provider is seeking registration in a different category of the OfS Register, we will establish the application requirements for applications to change category of registration by issuing a bespoke notice issued to the relevant provider under section 3(5) of HERA.
6. We have provided further detail about the changes we have made in the rest of this document.

Decision on Proposal 1: To determine the requirements for a registration application under section 3(5) of HERA

7. We proposed making a decision under section 3(5) of the Higher Education and Research Act 2017 (HERA), to establish certain requirements for an application for OfS registration.² Under our proposal, if a higher education provider's registration application did not comply with these requirements, it would be refused. This would change the existing registration approach where the information that providers must submit is set out in guidance only. We proposed that the requirements would include:
- The proposed documentation and information to be submitted as part of a provider's initial application for registration, and during the course of the registration process. Where we proposed new submission requirements that were in addition to those set out in our existing registration guidance, these are explained in detail below on our decision on proposals 2 and 3 and in the decisions on proposals for new initial conditions C5 and E7 (E8 and E9) set out in our consultation documents.³ The proposed notice that would contain all requirements is attached as Annex A.
 - A proposed list of matters that a provider must report to the OfS during the registration process to ensure that the information submitted remains materially up to date. The detailed proposed requirements are set out in our decision on Proposal 4.
8. We also proposed to increase the pre-application support offered to providers, recognising that some providers may benefit from an opportunity to discuss their upcoming application and ensure that they have fully engaged with, and understood, the OfS's requirements in detail. This would be achieved through a pre-application virtual meeting.

Consultation questions

1a. Do you agree or disagree with the proposal that the OfS should issue a decision under section 3(5) of HERA, which would establish the requirements for an application for OfS registration? Please give reasons for your answer.

1b. Do you have any comments on the proposed section 3(5) Notice set out in Annex A of Part 3 of this consultation?

1c. Do you agree or disagree that the proposed pre-application support would be beneficial to a provider applying for OfS registration? Please explain why.

1d. Do you support any of the alternative options we have set out in Part 3, Annex C, Proposal 1, or do you have any other proposals? If so, please explain and provide reasons for your view.

² See Section 3(5) at [Higher Education and Research Act 2017 - Section 3](#).

³ See [Consultation on reforms to OfS registration requirements - Office for Students](#).

Decision

9. We have therefore decided under section 3(5) of HERA, to issue a notice which will establish certain requirements for an application for OfS registration. The final section 3(5) notice that sets out these requirements can be found in Annex A.
10. We have however made limited consequential changes to the section 3(5) notice. These changes are in response to further decisions made elsewhere in this consultation and to improve clarity.
 - a. Addition of a new specific matter to the reporting requirements concerning material changes to a providers business plans or quality plans during the registration process.⁴
 - b. Clarification under the C5 section of Schedule 1 Part A to require provision of relevant extracts of template contracts with other employer-sponsored students, in addition to apprentices.⁵
 - c. We have made amendments to the investigations declaration form in the notice appendices. These changes:
 - i. remove the investigations into relevant individuals' part of the form. (However, we have added add a 'yes/no' tick box to declare if there are any live investigations into relevant individuals).
 - ii. provide an opportunity for a provider to inform the OfS of the actions it has taken in response to outcomes or findings from investigations.
 - d. We have amended the application form to streamline the information required, reduce potential sources of duplication and further ensure that personal data is appropriately controlled. To support this, the application form has been divided into two parts: Application Form 1, which includes provider details, application details, subcontractual arrangements, and validation arrangements; and Application Form 2, which includes named roles, directors and trustees, shareholders, and a link to the privacy notice. We have also removed the previous 'corporate information' tab, to remove a source of duplication as the majority of this information we can now ascertain from the corporate structure diagram outlined in Proposal 2.

Respondents' views

Key themes

11. There was broad general support for the proposal to issue a decision under section 3(5) of HERA, which would establish the requirements for an application for OfS registration. Of the nine respondents who commented, seven respondents agreed, one respondent had no opinion or was unsure and one respondent disagreed.

⁴ The rationale for this is outlined in the response for Proposal 3 of Part 2 of the consultation. See [Consultation outcomes: Reforms to OfS registration requirements - Office for Students](#).

⁵ The rationale for this is outlined in the response and decision for Proposal 6 of Part 1 of the consultation. See [Consultation outcomes: Reforms to OfS registration requirements - Office for Students](#).

12. From the qualitative comments in the consultation survey responses, the consultation events and written and oral feedback received by sector bodies outside of the survey, the following themes emerged:
- a. **Clarity:** Respondents broadly felt that the proposal clarifies the requirements for submission of an application.
 - b. **Support for providers:** Respondents welcomed the proposed pre-application support for providers and indicated that this support could help positive application outcomes (with fewer errors during the process as a result of having a greater understanding of the requirements).

Other views

13. One respondent was unclear why a section 3(5) notice was required, as they thought the conditions of registration should already serve the purpose the notice is trying to achieve. However, feedback from some other respondents was that the notice makes the requirements clearer for providers to prepare their registration application.
14. One respondent commented that the 28-day period to submit representations following a provisional refusal decision is too short.
15. In relation to provider support, a number of specific comments were also made:
- a. One respondent stated that they would like to see a named, personal adviser from the OfS alongside the pre-application support (which would mirror the named contact approach used once a provider has joined the register) and an inbox that is checked daily for providers to ask questions regarding the process.
 - b. One respondent thought that pre-application meetings should be set up at the applicant's request to provide an opportunity to ask questions.
 - c. One respondent suggested that it would be beneficial for specific guidance to be produced for particular groups of providers that are likely to register, such as those that may be affected by the Department for Education's (DfE's) proposals on franchising in higher education and also those that may wish to seek OfS registration as part of the Lifelong Learning Entitlement.
 - d. One respondent suggested that the OfS should bring together roundtables of providers who have completed the registration process to support any review of further guidance and information.
 - e. One respondent suggested that information should be published on how long it has taken providers to previously achieve registration and also degree awarding powers. They suggested this would support providers' business planning.

Our response

16. We note that the majority of respondents agreed with the proposal and several respondents stated that the notice makes the requirements clearer for providers. The proposed increase in pre-application support has also been welcomed by respondents.

Relying on conditions of registration rather than a section 3(5) notice

17. The key aim of the section 3(5) notice is to better equip providers to understand and submit the correct information to fulfil our application requirements. This is because we frequently receive applications that do not follow the registration guidance, which means we need to engage with the provider, sometimes repeatedly, to obtain the information we need to conduct our assessment. If key information is missing, we may be unable to assess whether a provider has met the initial conditions of registration. This can lead to delays for the provider and to our registration processes more generally that could adversely impact other applicants. The section 3(5) notice makes clear what information we need to assess an application, including whether the initial conditions of registration are met. We are also required under our general duties to have regard to the need to use our resources in an efficient, effective and economic way. We believe that using the section 3(5) notice will enable us to:
- i. quickly and efficiently reject registration applications which do not contain all the information we require
 - ii. prioritise our resources on those providers that do submit applications that fulfil our information submission requirements.
18. We have chosen this approach as it creates a clear list of our requirements in one place, with a clear process for how we will proceed to swiftly reject applications where providers have not addressed deficiencies within a defined timeframe.

28-day period for representations is too short

19. 28 days is the minimum period specified in section 4 of HERA for representations in response to a refusal of registration decision.⁶ If there are circumstances that prevent a provider from providing representations within this period, the provider can seek an extension and the OfS would consider any such request on its merits. Therefore, we are not amending this proposal.

Provider support

20. Providers seeking registration will typically have a named registration assessor who would likely be a provider's point of contact throughout the registration process. Providers will also be offered a pre-application virtual meeting, to signpost the provider to our registration guidance and all registration requirements, including the section 3(5) notice, and give the provider an opportunity to ask questions. We propose that this meeting would be offered either when a provider asks for it, or proactively by the OfS when a provider submits an access key request (if the provider has not already asked for the meeting by that stage). Providers can also submit questions by email to regulation@officeforstudents.org.uk and this inbox is checked at least daily.
21. Regarding the suggestion that the OfS should create roundtables to engage with providers when reviewing our guidance and information, we will consider appropriate feedback mechanisms for when the guidance is next updated. We do however continuously learn from feedback obtained from providers during the process and from our own experiences to inform the need to update the guidance.

⁶ See [Higher Education and Research Act 2017 - Section 4](#).

Publication of indicative timescales

22. We already publish indicative timescales for the registration process and for obtaining degree awarding powers in Regulatory advice 3 (registration)⁷ and in Annex D of Regulatory advice 12 (degree awarding powers).⁸ We encourage providers to consider these pieces of regulatory advice when developing their business plans to plan their timetables accordingly.

Request for further guidance for Lifelong Learning Entitlement (LLE) providers and subcontractual providers (franchising)

23. All providers that seek OfS registration must meet the same requirements. Therefore, the registration guidance (Regulatory advice 3) will still be applicable for these providers along with the requirements outlined in the section 3(5) notice. We currently do not have plans to issue further guidance; however, we will keep this under review should requirements for these providers change. Any guidance on how to comply with the initial or ongoing conditions of registration will continue to be available for all types of providers, as the requirements of registration are applicable to all providers.

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

⁸ See [Regulatory advice 12: How to apply for degree awarding powers](#) - Office for Students.

Decision on Proposal 2: Information about financial viability and sustainability and corporate structure

24. For ease of reading, we have split our response to each element of Proposal 2 into its own section.
- a. **Proposal 2a** to require a provider to submit additional financial scenario planning, commentary and mitigation plans as part of its initial registration application.
 - b. **Proposal 2b** to require a provider, during the registration application process, to submit updated financial and student number tables and commentary.
 - c. **Proposal 2c** to require a provider, during the registration process, to submit audited financial statements for any financial years that are completed after the provider's initial submission of its registration application, and before the OfS makes a final decision about the provider's registration.
 - d. **Proposal 2d** to require a provider to submit a diagram showing its corporate structure and ownership as part of its initial registration application.

Proposal 2a: to require a provider to submit additional financial scenario planning, commentary and mitigation plans as part of its initial registration application

Consultation questions

2a.i. Do you agree or disagree with the proposal to require a provider to submit additional scenario planning, commentary and mitigation plans as part of the OfS registration application? Please give reasons for your answer.

2a.ii. Do you agree or disagree that the proposed financial scenario parameters for a provider already delivering higher education provide a realistic challenge to a provider's financial forecasts? Please give reasons for your answer.

2a.iii. Do you agree or disagree that the proposed financial scenario parameters for a provider not yet delivering higher education provide a realistic challenge to a provider's financial forecasts? Please give reasons for your answer.

2a.iv. Do you support any of the alternative options we have set out in Part 3, Annex C, Proposal 2a of this consultation, or do you have any other proposals? If so, please explain and provide reasons for your view.

Decision

25. We have decided to implement Proposal 2a, to require a provider to submit additional financial scenario planning, commentary and mitigation plans as part of its initial registration application. We have decided to implement the proposed scenarios, however we may update these scenarios periodically in line with sector trends (as outlined in the consultation).

Respondents' views

Key themes

26. There was broad general support for this proposal overall, with all but one of the respondents agreeing with the proposal for a provider to submit additional scenario planning, commentary and mitigation plans as part of an application. However, we did receive feedback relating to specific elements, in particular the financial scenarios.
27. From the qualitative comments obtained across the consultation survey responses, the consultation events and written and verbal feedback received from sector bodies outside of the survey, the following key themes were identified:
- a. **Views that the scenarios are unrealistic.** Four respondents thought that the scenarios may be unrealistic. While there was general consensus that the zero-growth scenario was appropriate, some respondents thought the 40 and 80 per cent under-recruitment scenarios were too extreme. Four respondents disagreed that the proposed financial scenario parameters for a provider already delivering higher education provided a realistic challenge to a provider's financial forecasts. For the scenarios that we proposed should require planning, commentary and mitigation plans from a provider that not yet delivering higher education, only two respondents stated that they disagreed.
 - b. **Potential for burden.** Two respondents thought there this requirement could increase burden both for the provider to produce the information and the OfS to assess the information. There was also concern that the one-size-fits-all approach may result in scenario planning that may not be relevant to all providers.
 - c. **Request for flexible planning scenarios.** Some respondents indicated a preference for flexible planning scenarios, such as the creation of a suite of scenarios for providers to choose from.

Other views

28. Some respondents stated that they would like to see further clarification of:
- a. The purpose of the financial modelling and what the OfS would do with the information, including how this may relate to an assessment of condition D.
 - b. The notice period providers would be given to provide financial modelling (noting that providers may need approval through their internal governance mechanisms) and when this information will be required (i.e. is it at the request of the OfS or a provider's judgement on there being a material change?)

- c. For the scenario planning requirement, whether either of the following two scenarios would be counted as ‘already delivering higher education’:
 - i. Where a provider is already delivering higher education through a franchise arrangement?
 - ii. Where a provider is already delivering at Level 4 and 5?

Our response

Whether the proposed financial scenarios are realistic

29. These proposals⁹ were informed by our analysis and modelling of the financial sustainability of the regulated higher education sector in England, which were published in a report in November 2024¹⁰ (and was further updated in May 2025).¹¹ We also considered financial information from a sample of providers that were registered between 2021 and 2024. We found that a significant proportion of these providers considerably under-recruited students and to the levels of the proposed scenarios, therefore we remain confident that these are plausible scenarios that providers may face after registration. We proposed that these figures could be reviewed from time-to-time based on sector trends, so they remain appropriate over time.
30. Three respondents suggested that a range of scenarios should be produced, which would allow providers to select the scenario that is closest to their operating model. We had initially considered a more flexible approach to financial scenario planning. However, we discounted this approach because we think that a more prescriptive approach is necessary to ensure that a provider considers the scale of the real financial risks occurring in the higher education sector. Our analysis of the financial information of a sample of providers showed that the majority of new providers (those that had not previously delivered higher education) under-recruited students approximately by 80 per cent regardless of their size or model. We maintain the view that enabling providers to choose from different scenarios would be likely to mean that they choose easier or less challenging ones than those we have set out in our proposals. We are concerned that more favourable scenarios may not generate a realistic and useful test of a provider’s resilience to risk in the actual financial environment they could experience if registered.
31. Some respondents also felt that providers seeking registration would be best placed to determine the scenarios that they may experience as they will have conducted their own market research. However, as the regulator for the higher education sector we consider that we are well placed to understand trends in the sector through our financial monitoring of all providers operating across the spectrum of the higher education market. We remain concerned that, in our experience, scenario modelling created by providers often only tests minimally challenging scenarios. Both providers’ original student recruitment forecasts and the scenario modelling they undertake are prone to optimism bias, which would undermine the

⁹ See Proposal 2a, Table 2 and Table 3 of [Proposal 2: Information about financial viability and sustainability and corporate structure - Office for Students](#).

¹⁰ See [Financial sustainability of higher education providers in England: November 2024 update - Office for Students](#).

¹¹ See [Financial sustainability of higher education providers in England: 2025 - Office for Students](#).

usefulness of scenario planning data and our insight into how a provider could handle these potential, but credible, threats.

32. However, we recognise that there are certain situations in which providers may not face as severe scenarios as those we have set out. An example could be where a provider is delivering higher education provision on behalf of, or in partnership with, an employer and has a contract with that employer across multiple years that it will provide a set number of students, or the equivalent fee income. We have therefore clarified in guidance that if a provider can provide evidence that the scenario(s) we have specified are unrealistic in the context of its planned higher education strategy, for example that there is a high degree of certainty in achieving its forecasts, we will take this into account in our assessment.
33. A concern was raised that providers that do not have significant cash reserves may be unable to satisfy the scenarios (specifically an 80 per cent reduction in student recruitment for the next three years post-registration for providers not yet delivering higher education) and this could have a greater impact on smaller and more specialist institutions. While we recognise that smaller and more specialist institutions may likely start with a smaller cash base than larger ones, large cash reserves are not the only way that a provider can demonstrate how it would withstand such scenarios. We have clarified in the financial guidance for registration that, in the event of under-recruitment, a provider may for example:
 - a. Decide not to begin enrolment on a course that would be unsustainable under the scenario.
 - b. Explore alternative staffing models or cost-saving measures to continue delivering courses in the scenario.
 - c. Secure additional investment or income from other sources to offset the loss of student fee-related income in the scenario.
34. Setting out the range of actions a provider might take in response to an adverse financial scenario gives us insights into the provider's financial management and mitigation planning. On this basis, we do not believe that smaller and specialist providers would be disproportionately affected by this proposal.

Regulatory burden

35. The English higher education market is currently experiencing a heightened period of financial challenge and will continue to do so in the medium term, with an increasing number of providers forecasting deficits and fewer actual enrolments (than previously forecast). In this context, we consider it is necessary that providers have sufficient management and financial controls in place to navigate these challenges to protect students and safeguard public money against any disruption caused by potential market exit. We therefore consider that it is necessary to require scenario planning to be undertaken and, as explained above, at the specific levels of challenge we have set out in our scenarios, so a provider can demonstrate how it would manage these potential challenges. This would provide important information to inform our assessment of a provider's ability to comply with condition D.

Clarity about what the scenario planning will be used for

36. As we outlined in the consultation, this information will be used as part of our testing to determine if initial condition D has been met, by helping to demonstrate the provider's viability and sustainability. We will also use this information to undertake a risk assessment of ongoing condition D. In light of the financial context of the English higher education sector, we think that it is only possible for us to conclude confidently that a provider will be financially viable for a period of three years and sustainable for a period of five years if:

- it can demonstrate that it can withstand adverse financial conditions **and**
- its financial plans are sufficiently flexible and resilient for it to adapt in the face of such adversity without students being negatively impacted.

Scenario planning will be one factor in our assessment of initial condition D, alongside other financial information and any mitigations a provider would put in place to ensure it remained viable and sustainable in these scenarios.

Notice period for provision of financial modelling

37. The requirement to submit this financial modelling will be outlined within the section 3(5) notice and therefore it would need to be provided as part of a provider's application.

Definition of 'already delivering higher education'

38. A provider that is delivering higher education through a subcontracted arrangement, or delivering courses at Levels 4 and 5 (of the Regulated Qualifications Framework), would be considered to be 'already delivering higher education'. The OfS uses the definition of higher education as defined in Schedule 6 of the Education Reform Act 1988 ('the Act').¹²

Proposal 2b: To require a provider, during the registration application process, to submit updated financial and student number tables and commentary

Consultation questions

2b.i. Do you agree or disagree with the proposal to require a provider, during the registration process, to submit updated financial and student number tables and commentary?

2b.ii. Do you support any of the alternative options we have outlined in Part 3, Annex C, Proposal 2b, or do you have any other proposals? If so, please explain and provide reasons for your view.

¹² See Education Reform Act 1988.

Decision

39. We have decided to implement Proposal 2b, to require a provider, during the registration application process, to submit updated financial and student number tables and commentary.

Respondents' views

40. Respondents all agreed with the proposal to require a provider, during the registration application process, to submit updated financial and student number tables and commentary. Respondents noted that this would provide greater clarity regarding the OfS's expectations of what a provider must produce.

Views regarding the alternative options for Proposal 2b

41. One respondent supported the alternative proposal whereby the OfS 'only requests confirmation of changes'. They thought this would be more efficient and effective for both the applicant and the OfS, and would help to reduce timelines.

Our response

42. We note that there was unanimous support from respondents to the main proposal. We received only one response supporting one of the alternative proposals set out in the consultation (however the respondent also supported the main proposal).
43. We considered whether it would be sufficient to ask providers to confirm, shortly before a registration decision is made, whether there have been any changes to their financial position or forecasts – rather than requiring updated tables and commentary. However, based on our experience it is highly unlikely that there no changes would be needed over a period of almost one year, especially given the current financial challenges we are seeing in the sector. As such, we believe it is both necessary and more transparent to require this information up front, enabling providers to plan accordingly. In the rare case that no changes have occurred, the provider may simply resubmit the original tables meaning any additional burden would be minimal.

Proposal 2c: To require a provider, during the registration process, to submit audited financial statements for any financial years that are completed after the provider's initial submission of its registration application, and before the OfS makes a final decision about the provider's registration

Consultation questions

2c.i. Do you agree or disagree with the proposal to require a provider, during the registration process, to submit audited financial statements for any financial years that are completed after the provider's initial submission of its registration application, and before the OfS makes a final decision about the provider's registration? Please give reasons for your answer.

2b.ii. Do you support any of the alternative options we have outlined in Part 3, Annex C, Proposal 2b, or do you have any other proposals? If so, please explain and provide reasons for your view.

2c.ii. Do you support any of the alternative options we have outlined in Part 3, Annex C, Proposal 2c, or do you have any other proposals? If so, please explain and provide reasons for your view.

Decision

44. We have decided to implement Proposal 2c, to require a provider, during the registration process, to submit audited financial statements for any financial years that are completed after the provider's initial submission of its registration application, and before the OfS makes a final decision about the provider's registration.

Respondents' views

45. There was unanimous agreement with this proposal from respondents. There were, however, a few points raised:
- a. Three respondents questioned if audited accounts should be required or if unaudited accounts could be sufficient. Some respondents identified that a proportion of currently unregistered providers would currently operate under the Companies House small and medium-sized enterprise (SME) schemes; therefore to date they would have been exempt from producing audited accounts. However, another respondent stated that unaudited accounts submitted to Companies House should not be used as there could be concerns about the quality of the accounts.
 - b. One respondent requested aligning financial reporting requirements with those of other regulators such as the Charities Commission or international counterparts, where less information is typically required. They also felt that the requirement to produce audited financial statements could conflict with obligations to other regulators, such as the Charities Commission. They suggested that where a provider could evidence such a conflict, a longer submission deadline should apply.
 - c. One respondent raised concerns that this proposal could slow down a registration application (by requiring a provider to wait for the next year's audited accounts). This view was partly supported by another respondent who added that if the registration process was too long, additional financial years could also be impacted (potentially leading to a longer review timeline).

Our response

Unaudited accounts where a provider has been previously covered by the Companies House SME scheme

46. Audited financial statements are already required within our registration process. We think this is crucial as registration allows providers to access significant amounts of public money alongside other material benefits. We must be assured that providers are financially viable and

sustainable as set out in initial and ongoing condition D and therefore require a provider's finances to undergo external scrutiny. This is also consistent with ongoing requirements that providers must meet after registration. Therefore, we consider that this proposal prepares providers for the requirements of ongoing regulation. We consider that any additional burden of providing audited accounts at the point of registration is appropriate to mitigate risks to public and students' money as it enables more robust assessment of the provider's financial viability and going concern status.

Compliance with other regulatory regimes

47. We have considered whether the requirement to produce audited accounts would create a tension with the requirements of other regulators. We recognise that other regulators may have different timeframes or formats for producing accounts, but have not seen any evidence that complying with the OfS's requirements would prevent a provider complying with the requirements of others. More generally, we expect a provider to submit an application at a suitable time, when it believes it will have ready all the necessary documentation the OfS requires (set out in the section 3(5) notice) and the indicative timelines set out in Regulatory advice 3.¹³
48. However, should a situation arise where a provider is concerned that this OfS requirement would specifically prevent its compliance with a separate existing regulatory requirement that it is subject to, we would encourage the provider to engage with us as soon as this is identified and we would consider any mitigations on a case-specific basis. In view of this, we consider that it is appropriate to continue to implement this proposal.

Concern about registration delays

49. We will always endeavour to process applications in a timely and efficient manner. If we are ready to reach a registration decision before the completion of the provider's next financial year (plus nine months), we will not unduly delay that decision to wait for the next set of accounts. If our registration assessment raises concerns that a provider was not financially viable or sustainable, or this judgement was finely balanced, and a new set of accounts would be available shortly, we may in that scenario wait for the new set of audited accounts to be produced to use these updated accounts to seek relevant assurance. In this scenario, the alternative would be proceeding to a provisional refusal decision on the basis of the previous information, so we consider a delay would be more proportionate.

¹³ See [Regulatory advice 3: How to register with the Office for Students - Office for Students](#).

Proposal 2d: to require a provider to submit a diagram showing its corporate structure and ownership as part of its initial registration application

Consultation questions

2d.i. Do you agree or disagree with the proposal to require a provider, as part of its registration application, to submit a diagram showing its corporate structure and ownership as described in this proposal? Please provide reasons for your view.

2d.ii. Do you support the alternative option outlined in Part 3, Annex C, Proposal 2d of this consultation, or do you have any other proposals? If so, please explain and provide reasons for your view.

Decision

50. We have decided to implement Proposal 2d, to require a provider to submit a diagram showing its corporate structure and ownership as part of its initial registration application.

Respondents' views

51. There was unanimous agreement with this proposal from respondents who answered question 2d.i. No objections were raised by any respondent to this proposal.
52. Respondents commented that this proposal is proportionate and will provide context for the OfS to understand governance structures.

Decision on Proposal 3: Submitting information about historical and current investigations

53. We proposed introducing a requirement, as part of a registration application, for a provider to submit summary information about any 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
 - other higher education provider.
54. This would apply to any investigation opened or concluded within the 60 months preceding the date the provider applied for registration with the OfS.

Consultation questions

3a. Do you agree or disagree with the proposal to introduce a requirement for a provider to submit information about historical or current investigations? Please give reasons for your answer.

3b. Do you think there may be any unintended consequences of adopting this proposal? If so, please explain your answer.

3c. Do you support any of the alternative options we have set out in Part 3, Annex C, Proposal 3 of this consultation, or do you have any other proposals? If so, please explain and provide reasons for your view.

Decision

55. We have decided to implement an amended version of this proposal, removing the proposed requirement to declare investigations into relevant individuals that have concluded in the preceding 60 months. Instead we will be including a new 'yes/no' tick box to declare if there are any live investigations into relevant individuals. We have decided to introduce a requirement, as part of a registration application, for a provider to submit summary information

about any investigation of the provider, by or on behalf of any of the organisations, bodies or providers listed.¹⁴ This would apply to any investigation opened or concluded into the provider within the 60 months preceding the date the provider applied for registration with the OfS.

Respondents' views

Key themes

56. There was general support for this proposal overall, with only one respondent disagreeing. Some respondents had views on specific elements of the proposals.
57. From the qualitative comments in the consultation survey responses, the consultation events and written and oral feedback received by sector bodies outside of the survey, the following key themes were identified:
 - a. **Educational focus.** A small number of respondents stated that the matters should be focused on educational matters and not personal or professional issues, which in their view were not connected to education.
 - b. **Preventing potential providers from applying.** Some respondents noted that the enhanced transparency is beneficial and could mean that applicants with current or historical issues of this nature may be less likely to apply to register (which in their view would be positive).
 - c. **Appropriateness of an investigation into relevant individuals.** A query was raised into the appropriateness of investigations into relevant individuals. Specifically, that this should not include individuals with more than 25 per cent shares in a parent company, unless the historical investigation relates to the provider.

Other views

58. One respondent disagreed explicitly with this proposal. They thought that the requirements were disproportionate, related to an unrealistic period of time and for an unrealistic group of individuals.
59. One respondent asked if investigations by organisations such as The British Council or the Quality Assurance Agency would qualify as being disclosable, noting that significant insights could come from these. The respondent also suggested that it was unclear what the OfS means by professional body, regulatory body, funding body, statutory body, enforcement body, or public body.
60. One respondent stated that the 60-month timeframe may be too long and that there may not be a suitable level of visibility of these matters due to staff turnover and board tenure. One other respondent, however, stated the time period is too limited and should be extended further.
61. One respondent asked what impact there would be on a provider that had been investigated with no adverse findings.

¹⁴ See paragraph 53.

Our response

Appropriateness of an investigation into relevant individuals

62. In terms of the relevance of an investigation (the request to focus on educational issues rather than professional or personal), there may be situations where an investigation into personal or professional matters is relevant. For example, if an individual who is due to be the provider's Chief Financial Officer is under a live investigation for their personal tax affairs, this could be directly relevant when we consider the safeguarding of public funding, and potentially the fitness and propriety of the individual, should a negative finding be found by the investigating body. We therefore maintain the view that there may be situations where an investigation into a relevant individual's professional or personal conduct may be directly relevant to our assessments. We disagree with the view that this should be restricted to educational matters only.
63. During our consideration of the feedback received relating on this matter, we have considered the potential overlap between this proposal's requirement to disclose information about investigations into individuals and the requirements proposed in initial condition E9 (specifically where it relates to fit and proper individuals and the requirement to declare certain investigations or adverse judgements made, particularly around the use of public funds). While we believe the requirement in this proposal is distinct from that in E9, as it focusses not only on individuals but also on the provider seeking registration and potentially covers a wider range of investigations, on further reflection we have concluded that requiring this information again as part of this proposal may lead to duplication for historical investigations and potentially cause confusion for providers between the two requirements.
64. Although, it is important for us to understand any investigations involving relevant individuals, any investigative findings should be disclosed as part of the fit and proper assessment outlined in E9, where they are relevant to an individual's fitness and propriety. As such, we will be amending our approach so that historical investigations into individuals do not need to be disclosed under this proposal. We believe this approach will reduce confusion while still achieving our policy objectives, including the protection of public money and ensuring the fitness and propriety of relevant individuals. In making this change to our proposal, we have had due regard to our general duty (g) as set out in HERA¹⁵ and principles of best regulatory practice. We consider that the approach adopted is targeted only at cases where action is needed.
65. However, we will require providers to indicate on the investigations declaration form whether any relevant individuals are subject to an ongoing investigation. This will be captured via a 'yes/no' tick box, with no further details required at that stage. Should the box be ticked 'yes', the OfS will normally follow up with a request for further information. The purpose of including this box is that it may serve as an indicator of a matter that could become relevant to our fit and proper (FPP) considerations. This is because many (but not all) of the indicative matters outlined in initial E9 condition are focused on adverse findings rather than a live investigation. Where there is an ongoing investigation that has not yet resulted in any findings (whether

¹⁵ See [Higher Education and Research Act 2017 - Section 2 General duties](#).

adverse or not), and where an adverse finding is subsequently made, this could be material to our assessment of the individual's fitness and propriety.

Investigations where a provider has been cleared

66. At the point of application only high-level information is requested and contextual information can be provided by the provider. We require high-level information so that we can consider if an investigation would hold any information applicable to our assessment of the provider's application and ability to meet our initial and ongoing conditions. If a provider had been cleared during the course of an investigation and this information is declared to us, we would likely not require any further information unless we consider it to still be relevant

Clarity on disclosable investigations, types of bodies and relevancy

67. If a provider applying for registration has been investigated in the past 60 months by, or on behalf of, any of the organisations, bodies, or providers we listed, a summary of this investigation must be disclosed to the OfS. If a provider is unsure if an investigation is in scope for this requirement, we encourage the provider to discuss this with us. No provider will be penalised for engaging with the OfS to seek clarity on if a particular investigation should be included in the declaration. We chose not to create an exhaustive list of organisations, bodies or providers to ensure that we did not inadvertently exclude any that may be relevant.
68. In regard to whether an investigation by organisations such as The British Council or the Quality Assurance Agency is disclosable, we proposed that an investigation should be declared if the provider, or relevant individuals, have been investigated, by or on behalf of, a list of bodies outlined in our consultation.¹⁶ While the Quality Assurance Agency and British Council might not constitute one of the listed body types in their own right, if an investigation has been conducted by one of these entities on behalf of one of the bodies within the past 60 months, for example a regulatory or awarding body, then it should be disclosed.
69. We do not agree with the suggestion that the list of organisations, bodies and providers we consulted on is disproportionately long. We maintain the view that investigations by these organisations, bodies or providers may provide insight into how a provider may or may not meet our initial or ongoing conditions of registration. We require minimal information upfront regarding this, this reduces provider burden and allows us to determine if further information is required (in cases where we believe the investigation may hold relevant information). We also allow providers to provide contextual information that may also help us to determine the relevance, or otherwise, of the investigation.

Individuals with more than 25 per cent shares in the parent company

70. While historical investigations into individuals are no longer in the scope of this proposal, we consider that shareholders holding over 25 per cent do have a significant interest in the provider and therefore it is appropriate that these individuals must be fit and proper to safeguard public funding and students' interests. This continues to be relevant to, and will be tested under, new initial condition E9. We also note that Companies House defines an individual with significant control as someone who holds more than 25 per cent of shares in

¹⁶ See [Proposal 3: Submitting information about historical and current investigations - Office for Students, 'What are we proposing'](#).

the company and this also mirrors requirements outlined by the Financial Conduct Authority.¹⁷ We have also considered this matter in relation to Proposal 5 of Part 2 (effective governance) of this consultation¹⁸, where we further state our view that individuals with a 25 per cent stake can exert meaningful control over a provider's strategic direction, governance and financial decisions. We therefore hold the view that excluding them would create a regulatory gap, potentially allowing individuals with substantial influence to avoid scrutiny.

The 60-month time period (and staff turnover)

71. We maintain the view that this proposal is reasonable and appropriate to achieve our aims. Our rationale for this time frame remains unchanged from our original consultation.¹⁹ We would expect providers to retain a record of investigations opened or concluded within this time period, irrespective of board or staff turnover (noting that this requirement is in respect of the provider and relevant individuals at the provider). In relation to the request for a longer timeframe, while a longer time period may give us greater insights, our view remains that 60 months strikes an appropriate balance between the OfS being aware of relevant information and ensuring the information remains relevant and its collection is not overly burdensome. Therefore, we continue to maintain that 60 months is proportionate and note that it is in line with the requirements of similar bodies such as the Financial Conduct Authority, the Charity Commission of England and Wales, and Ofqual.

¹⁷ See [People with significant control \(PSCs\) - GOV.UK](#).

¹⁸ See Part 2 of our response at [Consultation outcomes: Reforms to OfS registration requirements - Office for Students](#).

¹⁹ See paragraph 129 of [Part 3: Proposals for changes to registration application requirements - Office for Students](#).

Decision on Proposal 4: Reporting specified matters that affect an application to register

72. We proposed introducing a requirement to report to the OfS specified matters that may affect a provider's application to register. A provider would be required, during the application process, to inform the OfS of specific events or changes that could affect our assessment of its application.
73. A provider would be required to provide this information within 28 days of the change or event occurring.
74. The full list of matters we proposed can be found in Table 6 of the consultation.²⁰

Consultation questions

4a. Do you agree or disagree with the proposal to require a provider to report to the OfS specified matters that may affect a provider's application to register? Please give reasons for your answer.

4b. We would welcome views on the list of specified matters set out in Table 6. Are there other specified matters you think should be included, or matters listed that should be excluded? Please give reasons for your answer.

4c. Do you agree or disagree with the proposed reporting deadline of 28 days for all the specific matters proposed to be reported to the OfS? Please give reasons for your answer.

4d. Do you think there may be any unintended consequences of adopting this proposal? If so, please explain your answer.

4e. Do you support any of the alternative approaches we have outlined in Part 3, Annex C, Proposal 4 of this consultation, or do you have any other proposals? If so, please explain and provide reasons for your view.

Decision

75. We have decided to implement Proposal 4, requiring reporting of specified matters that affect an application to register.
76. We have also decided to include an additional requirement that a provider must report 'Any material change to its business plan or quality plan, such as a significant change to its business objectives and targets, its planned higher education provision, or its ability to deliver its business or quality plan during the registration period.'
77. The addition of the business plan has been made because of feedback received and in relation to Proposal 3 of Part 2 (Effective governance) of the consultation. The rationale for this addition is outlined in paragraph 78 of our consultation response to Part 2, Effective

²⁰ See Table 6 of [Proposal 4: Reporting specified matters that affect an application to register](#).

governance. We also considered that material changes to a providers quality plan should also be added to this requirement. This is because we recognise that a provider's plans may need to adapt in response to unforeseen changes in the sector, evolving risks or shifts in its ability to deliver its business plan during the registration period. Such changes may have significant consequences on a provider's ability to meet the originally proposed quality and business plans.

Respondents' views

78. There was unanimous agreement with this proposal from respondents. No objections were raised to this proposal, although one respondent disagreed with the 28-day reporting deadline.
79. Respondents stated that the list of matters outlined in Table 6 of the consultation were appropriate.
80. Some respondents commented that this proposal is similar to the expectations already in place for registered providers that require them to submit reportable events, and so the requirement appears to be consistent with the expectations on providers once registered.

Other views

81. One respondent stated that there should be greater flexibility regarding the 28-day deadline, as things could happen which could easily delay a provider's reporting.
82. Two respondents asked for greater clarity about when the 28-day period starts in relation to when a provider became aware of an event occurring. One respondent cited the following example in support of this point:

'If a provider is looking for new investment that could impact the "relevant individuals" or ownership structure, would this be reported within 28 days of the start of this process when the provider knows it is occurring or within 28 days of its completion and therefore providing the ability to provide up to date/final information on the event?'

83. One respondent suggested adding in two additional specific matters that should be reported:
 - Any change of campus or premises where teaching is delivered, or establishment of a new campus or teaching site.
 - A notification to the provider that its accrediting body is withdrawing from its arrangement.

Our response

Commencement of the 28-day period

84. We have updated Regulatory advice 3 to provide further clarity on this matter. Regulatory advice 3 states:

'Where your provider or its owner is planning or can foresee an event or matter that is included in Schedule 1 Part B of the application requirements notice, the event should be reported within 28 days of the matter being "first contemplated" by the provider. "First contemplated" means when the provider first formally discusses its plans or the matter with its

governing body, owners or shareholders, even where details may not be firm. A provider is not expected to report to the OfS when a matter of this kind is first considered or discussed informally by individual office holders.’²¹

85. On the basis of this definition, the 28-day period will commence at the point when it was first discussed by or at the governing body and not held until the point where the transaction is completed.

Requirement to submit within 28 days

86. We consider that this is an adequate timeframe for a matter to be identified and reported. We consider that a provider with sufficient management capability would be able to produce a submission within this timeframe. We also note that the other respondents who made comments in respect of this the timeframe, all agreed that it was reasonable. On this basis, we do not consider that further flexibility is required. We encourage providers to share any relevant matters with us as early as possible. This helps us to understand the impact more efficiently and avoid duplicating assessment activities, which could otherwise lead to delays.

Additional matters to add

87. We agree that the two suggested matters (relating to location of teaching and withdrawal of accreditation) would be materially relevant to our understanding of the provider’s situation and context. We have made a decision to make a further change to this requirement (as discussed in paragraphs 76 and 77 of our decision above) under which a provider must inform us of any material changes to its business plans or quality plans. We consider that these two matters will be dealt with under the additional requirement we are adding.

²¹ See [Regulatory advice 3: How to register with the Office for Students - Office for Students](#).

Decision on Proposal 5: Fixed-term resubmission restriction for registration refusal

88. We proposed that a provider that receives a final decision by the OfS to refuse registration would not be able to submit another application for registration in any category for a minimum period of 18 months. We proposed that this would be achieved through defining the 'manner' of a registration application in a notice issued under section 3(5) of HERA setting out the requirements for a registration application.

Consultation questions

5a. Do you agree or disagree with the proposal to apply a resubmission restriction period to a provider with an application that was previously refused? Please give reasons for your answer.

5b. Is there any other impact of this proposal or potential unintended consequences that we have not considered? If yes, please explain and provide reasons for your view.

5c. Do you agree or disagree with the proposal that the time frame for the resubmission restriction period is 18 months? Please explain and provide a reason for your view.

5d. Do you support any of the alternative options we have outlined in Part 3, Annex C, Proposal 5 of this consultation, or do you have any other proposals? If so, please explain and provide reasons for your view.

5e. We are interested in respondents' views on a 12-month resubmission restriction. Do you think this is a better option than the proposed 18-month resubmission restriction? Please explain and provide reasons for your view.

Decision

89. We have decided to implement proposal 5, to introduce a fixed-term resubmission restriction following registration refusal, in the proposed form. This will be a 12-month restriction (instead of the originally proposed 18-month restriction).

Respondents' views

Key themes

90. Respondents generally agreed with the inclusion of a resubmission restriction period, with only one respondent disagreeing. However, there were mixed views regarding the length of the restriction period, with no general consensus identified in the responses.

91. From the qualitative comments from the consultation survey respondents, the consultation events and written and oral feedback received by sector bodies outside of the survey, the following key themes were identified:
- a. **Time period.** A range of views were provided regarding how long the restriction period should be, ranging from six to 18 months. In response to the survey question that asked explicitly if the restriction period should be 18 months, five respondents disagreed and four respondents agreed.
 - b. **Sliding scale.** Some respondents suggested that a sliding scale should be introduced, based on the potential length of time it may take a provider to rectify any issues identified that led to the refusal decision. For example, it was suggested that it may be possible for a provider to address missing documentation in a couple of months, whereas it may take a provider 18 months or more to address concerns where we have refused registration because the provider did not meet multiple initial conditions of registration.
 - c. **Impact on multiple recruitment cycles.** Two respondents were concerned that an 18-month restriction period would mean that more than one recruitment cycle could be affected, with associated impact on student numbers, financial sustainability and applications for UK Visas and Immigration (UKVI) trusted sponsor status.
 - d. **Impact on subcontractual delivery.** Concerns were raised that there could be significant impact on providers delivering subcontracted provision that may be required to register with the OfS under the DfE's current franchising proposals.²² Under those proposals as consulted upon, providers would need to achieve OfS registration within a specific time period if they wanted their students to continue to access public funding. Respondents suggested that, if these providers were subject to an 18-month restriction period, this could affect student choice and disproportionately affect students from underrepresented groups (who are over-represented in providers delivering subcontracted provision).

Other views

92. One respondent suggested that it would be inappropriate for this proposal to take effect from 1 January 2026 considering the current pause in registration applications and the changes being made across the regulatory framework (including the new registration requirements and the proposed implementation of new initial conditions of registration E7 and C5).
93. One respondent suggested that there should be an appeals process for the restriction period.
94. One respondent suggested that it wasn't clear what would happen to students studying at the provider should the provider's registration be refused and the provider be unable to re-apply during the restriction window. The respondent commented that this may have a serious impact on students' experiences and outcomes.
95. One respondent suggested that there was some subjectivity in the OfS applying the initial conditions of registration and that providers should not be prevented from resubmitting due to a subjective assessment by the OfS.

²² See [Franchising in higher education - GOV.UK](#).

Our response

The 18-month resubmission restriction period: the impact it may have across multiple cohorts and financial viability

96. We have carefully considered the range of views expressed in relation to the length of the resubmission restriction. In proposing a resubmission restriction, our aim was to incentivise providers to submit a well-prepared application that meets our requirements at the outset, and to enable us to focus our resources on providers that have done so. The resubmission restriction was also intended to ensure that a provider has sufficient time to remedy any concerns before reapplying. We remain committed to those aims and think that introducing a resubmission restriction will be important in helping us to achieve them and ensuring that providers have sufficient time to address our concerns.
97. Following consideration of the feedback we have decided to impose a resubmission restriction period of 12 months, rather than the 18 months proposed in our consultation. We note that a provider requiring significant organisational or operational changes following a refusal decision may require significantly longer than 12 months to implement those changes. Conversely, we accept that a provider may be able to address less significant issues in a shorter timeframe. We also recognise the impact an 18-month period may have on a provider's financial viability if it, for example, cannot recruit students for multiple years.
98. We considered a restriction period of six months but think this would not act as a sufficient incentive or, in most cases, be long enough for a provider to fully address issues found and set out in a decision to refuse registration. We think that a shorter period could lead to providers prematurely reapplying with continued shortcomings in their applications, leading to a further registration refusal and restriction, which could negatively impact the efficiency of our registration processes. In our view, 12 months strikes an appropriate balance, while still supporting us to meet the aims mentioned above.

A sliding scale

99. Some respondents suggested a sliding scale approach, whereby the restriction period could be based on the level of changes required by the provider. As we noted in our consultation, we had considered approaches with greater flexibility²³, but we had discounted them for a number of reasons. These included concern that determining the appropriate restriction period for each type or category of application could lead to confusion for a provider and would not be an effective and efficient use of OfS resources. That remains our view.

Impact on subcontractual delivery

100. We recognise that, subject to the DfE's decisions following its consultation, a time limit may be imposed for providers delivering through a subcontractual arrangement to achieve OfS registration so that their students can continue to access student loans. We expect a provider delivering through a subcontractual arrangement, and any provider seeking registration, to submit a full application that meets our requirements if it wants to be registered. We will not compromise on quality or reduce the regulatory requirements for any provider seeking registration. In all cases, it is for the provider to demonstrate how it meets our initial conditions

²³ See [Annex C: Alternative options considered - Office for Students](#).

of registration (and will meet our ongoing conditions of registration) in its registration application.

101. Annex A of the Background and executive summary of final decisions document,²⁴ outlines the matters to which we have had regard in making our decisions on these matters. This includes consideration of the Public Sector Equality Duty and our general duties under HERA.²⁵ We note that providers delivering provision through subcontractual arrangements may serve significant proportion of students from underrepresented groups.

102. Our revised registration requirements will enable us to assess a provider's capacity to:

- effectively manage, oversee and deliver higher education within subcontractual arrangements
- comply with regulatory requirements designed to protect students' interests once registered.

Where a provider's registration application does not demonstrate its ability to meet these expectations, we will refuse registration. This approach aims to limit the growth of providers that would represent poor choices for students. Although subcontractual arrangements can offer alternative routes into higher education for students from disadvantaged or underrepresented backgrounds, such routes only aid equality of opportunity where these students receive a high quality education, and are supported to engage in it fully.

103. Under HERA, if we make a 'minded to refuse' decision for registration, a provider has a statutory 28-day period within which to make representations to us. We feel this period affords the provider an opportunity to address any minor issues and provide information to us, relevant to our decision. Should a provider require a further period in order to submit missing information, it would be our view that the provider was not sufficiently prepared to submit its application and therefore had failed to meet the requirements set out in the section 3(5) notice.

104. Therefore, for the reasons set out above, we have decided to retain a single restriction period. This will provide greater clarity and certainty for providers, reducing any potential confusion which may arise if a non-uniform approach is adopted.

Implementation date

105. In formulating our proposals, we considered the collective impact of the changes proposed. In our consultation, we outlined our view that it is important that providers have time to become familiar with any other changes to our requirements before this consequence of submitting an application that does not meet our requirements comes into effect.²⁶

²⁴ See Annex B of 'Reforms to OfS registration requirements: Background and executive summary of final decisions' at [Consultation outcomes: Reforms to OfS registration requirements - Office for Students](#).

²⁵ See [What does the law say? - Office for Students](#) and [Higher Education and Research Act 2017 - Section 2](#).

²⁶ See paragraph 170 of [Proposal 5: Fixed term resubmission restriction for registration refusals - Office for Students](#).

106. We noted in the consultation document that delaying the implementation of this proposal would enable the OfS to ensure that any other new registration requirements are having the intended effect and producing no unintended consequences before a restriction on resubmission comes into effect. That remains our view. On that basis, we consider that it remains appropriate for this proposal to come into effect on 1 January 2026, so that it applies to any new registration applications made on or after that date.

Appeals

107. We have considered the suggestion that there should be an appeals process. We do not think that a specific appeals process is necessary as there is already a representations process in place for any 'minded to refuse' registration decision.

Impact on students

108. We recognise that a provider seeking registration may already be teaching students through subcontractual arrangements and these students may be impacted if the provider is refused registration. However, it is the responsibility of any provider who applies for registration, whether it is teaching students in subcontractual arrangements or not, to ensure it is able to meet our regulatory requirements. It is for a provider to consider what mitigations it would have in place to protect students should it receive a registration refusal decision.

Subjective assessment

109. We do not agree with the suggestion that providers should not be prevented from resubmitting an application because the OfS's assessment of a registration application is subjective. A provider wishing to access the benefits of registration must register with the OfS. To register, the provider must meet the OfS's regulatory requirements. In determining whether those requirements are met, the OfS must take reasonable decisions in accordance with public law and assess each application carefully, conscientiously and impartially. We have set out in detail in Regulatory advice 3 how we will assess providers applications for registration.²⁷

²⁷ See [Regulatory advice 3: How to register with the Office for Students - Office for Students](#).

Other questions about the consultation

Consultation question

6. Do you have any comments about the impact outlined above that the proposals in Part 3 of this consultation may have on the timeline for a registration assessment?

Respondents' views

110. The potential for increased burden, both on providers seeking OfS registration and the OfS itself was raised by two respondents. They commented that the additional information required through these proposals was likely to have a significant impact on the assessment timeline, unless additional resources are allocated to assessment. They suggested that any delays created because of these proposals could consequently affect a provider's ability to access funding, disrupt business planning and have a negative impact on students' experiences.
111. One respondent asked for clarification, specifically about the expectations and timeframes for subcontractual providers to register. They indicated that subcontractual delivery partners that want to submit an access and participation plan may have a very limited timeframe in which to write their plan and seek OfS registration ahead of the DfE mandated deadline (should the DfE's consultation proposals in respect of franchising in higher education be adopted).
112. One respondent commented that the length of the registration process means that the OfS registration assessors can sometimes change part way through the process and that they can take different views, which can delay the process.²⁸ The respondent added that the delays in achieving registration can mean providers recruit staff before they are needed.
113. One respondent commented that the proposals should apply to all currently registered providers too, to ensure fairness and equality for students across the sector.

Our response

Increased burden and delays to timeline

114. We have considered throughout this consultation the additional burden that some of these proposals may have on providers. While overall we are aiming to increase the efficiency of the process and reduce delays (with most proposals serving to reduce provider burden or clarify requirements), we recognise that there is an element of burden to some other proposals. Where the proposals may increase burden, we maintain it is necessary and proportionate to adopt these proposals given the current and medium-term financial challenges in the higher education sector. We have also considered the burden that these proposals will place on the OfS itself and we have considered that the resourcing required to put these requirements into operation is justified against the additional safeguards these proposals create to ensure that only high quality, credible and financially sustainable providers join the OfS Register. We do

²⁸ This comment was given in response to the sister part of this consultation that focused on effective governance. We are responding to the comment in this section as it specifically relates to registration resources.

not anticipate that these proposals will extend the registration timeline beyond the previously published indicative timeframes.

Timelines for subcontractual delivery providers to register

115. We have not been able to comment in this consultation on whether subcontractual providers will be required to register, and the timeframes for this. This is because these decisions will be made by the DfE following its consultation on subcontractual provision. Our proposals were written to be applicable to all providers submitting new applications for registration. We have, however, considered how our new requirements would apply to subcontractual delivery partners in our responses where appropriate throughout this response.
116. Regarding the specific query raised about the potentially tight deadline for a subcontractual provider to submit an access and participation plan (APP) if the proposals regarding franchised providers are adopted by the DfE. We are unable to comment on the DfE's timeline and consultation outcomes as this information has not been published prior to this consultation response. We note that an APP does not need to be submitted until the provider submits its full application to the OfS, therefore there is no requirement to submit an APP ahead of a registration application.

Registration staffing

117. Although it is true that the registration assessor on a case sometimes changes, we do not share the respondent's view that as a result the timeline for an application may be extended because a new assessor may take a different view on the application. If a registration assessor is required to change, which can be for a variety of operational reasons, there is a detailed handover process to ensure that a new assessor understands the case history and does not duplicate work. Where part of a case is revisited, this is usually due to updated information becoming available that materially impacts our assessment, not a change of assessor.
118. In relation to the comment that providers could recruit staff too early due to the registration timeline, we encourage providers to consider the timelines outlined in Regulatory advice 3 and to determine for themselves when it is appropriate to recruit relevant staff. While we cannot provide business advice to providers, the OfS registration assessor will indicate if they foresee any delays to the application timeline. In our experience, the majority of timeline delays are caused by poor quality applications that require additional back-and-forth dialogue in order to obtain the information required to effectively assess the application. The changes we are introducing are designed to address this.

The proposals should apply to all providers

119. In response to the view that the proposals outlined within this consultation should also be applicable to all providers to ensure fairness and equality for all students, we have already stated in the introduction that we intend to commence work on the ongoing conditions in due course.

Consultation question

7. Do you foresee any unintended consequences resulting from the proposals in Part 3 of this consultation? If so, please indicate what you think these are and the reasons for your view.

Respondents' views

120. Two respondents commented that the proposals, particularly the proposal for a fixed-term resubmission restriction for registration refusals, could have a high impact on providers, specifically on student recruitment and providers' business models. One of the respondents also thought that the complexity of the proposals would increase burden for applicants and could lead to delays in the registration process. This in turn could affect an applicant's business plans and opportunities to access funding opportunities. Consequently, the respondent considered that this could have a negative impact on students' experiences.
121. One respondent suggested that there is a lack of parity between providers that are already registered and those that will be registering under the new initial conditions of registration. The respondent considered that providers that are registered under the new initial conditions are being required to pass a higher threshold. This respondent thought that providers that were already registered should, in future, be subject to ongoing conditions of registration similar to the proposed new initial conditions.
122. One respondent commented that OfS guidance is often lengthy and is not always clear, therefore they considered that if a provider fails to meet the OfS requirements, it could indicate a shortfall in the quality of guidance provided by the OfS.
123. One respondent suggested that the requirement to disclose investigations involving relevant individuals could result in the 'blacklisting' of individuals who may have previously worked at providers that were investigated, but they themselves were not responsible for any wrongdoing.
124. One respondent commented that providers delivering subcontractual provision could be disproportionately negatively impacted by Proposal 5, should the DfE set a fixed time by when these providers would need to achieve OfS registration.

Our response

The impact of the resubmission restriction period (including on subcontractual provision)

125. As outlined in our decision on response Proposal 5, we have taken these views on board and adjusted the length from 18 to 12 months. More information about our reasoning and our response to the range of points about the resubmission restriction period are set out under Proposal 5.
126. In response to the respondent's concern that these requirements create additional burden and could therefore delay providers' plans, our view is that the section 3(5) notice makes it clearer to providers exactly what is required from them ahead of applying for registration. Therefore, it

is for a provider to judge when it is ready to seek OfS registration and can meet the initial and ongoing conditions of registration. We consider that, for a well-managed provider, there should not be any significant delays in providing the relevant information and that where additional requirements have been set, these are justified (as outlined in the relevant parts of our consultation responses).

127. Regarding the impact of the restriction window on providers delivering subcontractual arrangements, we have addressed these concerns in our decision on Proposal 5.

Parity with OfS-registered providers

128. We have considered the views raised by the respondent that these new requirements have the potential to create different standards between providers already OfS registered and those subject to the new registration requirements and initial conditions of registration. We have also considered this further in our response to part 1 of this consultation.²⁹ For this consultation, we have focused on the entry requirements to join the OfS Register and learning from the types of providers that we have seen apply to join the Register in recent years. Since the OfS Register came into force in 2018, we have seen a shift in the types of providers applying. We are seeking to address some risks we have identified by ensuring the new registration process is sufficiently robust to prevent providers that should not be registered from registering and accessing the benefits that come with registration.

Quality of OfS guidance

129. To support the implementation of these proposals, we have released an updated Regulatory advice 3 and we will be updating the regulatory framework to contain advice in line with the updated conditions of registration.³⁰ The section 3(5) notice also makes our regulatory requirements and documentation expectations clear to providers that are seeking registration. Regarding the length of our guidance, we have to ensure that there is adequate information for providers to understand the requirements and we are frequently asked for more information. We accept that this can make guidance lengthy. However, we also maintain that many providers do successfully register with the OfS and have been able to understand and meet our regulatory requirements, therefore our view is that our guidance is comprehensible.
130. However, we welcome feedback and look to update the guidance regularly based on experience. Providers can submit feedback to us by emailing regulation@officeforstudents.org.uk.

Blacklisting

131. We have revised the requirements of Proposal 5 to no longer require the disclosure of historical investigations into relevant individuals. This change is to reduce burden due to the potential for duplication and crossover with the E9 requirements. Disclosure of some information into relevant individuals may still be separately applicable under the requirements of E9 in relation to fitness and propriety. However, for the avoidance of doubt, this is not designed to create a 'blacklist' of individuals; rather, we will assess the fitness and propriety of

²⁹ See paragraphs 25 and 41 of 'Reforms to OfS registration requirements: Part 1: Analysis of consultation responses and decisions for new initial condition C5 – Treating students fairly' at [Consultation outcomes: Reforms to OfS registration requirements - Office for Students](#).

³⁰ See [Regulatory advice 3: How to register with the Office for Students - Office for Students](#).

each relevant individual in the context of each individual case. Further information on this can be found in our response to Proposal 5 of Part 2 of the consultation ('Effective Governance').³¹

Consultation question

8. Are there any aspects of these proposals you found unclear? If so, please specify which, and tell us why.

Respondents' views

132. One respondent suggested it was not clear how these proposals fit with other parts of regulatory system, for example where a provider is seeking to achieve degree awarding powers (DAPs) or university title.

133. A small number of respondents commented about the length of the consultation (pointing out that it was over 300 pages combined across the three parts) and suggested that some options could have been presented in a more straightforward way.

Our response

Fit with the wider regulatory system

134. We consider that the proposals outlined in this consultation do not have any impact on the processes for a provider to achieve DAPs or university title. There have been no changes to the requirements specified for a provider to be eligible to apply for these. While the proposals in this part of the consultation and the other parts (relating to treating students fairly and effective governance arrangements) have introduced new initial conditions of registration, there is no direct connection between these requirements and the processes for achieving DAPs or university title.

Length of consultation documents of proposals

135. Our views on the length of the consultation document are set out in the Background and executive summary of final decisions document at paragraph 36³².

Consultation question

9. In your view, are there ways in which the objectives discussed in Part 3 of this consultation could be delivered more efficiently or effectively than proposed here?

³¹ See Part 2 of our response at [Consultation outcomes: Reforms to OfS registration requirements - Office for Students](#).

³² See 'Reforms to OfS registration requirements: Background and executive summary of final decisions' at [Consultation outcomes: Reforms to OfS registration requirements - Office for Students](#).

Respondents' views and our response

136. A small number of points were raised in response to this question, however these points have already been raised and addressed in earlier sections of this document.

Consultation question

10. Do you have any comments about the potential impact of these proposals on individuals on the basis of their protected characteristics?

Respondents' views

137. No views on were shared on the potential impacts of these proposals on individuals on the basis of their protected characteristics.

Annex A: Notice under section 3(5) of HERA

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.

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 (HERA) 2017 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.

Therefore:

- C. Under section 3(5) of the Higher Education and Research Act 2017, 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
- D. 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.

Schedule 1 Part A

Element of registration	Providers this is applicable to	Specified information	Specified time	Specified manner							
General	All providers	<div>The OfS’s registration application form which includes the following sections:<table><tr><td>Provider details</td></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></div>	Provider details	Application details	Subcontractual arrangements	Validation arrangements	Named roles	Shareholders	Directors and trustees	To be submitted with application	Via the OfS Portal
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,	A letter of non-objection from the Department for Education to use of this sensitive term in the provider’s business/trading name ³³	To be submitted with application	Via the OfS Portal							

³³ 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
	under the Companies Act are sensitive terms			
General	All providers	<p>A diagram showing the provider's corporate structure and ownership. The diagram should:</p> <ul style="list-style-type: none"> 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	<ul style="list-style-type: none"> A completed investigations declaration form (Appendix 4) 	To be submitted with application	Via the OfS Portal

Element of registration	Providers this is applicable to	Specified information	Specified time	Specified manner
A1	Providers applying in the Approved (fee cap) category that will, if OfS registration is granted, have students on courses subject to the regulated undergraduate tuition fee regime and intending to charge higher fees	<ul style="list-style-type: none"> An access and participation plan that meets the requirements set out in OfS Regulatory notice 1³⁴ Supporting information about fees, targets and investment as set out in OfS Regulatory notice 1 	To be submitted with application	Via the OfS Portal
A2	Providers applying in the Approved (fee cap) category and intending to charge basic fees and Providers in the Approved category	<ul style="list-style-type: none"> An access and participation statement and a link to where this is published 	To be submitted with application	Via the OfS Portal
B7	All providers	<ul style="list-style-type: none"> A 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, and any evidence which it considers demonstrates compliance with the requirements set out in Annex H of Regulatory advice 3³⁵ Detailed supporting evidence as set out in Annex H of Regulatory advice 3³⁶ 	To be submitted with application	Via the OfS Portal

³⁴ See [Regulatory notice 1: Access and participation plan guidance - Office for Students](#).

³⁵ See [Regulatory advice 3: How to register with the Office for Students - Office for Students](#).

³⁶ See [Regulatory advice 3: How to register with the Office for Students - Office for Students](#).

Element of registration	Providers this is applicable to	Specified information	Specified time	Specified manner
		<ul style="list-style-type: none"> An itemised list of each piece of supporting evidence submitted as set out in Annex H of Regulatory advice 3³⁷ 		
B8	All providers	<ul style="list-style-type: none"> Provider information form in the template provided at Annex I of Regulatory advice 3³⁸ 	To be submitted with application	Via the OfS Portal
B8	All providers	<ul style="list-style-type: none"> 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 J of Regulatory advice 3³⁹ 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 should be submitted as described in Annex I 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	<ul style="list-style-type: none"> 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	Via the OfS Portal

³⁷ See [Regulatory advice 3: How to register with the Office for Students - Office for Students](#).

³⁸ See B8 provider template at [Regulatory advice 3: How to register with the Office for Students - Office for Students](#).

³⁹ See B8 provider template at [Regulatory advice 3: How to register with the Office for Students - Office for Students](#).

Element of registration	Providers this is applicable to	Specified information	Specified time	Specified manner
			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	
C5	All providers	<ul style="list-style-type: none"> • Template contract(s) that set out terms and conditions for the provision of higher education. This must include all the following that apply to the provider's circumstances: <ul style="list-style-type: none"> ○ 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: <ul style="list-style-type: none"> ▪ 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 	To be submitted with application	Via the OfS Portal

Element of registration	Providers this is applicable to	Specified information	Specified time	Specified manner
		<p>delivered by the provider seeking registration.</p> <ul style="list-style-type: none"> ○ 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. <p>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).</p> <ul style="list-style-type: none"> • 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): <ul style="list-style-type: none"> ○ library services ○ disability support packages ○ scholarships ○ accommodation ○ sports facilities • Any policy (or policies) relating to the circumstances in which the provider may make changes to: <ul style="list-style-type: none"> ○ 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) 		

Element of registration	Providers this is applicable to	Specified information	Specified time	Specified manner
		<ul style="list-style-type: none"> ○ 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 • Any policy (or policies) that set out the terms for refund and compensation for higher education students • A completed initial condition C5 declaration form (see Appendix 1) <p>A completed initial condition C5 submission checklist (see Appendix 2)</p>		
D	All providers	<ul style="list-style-type: none"> • Financial and student number tables in the template provided by the OfS which must be completed in compliance with the OfS guidance for providers 	To be submitted with application	Via the OfS Portal

Element of registration	Providers this is applicable to	Specified information	Specified time	Specified manner
		<p>about the financial information required for registration⁴⁰</p> <ul style="list-style-type: none"> Detailed commentary to accompany the financial and student number tables to explain the data you have provided which must be completed in compliance with the OfS guidance for providers about the financial information required for registration⁴¹ If financial support is being guaranteed to the provider by a third party, a legally binding obligation of financial support from that third party that meets the requirements set out in paragraphs 403 to 407 of the OfS's regulatory framework⁴² and audited financial statements for the previous three years for that third party 		
D	All providers	<ul style="list-style-type: none"> Financial scenario planning, accompanying commentary and mitigating actions (in the template provided by the OfS specifying the scenarios to be planned for) 	To be submitted with application	Via the OfS Portal
D	All providers	<ul style="list-style-type: none"> Updated financial and student number tables in the template provided by the OfS which must be 	A provider will need to submit this information once	Via the OfS Portal

⁴⁰ See 'Guidance for providers about the financial information required for registration' at [Regulatory advice 3: How to register with the Office for Students - Office for Students](#).

⁴¹ See 'Guidance for providers about the financial information required for registration' at [Regulatory advice 3: How to register with the Office for Students - Office for Students](#).

⁴² See [Regulatory framework for higher education in England - Office for Students](#).

Element of registration	Providers this is applicable to	Specified information	Specified time	Specified manner
		<p>completed in compliance with the OfS guidance for providers about the financial information required for registration⁴³</p> <ul style="list-style-type: none"> Detailed commentary to accompany the financial and student number tables to explain the data you have provided as set out in the guidance for providers about the financial information required for registration 	<p>the quality and standards assessment is complete</p> <p>The OfS will write to notify the provider that this information is required</p> <p>It is to be submitted within 60 working days of the OfS's request</p>	
D	Providers that have been in operation and providing higher education for more than three years	<ul style="list-style-type: none"> Full audited (and where providers have subsidiaries consolidated) financial statements for the three most recent years. Audited financial statements must be prepared on the basis of the Financial Reporting Standard 102 (FRS 102) or the International Reporting Standards (IFRS) and include all of the following: <ul style="list-style-type: none"> A 'Statement of financial position' (balance sheet) A 'Statement of comprehensive income' incorporating profit or loss for the period and items of other comprehensive income A 'Statement of changes in equity' or a 'Statement of income and retained earnings' or a 'Statement of changes in reserves' A 'Statement of cash flows' 	To be submitted with application	Via the OfS Portal

⁴³ See 'Guidance for providers about the financial information required for registration' at [Regulatory advice 3: How to register with the Office for Students - Office for Students](#).

Element of registration	Providers this is applicable to	Specified information	Specified time	Specified manner
		<ul style="list-style-type: none"> ○ Notes to the financial statements ○ Be signed by the provider's external auditor and by its chief executive 		
	Providers that have been in operation and providing higher education for fewer than three years	<ul style="list-style-type: none"> • Full audited (and where providers have subsidiaries consolidated) financial statements for as many of the last three years as the provider has been providing higher education. Audited financial statements must be prepared on the basis of the Financial Reporting Standard 102 (FRS 102) or the International Reporting Standards (IFRS) and include all the following: <ul style="list-style-type: none"> ○ A 'Statement of financial position' (balance sheet) ○ A 'Statement of comprehensive income' incorporating profit or loss for the period and items of other comprehensive income ○ A 'Statement of changes in equity' or a 'Statement of income and retained earnings' or a 'Statement of changes in reserves' ○ A 'Statement of cash flows' ○ Notes to the financial statements ○ Be signed by the provider's external auditor and by its chief executive 	To be submitted with application	Via the OfS Portal

Element of registration	Providers this is applicable to	Specified information	Specified time	Specified manner
	All providers	<ul style="list-style-type: none"> Audited financial statements (and where providers have subsidiaries consolidated) for any financial years that are completed after the provider's initial submission of its registration application. Audited financial statements must be prepared on the basis of the Financial Reporting Standard 102 (FRS 102) or the International Reporting Standards (IFRS) and include all the following: <ul style="list-style-type: none"> A 'Statement of financial position' (balance sheet) A 'Statement of comprehensive income' incorporating profit or loss for the period and items of other comprehensive income A 'Statement of changes in equity' or a 'Statement of income and retained earnings' or a 'Statement of changes in reserves' A 'Statement of cash flows' Notes to the financial statements Be signed by the provider's external auditor and by its chief executive 	To be submitted within nine months of the provider's financial year end	Via the OfS Portal
E7	All providers	<ul style="list-style-type: none"> The following documents which meet the definitions set out in initial condition E7.9 <ul style="list-style-type: none"> Documents which establish the provider as an institution, including (where applicable to the provider's legal form) its Royal Charter, memorandum and articles of association or trust deed Governing body documents Risk and audit documents Decision making documents Conflicts of interest policy 	To be submitted with application	Via the OfS Portal

Element of registration	Providers this is applicable to	Specified information	Specified time	Specified manner
		<ul style="list-style-type: none"> Any other documents (including shareholder agreements) which contain rules which govern the operation of the provider's governing body 		
E7	All providers	<ul style="list-style-type: none"> A business plan that meets the requirements set out in Part 2 of initial condition E7 	To be submitted with application	Via the OfS Portal
E8	All providers	<ul style="list-style-type: none"> A completed 'Fraud and public funding declaration form' using the template provided by the OfS (Appendix 3) Any document(s) that set out the provider's internal control processes relating to the detection, prevention and stopping of forms of conduct set out in E8.2, including but not limited to processes to ensure the accuracy of any data submitted to other organisations for purposes related to receiving or accessing relevant public funds A risk register (or equivalent document(s)) for the purpose of managing risks relating to the forms of conduct set out in E8.2 A whistleblowing policy An anti-bribery policy Any other document(s) that evidence the arrangements required by condition E8.2 	To be submitted with application	Via the OfS Portal
E9	All providers	<ul style="list-style-type: none"> Policies and/or processes that the provider has in place to check that relevant individuals are fit and proper for the purposes in E9.4, including at least one of: 	To be submitted with application	Via the OfS Portal

Element of registration	Providers this is applicable to	Specified information	Specified time	Specified manner
		<ul style="list-style-type: none"> ○ a description of its processes for checking relevant individuals are fit and proper or ○ a policy that sets this out • Policies and/or processes that the provider has in place to ensure that relevant individuals are able, by reason of their physical and mental health, to properly perform the tasks of the office or position to which they are appointed. • A completed 'Fit and proper persons declaration form' using the template provided by the OfS (Appendix 5). • The full name, contact details (email address and phone number), date of birth (day/month/year) of each of the provider's relevant individuals (as set out in the registration application form). 		

Schedule 1 Part B

Providers this is applicable to	Specified information	Specified time	Specified manner
All providers	<p>Any of the following matters:</p> <ul style="list-style-type: none"> a. Any change to the identity of any Relevant Individual at the provider according to the definition in initial condition E9 b. The legal entity applying for registration ceasing to exist c. A merger of the provider with another registered or unregistered higher education provider d. A change to the provider's legal or beneficial ownership e. A change of control of the provider 	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
	<ul style="list-style-type: none"> f. A change in the provider's legal form g. Amendments to the governing documents submitted by the provider in connection with its registration application h. An acquisition by the provider of another entity i. 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 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 		

Providers this is applicable to	Specified information	Specified time	Specified manner
	<p>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</p> <p>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> <p>p. Any material change to the information provided in a provider's business plan, including the information required by initial condition E7.8.</p> <p>q. 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.</p>		

Appendix 1 of Annex A: 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: <ul style="list-style-type: none"> • 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 doctor⁴⁴ 		
	c. failure to comply with a Secretary of State direction to change a company name ⁴⁵		
	d. use of a name which gives a misleading indication about the activities of a business ⁴⁶		
<p>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.</p> <p>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.</p>			

⁴⁴ See section 214(1) of the Education Reform Act 1988.

⁴⁵ See section 76(6) of the Companies Act 2006.

⁴⁶ See section 1198 of the Companies Act 2006.

Appendix 2 of Annex A: Initial condition C5 checklist

I confirm that I have submitted the following documents:	
<p>Template contract(s) that set out terms and conditions for the provision of higher education, 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)</p>	<p>Choose at least one the following options (and all that apply):</p> <ul style="list-style-type: none"> ▪ I have submitted template contract(s) between my provider and any students my provider will teach <input type="checkbox"/> ▪ I have submitted template contract(s) between other parties and any students my provider will teach (select as appropriate): <ul style="list-style-type: none"> ○ 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) <input type="checkbox"/> ○ 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 <input type="checkbox"/> ▪ I have submitted template contract(s) between my provider and any students that will be taught by another party on my provider's behalf <input type="checkbox"/> ▪ I have submitted template contract(s) between another party and students that will be taught by that party on my provider's behalf <input type="checkbox"/> <p>Please include any additional information you consider to be relevant (or otherwise leave blank): Click or tap here to enter text.</p>
<p>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)</p>	<p>Library services:</p> <p>Choose one of the following options:</p> <ul style="list-style-type: none"> ▪ Yes <input type="checkbox"/> ▪ My provider does not offer these services (or they are offered by a third party on my provider's premises) <input type="checkbox"/> ▪ My provider offers these services but there is no separate contract that students are required to sign <input type="checkbox"/> <p>Please include any additional information you consider to be relevant (or otherwise leave blank): Click or tap here to enter text.</p>

	<p>Disability support packages</p> <p>Choose one of the following options:</p> <ul style="list-style-type: none"> ▪ Yes <input type="checkbox"/> ▪ My provider does not offer these services (or they are offered by a third party on my provider's premises) <input type="checkbox"/> ▪ My provider offers these services but there is no separate contract that students are required to sign <input type="checkbox"/> <p>Please include any additional information you consider to be relevant (or otherwise leave blank): Click or tap here to enter text.</p>
	<p>Scholarships</p> <p>Choose one of the following options:</p> <ul style="list-style-type: none"> ▪ Yes <input type="checkbox"/> ▪ My provider does not offer these services (or they are offered by a third party on my provider's premises) <input type="checkbox"/> ▪ My provider offers these services but there is no separate contract that students are required to sign <input type="checkbox"/> <p>Please include any additional information you consider to be relevant (or otherwise leave blank): Click or tap here to enter text.</p>
	<p>Accommodation</p> <p>Choose one of the following options:</p> <ul style="list-style-type: none"> ▪ Yes <input type="checkbox"/> ▪ My provider does not offer these services (or they are offered by a third party on my provider's premises) <input type="checkbox"/> ▪ My provider offers these services but there is no separate contract that students are required to sign <input type="checkbox"/> <p>Please include any additional information you consider to be relevant (or otherwise leave blank): Click or tap here to enter text.</p>
	<p>Sports facilities</p> <p>Choose one of the following options:</p> <ul style="list-style-type: none"> ▪ Yes <input type="checkbox"/> ▪ My provider does not offer these services (or they are offered by a third party on my provider's premises) <input type="checkbox"/>

	<ul style="list-style-type: none"> My provider offers these services but there is no separate contract that students are required to sign <input type="checkbox"/> <p>Please include any additional information you consider to be relevant (or otherwise leave blank): Click or tap here to enter text.</p>
<p>Policy (or policies) relating to the circumstances in which my provider may make changes to:</p> <ul style="list-style-type: none"> 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) 	<p>Yes <input type="checkbox"/></p>
<p>Complaints process(s) 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</p>	<p>Choose at least one of the following options (and all that apply):</p> <ul style="list-style-type: none"> I have submitted the refund and compensation policies of my provider <input type="checkbox"/> I have submitted the refund and compensation policies of another higher education provider <input type="checkbox"/> I have submitted other refund and compensation policies <input type="checkbox"/> <p>Please include any additional information you consider to be relevant (or otherwise leave blank): Click or tap here to enter text.</p>

Policy (or policies) that set out the terms for refund and compensation for higher education students	Yes <input type="checkbox"/>
Completed initial condition C5 declaration form	

Information about submission requirements for condition C5

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.⁴⁷

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 Annex J: '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.⁴⁸

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.⁴⁹ 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.⁵⁰

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).⁵¹ 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

⁴⁷ See 'Annex A: Application requirements notice' at [Regulatory advice 3: How to register with the Office for Students - Office for Students](#).

⁴⁸ See [Regulatory framework for higher education in England - Office for Students](#).

⁴⁹ See [Higher education: consumer law advice for providers](#).

⁵⁰ See [Consumer rights and issues](#).

⁵¹ See [Good Practice Framework](#).

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.

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 may need to submit documents for your provider and of other higher education providers or organisations connected with your provider's higher education provision. This only applies to documents related to the charging of tuition fees, as follows:

- template terms and conditions for the provision of higher education, 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 of Annex A: Fraud and public funding declaration

Please place an X in the relevant box	YES	NO
1. Within the last 60 months, has your provider been convicted of the offence provided for in section 199 of the Economic Crime and Corporate Transparency Act 2023? ⁵³		
2. Within the last 60 months, has a relevant person made a final decision which has directly or indirectly revoked the provider's access to, or required the provider to repay, relevant public funds on grounds relating to a relevant fraud offence and/or the inappropriate use of such funds?		
3. Within the last 60 months, has a conviction of the kind described in question 1, or a decision of the kind described in question 2, been made in relation to another legal entity that has been operating substantially the same higher education business as the provider?		
<p>If you have answered yes to any of the above questions, please provide further details below. This should provide a summary of the circumstances and, where relevant, any mitigations that have been put in place following the event.</p> <p>Please note: if the answer is 'yes' to any of the above questions, the provider will be deemed not to satisfy the requirements of initial condition E8 unless there are exceptional circumstances.</p>		

Defined terms appear in bold throughout this form. Their meanings are set out in condition E8.⁵²

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:

⁵² See Regulatory framework for higher education in England - Office for Students.

⁵³ See Economic Crime and Corporate Transparency Act 2023.

Appendix 4 of Annex A: 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?

Type of body conducting the investigation	Yes [please tick]	No [please tick]
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, that is, are 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:

Appendix 5 of Annex A: Fit and proper persons declaration form declaration form

This declaration form should be completed to state whether the provider is aware of any indicative matters as listed below for any of its **relevant individuals**.

Defined terms appear in bold throughout this form. Their meanings are set out in condition E9.10.

“**relevant individual**” means all of the following:

- a. any member of the provider’s **governing body**;
- b. the individual proposed as the accountable officer for the purposes of ongoing condition of registration E3;
- c. the individual(s) proposed to hold overarching responsibility for the management of the provider’s financial affairs;
- d. any **company director** of the provider;
- e. any **company secretary** of the provider;
- f. any individual who holds more than 25 per cent of the shares in the provider;
- g. where the provider has a **parent undertaking**, any individual who holds more than 25 per cent of the shares in that **parent undertaking**; and
- h. any individual who would have significant overarching responsibility for ensuring that the provider complies with the ongoing conditions of registration (if registered).

Do not disclose any details in this form which could identify individuals. We will contact you if we require any further information in relation to this declaration form.

Please place an X in the relevant box.		YES	NO
E9.5	e. an individual has been subject to any adverse findings in civil proceedings (in any jurisdiction), and those findings relate to that individual operating in a business or professional capacity;		
	f. an individual has been subject to any adverse findings in disciplinary proceedings by any relevant person or body (in any jurisdiction), or is currently the subject of such disciplinary proceedings;		
	g. an individual, or an organisation they are or have been involved in that is or has been connected to the education sector, has been subject to any adverse findings by any relevant person or body (in any jurisdiction);		

	h. an individual, or an organisation they are or have been involved in , has been subject to any adverse findings by any relevant person or body (in any jurisdiction) in relation to the inappropriate use of relevant public funds ;		
	i. an individual, or an organisation they are or have been involved in , is currently the subject of an investigation by any relevant person or body (in any jurisdiction) in relation to the inappropriate use of relevant public funds ;		
	j. an individual, or an organisation they are or have been involved in , has (in any jurisdiction): i. been refused a registration, authorisation, membership or licence to carry out a trade, business or profession (including any licences which relate to student visas); and/or ii. had a registration, authorisation, membership or licence to carry out a trade, business or profession revoked, withdrawn or terminated (including any licences which relate to student visas);		
	k. an organisation that an individual is or has been involved in , has been convicted of the offence provided for in section 199 of the Economic Crime and Corporate Transparency Act 2023 (failure to prevent fraud) or any relevant fraud offence , or a similar offence in an overseas jurisdiction;		
	l. an organisation that the individual is or has been involved in , has been convicted of any criminal offence in relation to tax matters (in any jurisdiction);		
	m. an organisation that the individual is or has been involved in went into insolvency, liquidation or administration (in any jurisdiction);		
	n. an individual was dismissed, or was asked to resign and did resign, from a role at an organisation (in any jurisdiction) where the individual held significant managerial responsibility or influence , while operating in a business or professional capacity;		
	o. an individual has previously been disqualified as company director under the Company Directors Disqualification Act 1986 or an equivalent overseas regime;		
	p. an individual has previously been disqualified from being a charity trustee or trustee for a q. charity under s 178(1) of the Charities Act 2011 or an equivalent overseas regime;		
	r. an individual has previously been declared bankrupt (or equivalent) in any jurisdiction.		
E9.7	a. at any point during the course of the provider's application to register with the OfS including at the point of applying (and		

	the OfS's consideration of that application): i. an individual was disqualified as a company director under the Company Directors Disqualification Act 1986 or an equivalent overseas regime; ii. an individual was disqualified from being a charity trustee or trustee for a charity under s 178(1) of the Charities Act 2011 or an equivalent overseas regime; iii. an individual was an undischarged bankrupt (or equivalent) in any jurisdiction;		
	b. an individual has been convicted of a criminal offence (excluding minor offences) in any jurisdiction, and the following apply: i. the conviction is not: A. spent for the purposes of the Rehabilitation of Offenders Act 1974; or B. subject to equivalent protections in an overseas jurisdiction; and ii. where the conviction relates to an offence in an overseas jurisdiction, a similar criminal offence exists in the United Kingdom.		
<p>If you have answered 'yes' to any of the above questions, the OfS will be in contact to request further details.</p> <p>Please note: If you have answered yes to any of the matters listed in E9.7 above, that individual will be deemed not to be a fit and proper person for the purposes of initial condition E9.4, unless there are exceptional circumstances.</p>			

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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