# 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. | 1. non-compliance with **Consumer Protection Law**, as found by a UK court or **Competent Authority**; |  |  |
| 1. offering, granting, or promoting a qualification that:  * could be mistaken for a degree from a UK university or college, and * is either called a degree, or claims to give the holder the title of bachelor, master, or doctor[[1]](#footnote-2) |  |  |
| 1. failure to comply with a Secretary of State direction to change a company name[[2]](#footnote-3) |  |  |
| 1. use of a name which gives a misleading indication about the activities of a business[[3]](#footnote-4) |  |  |
| If you have answered ‘yes’ to any of the above questions, please provide further details below. This should include a summary of the circumstances and, where relevant, any mitigations that have been put in place following the adverse finding.  Please note: if the answer is ‘yes’ to any of the above questions, unless the provider can otherwise demonstrate that it has addressed any issues related to the offences to the satisfaction of the OfS, the provider will not satisfy the requirements of initial condition C5. | | | |
| Please place an X in the relevant box. | | YES | NO |
| Has an undertaking by your provider been accepted by an **Enforcement Body** in connection with behaviour that relates to the provision of education or **Ancillary Services**? | |  |  |
| Is there an outstanding application for an enforcement order against your provider made by an **Enforcement Body**, and the application relates to the provision of education or **Ancillary Services**? | |  |  |
| If you have answered ‘yes’ to either of the above questions, please provide further details below. | | | |

Please refer to initial Condition C5 (treating students fairly) for definitions of the following terms:

* **Ancillary Services**
* **Consumer Protection Law**
* **Competent Authority**
* **Enforcement Body**

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:

1. See [section 214(1) of the Education Reform Act 1988](https://www.legislation.gov.uk/ukpga/1988/40/section/214). [↑](#footnote-ref-2)
2. See [section 76(6) of the Companies Act 2006](https://www.legislation.gov.uk/ukpga/2006/46/section/76). [↑](#footnote-ref-3)
3. See [section 1198 of the Companies Act 2006](https://www.legislation.gov.uk/ukpga/2006/46/section/1198#:~:text=1198Name%20giving%20misleading%20indication%20of%20activities&text=(1)A%20person%20must%20not,the%20United%20Kingdom%20or%20elsewhere%5D.). [↑](#footnote-ref-4)