

Regulatory advice 3: How to register with the Office for Students

**A stage-by-stage guide for higher
education providers**

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Introduction

Please only apply to register with us if you:

- have read this guidance
- have all the evidence needed to apply for registration
- will be able to meet our requirements on an ongoing basis.

1. This guidance applies to providers that make an application for registration with the Office for Students (OfS) on or after 28 August 2025.¹ Providers should read it alongside:

- the application requirements notice. This is a key document you will need to refer to when submitting an application to check your provider's application satisfies the requirements²
- our regulatory framework, which sets out in full our approach to the registration and regulation of providers.³

2. The aim of this guidance is to help you:

- understand registration with the OfS, including the categories, benefits and conditions of registration
- check whether your provider is eligible to register
- decide which benefits your provider wants to access and so which category of the OfS Register your provider should join
- compile and submit the required evidence
- understand how we assess applications and communicate the outcomes of the registration process.

¹ See the Notice of Determination of initial and general ongoing conditions of registration at [Regulatory framework for higher education in England](#).

² See Annex A: Application requirements notice at [Supporting documents](#).

³ The regulatory framework is available at '[Securing student success: Regulatory framework for higher education in England: Regulatory framework for higher education in England](#)'. If there are any inconsistencies between the regulatory framework and this document, then the regulatory framework will prevail.

The application requirements notice

In this guidance we describe the requirements for registration applications. These requirements come from our powers under section 3(5) of the Higher Education Research Act 2017 (HERA).⁴ Under this section of HERA, we have published a formal notice which explains our requirements. We refer to this notice as the 'application requirements notice'. It can be found at Annex A in the list of supporting documents.

The application requirements notice sets out:

- the information a provider must include with its registration application and throughout the assessment process
- the timeframe in which this information must be submitted
- the way the information must be provided.

If you do not submit the information according to the application requirements notice, we will normally refuse your provider's application for registration.

What to check before applying

Before you submit your application, check that you:

- have read and understood the requirements for registration as set out in this guidance and the application requirements notice
- have ready all the information and evidence we require at the point you apply and submit this in full
- are prepared to submit additional evidence throughout the application process as set out at Annex A: 'Application requirements notice'
- understand the costs associated with the quality and standards assessment during the application process and understand when you will be required to make this payment
- understand the ongoing obligations of a registered provider, and the likely associated costs, and have the expertise and resources to meet them on an ongoing basis
- understand that we collect and process personal data about people, including students and staff at higher education providers. This is so we can perform our statutory functions (including registration of higher education providers), operate as a public body.⁵

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

⁵ We have published further information about how we process personal data in our [privacy notice](#).

1. Understand registration

What is registration

3. The OfS is the independent regulator for higher education in England. Registering with the OfS is a process that higher education providers must go through to offer certain benefits to their students and operate within the regulated higher education system.
4. Registration is not automatic and not every provider will be eligible to register. A provider planning to register with us must apply, meet the eligibility criteria, submit evidence, and undergo an assessment to ensure it complies with the initial conditions of registration. Also, once registered, providers must continue to meet ongoing conditions of registration to remain registered.

Benefits of registration

5. Registration provides access to the following benefits:

a. Funding

- All registered providers can recruit students who can access student support funding, or student loans, available through the Student Loans Company (SLC). The provider can charge these students fees up to the statutory limits, with different limits in place depending on the category in which a provider is registered.
- Registered providers can also, in different ways, receive direct funding to support their activities. Providers in the Approved (fee cap) category of registration (see below) are eligible for funding to support:
 - the costs of teaching (available as 'grant or recurrent funding' from the OfS).
 - research activities across the provider (available from Research England)⁶
- All registered providers can apply for funding to support specific research projects through the research councils.⁷

b. Recruiting international students

- Registered providers can apply for, or maintain an existing, licence to recruit international students. These 'student sponsor licences' are granted by the Home Office.

⁶ See UK Research and Innovation, [Research England](#).

⁷ See UK Research and Innovation, [Our councils](#).

c. Power to award degrees and university title

- All registered providers can also apply for the right to award their own degrees.⁸ They can apply for different types of degree awarding powers, which will allow them to award different types of degree (for example, foundation degrees, bachelors' degrees).
- A registered provider can also apply for the right to use the word 'university' in its name.⁹ The use of the word 'university' is protected in law and cannot be used without approval. The OfS has powers to approve the use of the word 'university' in the name of a registered higher education provider. The application and assessment process for 'university title' or 'university college title' has changed over time. But it generally means that a provider has shown that it:
 - holds degree awarding powers – meaning that the provider is authorised to grant, for example, bachelors' degrees or taught masters' degrees
 - has a minimum number or proportion of its students studying on higher education courses.

Categories of registration

6. Providers can choose to apply to register in one of two categories:

a. Approved (fee cap):

- 'Approved (fee cap) basic', which allows providers to charge fees up to the basic amount
- 'Approved (fee cap) higher', which allows providers to charge fees up to the higher amount with an access and participation plan¹⁰

b. Approved.

7. Both categories give providers access to most of the same benefits. The main difference between them is that providers in the Approved (fee cap) category are:

- able to charge eligible students fees up to the higher statutory fee limit if they have an approved access and participation plan¹¹
- eligible to receive funding to support the costs of teaching (through the OfS) and research activities (through Research England).

⁸ See [Degree awarding powers](#).

⁹ See [University title](#).

¹⁰ See [Fee limits](#).

¹¹ For more about access and participation plans, see [access and participation plans](#).

Access to benefits for providers in each registration category

Benefit	Approved (fee cap)	Approved
Charge fees up to the basic amount	Yes	Yes
Charge fees up to the higher amount	Yes	No
Receive direct funding from OfS	Yes	No
Receive direct funding Research England	Yes	No
Apply for research council funding	Yes	Yes
Apply for licence to recruit international students	Yes	Yes
Apply for degree awarding powers	Yes	Yes
Apply for university title	Yes	Yes

Conditions of registration

8. When deciding whether to apply for registration, your provider will need to consider whether it will be able to satisfy the requirements of registration. This includes both the conditions that it will need to meet when it first applies (initial conditions) as set out at Annex B, and the conditions it must continue to meet to stay registered (ongoing conditions).
9. We have published full details of each condition, its requirements and accompanying guidance in our regulatory framework. The framework also includes the full text for each condition.¹²
10. These conditions cover the following areas:
 - access and participation for students from all backgrounds (condition A)
 - quality, reliable standards and positive outcomes for all students (condition B)
 - protecting the interests of all students (condition C)
 - financial sustainability (condition D)

¹² OfS, '[Securing student success: Regulatory framework for higher education in England](#)'.

- good governance (condition E)
 - information for students (condition F)
 - accountability for fees and funding (condition G)
11. We publish regulatory notices that provide additional information about our regulatory requirements. These form part of the regulatory framework and once registered, your provider must treat them as formal requirements. We also publish regulatory advice to help providers understand and meet our requirements.¹³
12. This information includes but is not limited to:
- **Audited financial statements.** Registered providers must supply us with audited financial statements. Our 'Accounts direction' (Regulatory advice 9) sets out what information these statements should include.¹⁴ This applies to financial statements prepared by registered providers for accounting periods (financial years) beginning on or after 1 August 2019.
 - **Accountable officers.** Accountable officers, who are normally the head of the provider, have responsibilities under the regulatory framework and to the Department for Education. We have explained these responsibilities in our guidance for accountable officers (Regulatory advice 10).¹⁵
 - **Annual Financial Return.** Registered providers must submit particular information as part of financial monitoring returns to the OfS. We have published guidance about the return (Regulatory advice 14).¹⁶
 - **Monitoring and intervention.** We have published guidance on our approach to monitoring and intervention (Regulatory advice 15).¹⁷
 - **Reportable events.** Registered providers must report certain events or matters to the OfS. Our guidance on reportable events sets these out (Regulatory advice 16).¹⁸
 - **Prevent duty.** The Prevent duty applies to the governing bodies or proprietors of 'relevant higher education bodies' (RHEBs), which includes all providers that are registered with us. Further education colleges and sixth form colleges are monitored separately by Ofsted rather than the OfS.¹⁹

¹³ OfS, [Regulatory notices and advice](#).

¹⁴ OfS, ['Regulatory advice 9: Accounts direction'](#).

¹⁵ OfS, ['Regulatory advice 10: Accountable officers. Guidance for providers on the responsibilities of accountable officers'](#).

¹⁶ OfS, ['Regulatory advice 14: Guidance for providers for the Annual Financial Return.'](#)

¹⁷ OfS, ['Regulatory advice 15: Monitoring and intervention'](#).

¹⁸ OfS, ['Regulatory advice 16: Reportable events'](#).

¹⁹ For further information about the Prevent duty, see [Counter-terrorism - the Prevent duty](#).

Cost of registration

13. We do not charge a fee for registration. However, there may be costs associated with parts of the registration process and once registered there are ongoing costs.
14. In most cases, we will conduct a quality and standards assessment before making a decision on your registration application.²⁰ We may also conduct a quality and standards assessment for a change of registration category application. The fee for an assessment is currently £28,463. When we start our assessment, we will send you a 'fee notice' for this charge. This specifies the period within which you will need to pay the full amount.
15. As required under the application requirements notice, you must submit proof of payment within ten working days of our request. If you do not provide proof of payment for your provider's quality and standards assessment (if it is referred for one), we cannot proceed with the assessment and therefore will normally refuse your provider's application.
16. Registered providers must also pay annual fees:
 - an annual registration fee to the OfS which is based on the number (full-time equivalent) of higher education students registered with the provider²¹
 - annual subscription fees to:
 - the designated data body (DDB) which performs duties including data collection, data processing, data storage and data publication.²²
 - the Office of the Independent Adjudicator for Higher Education (OIAHE) which reviews individual and group complaints by students against higher education providers, after internal processes have been exhausted.²³

²⁰ For more about these assessments, see [Quality and standards assessments for providers applying to register](#).

²¹ OfS, '[Payment of annual OfS registration fees 2025-26: Technical guidance for providers](#)'.

²² Jisc, '[Subscription model information](#)'.

²³ Office of the Independent Adjudicator for Higher Education, '[Our subscriptions](#)'.

2. Eligibility

17. A provider can only register with the OfS if it is, or intends to become, an English higher education provider. We will consider three elements to determine whether an entity is an English higher education provider:
 - a. It provides 'higher education'.
 - b. Its activities are 'principally carried on in England'.
 - c. It is an 'institution'.
18. More information about each of these elements is provided below.
19. Once a provider has established that it is eligible for registration, it will need to decide which benefits of registration it plans to access and which category of registration it will apply for.

What is 'higher education'?

20. 'Higher education' is defined in the Higher Education and Research Act 2017 as a course of any description listed in Schedule 6 (as amended) to the Education Reform Act 1988.²⁴

What does it mean to have activities that are 'principally carried on in England'?

21. An English higher education provider is a provider whose activities are carried on, or principally carried on, in England. We interpret 'principally carried on in England' as meaning that you carry out more than 50 per cent of your activities in England.
22. In assessing where your activities are carried on, we will take 'activities' to mean the activities that support the provision of higher education – including delivering teaching, designing courses – rather than the learning. This means that it is the location of the provision, rather than the location of students, that is usually the defining factor.
23. For distance learning provision that is not delivered live, the location from which the provision is designed, managed and/or assessed will be the relevant location.

What is an 'institution'?

24. We can only register a provider if it is an institution providing higher education. To determine whether an entity is an institution for these purposes, we will consider the following principles:
 - a. An institution is usually, but not necessarily, a distinct legal entity. This is therefore not a conclusive characteristic of an institution.
 - b. An institution can consist of various components which make up a single institution, even where each of the components could, or do, form a distinct legal entity.

²⁴ See [Education Reform Act 1988](#).

25. An institution must be able to demonstrate that it can satisfy the initial and ongoing conditions of registration in its own right. Normally, this means that an institution will have all the following characteristics, which will persist over time:
- its own name and brand identity, which makes it clearly distinguishable from other institutions or entities, to provide transparency for both students and the general public
 - a clearly distinguishable student body which it is responsible for teaching
 - its own distinct governance structure, governing body and set of governing documents
 - it will not be under the control of another entity which is itself registered with the OfS or which has applied to be registered
 - its own separate, distinguishable finances that allow for the identification of the institution's income and expenditure, balance sheet and cashflow
 - it will have all these characteristics for legitimate business reasons, a primary or dominant purpose of which is not to enable the entity to be separately registered with the OfS.
26. If a provider cannot demonstrate that it has all these characteristics, it is unlikely to meet the eligibility criteria for registration. If a provider satisfies most, but not all, of the characteristics, then the principles the OfS will consider to determine whether to make an exception, so that the provider is eligible, include but are not limited to:
- whether separate registration of the provider would provide greater transparency and benefit for students
 - if the institution has historically existed, and for how long
 - whether it appears that the institution is being established with a purpose of avoiding regulation, or elements of it
 - how far registration of the provider would allow for regulatory alignment with other government departments or agencies.
27. An entity (Entity A) will be under the control of another entity (Entity B) if any of the following applies:
- Entity B holds or is entitled to acquire most of the shares in Entity A
 - Entity B holds or is entitled to acquire most of the voting rights in Entity A
 - Entity B has or is entitled to acquire the right to appoint or remove most of the governing body of Entity A
 - Entity B has or is entitled to acquire the right to exercise dominant influence over Entity A by virtue of provisions contained in either entity's constitution or in a contract, memorandum of understanding or other document regulating the entity; such provisions may include, but are not limited to, the right to approve Entity A's business or financial plan or budget

- Entity B has or is entitled to acquire the right to a share of more than half the assets in the event of a winding up or in any other circumstances, or of more than half the income or profits, of Entity A
- Entity A is operated for the primary benefit of Entity B
- both entities are in common or overlapping ownership or managed on a uniform basis or have a significant number of governors (or the equivalent) in common
- Entity B has or is entitled to acquire the power, by any other means, to secure that the affairs of Entity A are conducted in accordance with the wishes of Entity B.

28. Where an entity is under the control of another entity, we expect that there will be transparency about the ownership, governance and financial viability and sustainability of the controlling entity to the extent that we will be able to gain the same assurance from the controlling entity as we could from any English entity subject to UK laws.

3. Plan and submit your application

29. Before you submit your application, we advise that you spend time planning it. You will need to:
- compile all the evidence that we require
 - consider how long the process of registering might take and how it may affect your business planning
 - consider whether you want to discuss your application with the OfS.

Evidence you will need

30. The application requirements notice ([see Annex A](#)) sets out the information and documentation required at the start and during the registration process. It is essential that your provider's application is in the 'manner and form' set out in the application requirements notice and contains all the information the notice requires.
31. If your provider's application is not in the manner and/or form set out in the application requirements notice or does not include all the information specified in the application requirements notice, we will issue a provisional decision to refuse your provider's application. Your provider will then have no less than 28 days to provide the missing information, address any deficiencies in the application and make representations, in line with section 4 of HERA. We may then decide to proceed to a final refusal decision if the required information is submitted but deemed insufficient or if it does not rectify the application to the necessary standard. If you do not submit the required information within the representation period and unless any representations change our view, we will normally issue a final decision to refuse your provider's application.
32. It is therefore important that, before you apply, you read carefully the application requirements notice and all our guidance about how to register, including the supporting documents listed at the end of this guidance.
33. When you submit an application, we will confirm that we have received it and whether it meets the requirements set out in the application requirements notice.
34. Please note the application requirements notice lists all the requirements, only some of which are referred to below, and your application must meet all requirements in the notice. You must refer to the application requirements notice at Annex A to ensure that your provider's application complies, and continues to comply, with the notice.²⁵

Application forms

35. Providers will need to complete and submit the OfS's registration application forms.
36. Details of how to do this are available in the following supporting documents:

²⁵ See Annex A: Application requirements notice at [Supporting documents](#).

- [Annex C: 'How to complete application forms 1 and 2'](#)
- [Annex D: 'How to submit an application on the portal'](#)

University title permission

37. Providers that wish to register using the term 'university' or 'university college' need to apply to the Department of Education. Before you can apply to register, your provider will need a 'non-objection letter' from the Department of Education that gives it permission to use these sensitive terms.
38. Details are available at ['Use of university, polytechnic and higher education in business and company names \(other than for university and university college title\)'](#).

Corporate structure and ownership

39. Providers will need to submit a diagram showing the provider's corporate structure and ownership. The full requirements of the diagram are set out in the application requirements notice.

Declaration of investigations

40. As part of our assessment of your provider's registration application, we will gather information about any investigations taking place into your provider. Providers will need to complete the OfS's investigations declaration form. This is available from the list of supporting documents. For further information about how we consider investigations during the registration process, see section 4 of this guidance.

Access and participation

41. One of the OfS's primary regulatory objectives is to ensure that all students, from all backgrounds, with the ability and desire to undertake higher education, are supported to access, succeed in, and progress from higher education.
42. Access and participation plans are one of the regulatory tools we deploy to facilitate the achievement of our objectives, and our decisions in connection with such plans are an example of where we have 'had regard to' equality of opportunity.²⁶ We expect a provider's access and participation plan to clearly set out the key risks to equality of opportunity that current and prospective students are facing, and how it will address these.
43. If you are applying to the Approved (fee cap) category and intend to charge higher fees, you will need an access and participation plan that meets our requirements and supporting information about fees, targets and investment.²⁷
44. If you are applying to the Approved category or applying to the Approved (fee cap) category and intend to charge basic fees, you will need an access and participation statement and a link to where this is published.²⁸

²⁶ As stipulated in [HERA](#) and the [Equality Act 2010](#).

²⁷ OfS, '[Regulatory notice 1: Access and participation plan guidance](#)'.

²⁸ See [Condition A2: Access and participation statement](#).

Quality and standards

45. It is important that English higher education delivers a high quality academic experience for all students and that qualifications awarded are credible. This means that providers need to meet our requirements for the quality and standards of the courses they offer.²⁹
46. We set out our requirements for quality and standards in our 'B conditions'. For initial condition B7, providers seeking registration must have credible plans to comply with ongoing conditions for academic support (condition B1), resources, support and student engagement (condition B2) and assessment and awards (condition B4). They must also have the capacity and resources necessary to deliver those plans. Your application should include a quality plan that explains how you will meet the requirements of our ongoing conditions of registration for quality, including supporting evidence. You should also include an itemised list of each piece of supporting evidence submitted. Annex G: 'Your quality plan and supporting evidence for condition B7' sets out detailed information about what your quality plan should cover, and your plan must meet the requirements set out in the application requirements notice.
47. For initial condition B8, you will need to complete and submit Annex I: 'Provider information template B8', which gives us information about your provider's compliance with standards for higher education. For further information see Annex H: 'Guidance for providers on the assessment of initial condition B8'.
48. Any provider that is referred for a quality and standards assessment as part of the assessment of its registration application will be required to submit proof of payment, by the agreed deadline, of the fee for the OfS's quality and standards assessment.

Treating students fairly

49. Condition C5 requires providers to treat students fairly:
 - students should should receive clear, accurate and timely information
 - their relationship with their university or college should be governed by fair terms and conditions
 - there should be fair mechanisms for dealing with complaints, refunds and compensation.
50. Students should be able to understand the protections available to them in circumstances where the provider can no longer deliver their course (either at all or in the manner advertised).
51. Your application should include information that helps us to assess your compliance with our requirement that your provider treats students fairly. This includes:
 - template contract(s) that set out terms and conditions for the provision of higher education
 - complaints process(es) related to the provision of higher education – where there are different processes for different categories of student, you must submit them all

²⁹ See How we regulate quality and standards.

- any policy (or policies) that set out the terms for refund and compensation for higher education students.

What you are required to submit in respect of condition C5 is set out in the application requirements notice.

52. You will also need to complete the following documents in the list of supporting documents:

- Annex J: 'C5 declaration form'
- Annex K: 'C5 Checklist'

Financial viability and sustainability

53. What you are required to submit in respect of financial viability and sustainability (condition D) is set out in the application requirements notice. For further information see Annex L: 'Guidance for providers about the financial information required for registration'. You will need to supply:

- financial and student number tables (Annex M) with a detailed commentary (Annex N). If a third party is guaranteeing financial support to the provider, it must include a legally binding obligation of financial support from the third party, and audited financial statements for the previous three years for that third party. For further information see Annex L: 'Guidance for providers about financial information required for registration'.
- financial scenario planning to be included in the financial tables with financial commentary and any mitigating actions
- for providers that have been operating for more than three years, full audited (and where providers have subsidiaries, consolidated) financial statements for the three most recent years
- for providers that have been operating for fewer than three years, full audited financial statements for as many of the last three years as they have provided higher education
- audited financial statements for any financial years that are completed after the provider's initial submission of its registration application to be submitted within nine months of the provider's financial year end
- updated financial and student number tables and commentary to be submitted after the quality and standards assessment is complete. You are required to submit this information within 60 working days of our request.

Effective governance

54. To show that you have effective governance arrangements (condition E7), you will need to supply:

- all documents that establish the provider and set out the rules governing how it is constituted and governed
- governing body documents

- risk and audit documents
- decision-making documents
- conflict of interests policy
- any other documents (including shareholder agreements) which contain rules which govern the operation of the provider's governing body
- a business plan that meets the requirements set out in initial condition E7.5.

Fraud and protecting public funding

55. To show that you have arrangements in place which are adequate and effective for preventing, detecting and stopping fraud and the inappropriate use of public funds (condition E8), you will need to supply:

- a completed 'Fraud and public funding declaration form' using the template provided by the OfS ([Annex O](#))
- any document(s) that identify risks and corresponding mitigations relating to the prevention of fraud and protection of public funds (for example a risk register or relevant excerpts from a risk register)
- any document(s) that set out the provider's internal control processes relating to the prevention of fraud and protection of public funds
- a whistleblowing policy
- an anti-bribery policy
- any other documents (including any policies or procedures) that set out how the provider prevents fraud or the inappropriate use of public funds.

Knowledge and expertise and fit and proper persons

56. A provider must ensure that relevant individuals within its organisation are 'fit and proper' for the purposes of ensuring that:

- the provider is suitable to access and receive public funds
- public trust and confidence in the higher education sector are maintained
- the provider is suitable to protect the interests of students.

57. These requirements are covered by condition E9. For this, you will need to supply:

- any policies and/or procedures that explain how the provider ensures individuals are fit and proper, including at least one of a description of its procedures for checking relevant individuals are fit and proper or a policy that sets this out

- any 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 declaration stating whether the provider is aware of any indicative matters as listed in E9.5 and E9.7, for the purposes of initial condition E9.4, for any relevant individuals
- 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 2).

58. Further details of how to do this are covered by the following documents in the list of supporting documents:

- Annex R: 'Guidance for providers on the interview process'
- Annex S: 'Guidance for providers on Fit and Proper Persons (FPP)'

When to apply for registration

59. Providers can apply to register at any time. If, however, your provider wants to access specific benefits by a particular date, it should plan accordingly.
60. We cannot give a precise timescale for how long it will take us to assess an application. The indicative time to register a provider is typically one year, but the circumstances of the application mean that this can vary. The section on 'Assessment' below indicates how long our assessment and decision-making process takes.

Accessing student support

61. Access to student support is available only to eligible students studying on eligible courses (as defined under the Education (Student Support) Regulations 2011) at a registered provider.³⁰ If your provider wishes to have its students access student support at the start of their academic year, you should allow sufficient time for us to assess your provider's application and reach a decision.

If your provider is applying in the Approved (fee cap) category and wants to charge fees up to the higher amount, you must submit an access and participation plan. This submission has deadlines to ensure that an approved plan is in place for the start of the appropriate academic year. We have published the deadlines in our information about when to submit a plan.³¹

Communicating with students and applicants

62. If a student starts their course before your provider is registered, and your provider's application is then unsuccessful, the student will not have access to student support. Your

³⁰ See The Education (Student Support) Regulations 2011.

³¹ See When to submit a plan.

provider must make it absolutely clear to students and applicants that it may have submitted an application to register with the OfS, but a successful outcome (and the timing of that outcome) is not guaranteed. We have set out below some suggested wording that your provider may use when communicating with applicants and students.

63. In these communications, your provider must also ensure it complies with consumer protection law and follow guidance published by the Competition and Markets Authority (CMA).³² Any information your provider communicates to students and potential students must be clear about the status of its application and the implications of this. We suggest using the following or similar wording:

'Before you can access any student support, [name of provider] must be registered with the regulator for higher education in England, the Office for Students (OfS).

[Name of provider] has applied to register with the OfS but is not currently registered. You will only be able to access student support if our application is successful.

We will write to confirm the outcome of our application as soon as we hear from the OfS. To find out more about student support and registering with the OfS, visit:
www.officeforstudents.org.uk/studentfinance/

64. For more information about treating students fairly, see initial condition of registration C5.³³

Matters to report during the assessment of an application

65. During the registration process you are required to report specified matters to us that may affect your provider's application to register. These are set out in full in the application requirements notice.³⁴ They include but are not limited to:
- a. Changes to the legal form, ownership or control of your provider.
 - b. Changes in relevant individuals at your provider.
 - c. Changes to your strategy or the delivery of your current or planned higher education provision.
 - d. Changes to your provider's financial position.
 - e. Changes to particular documents submitted with your registration application.
66. You are required to provide this information within 28 working days of the change or event occurring. These matters could have a material impact on our assessment of your provider's compliance with the initial conditions of registration or your provider's eligibility for registration.

³² GOV.UK, 'Higher education: consumer law advice for providers'.

³³ See Annex A: Application requirements notice at [Supporting documents](#).

³⁴ See Schedule 1 Part B of Annex A: Application requirements notice at [Supporting documents](#).

67. You should consider the following when deciding when to report the matters set out in schedule 1 part B of the application requirements notice. 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 at Annex A, 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.
68. You will be required to submit information about these matters even if the matter has been resolved by the time you report it. While you are encouraged to provide contextual information at the time of reporting, such as any steps your providers has taken in response to the matter and any resolution of the matter, we may still ask follow-up questions and seek clarification in writing if needed.

Help with planning an application

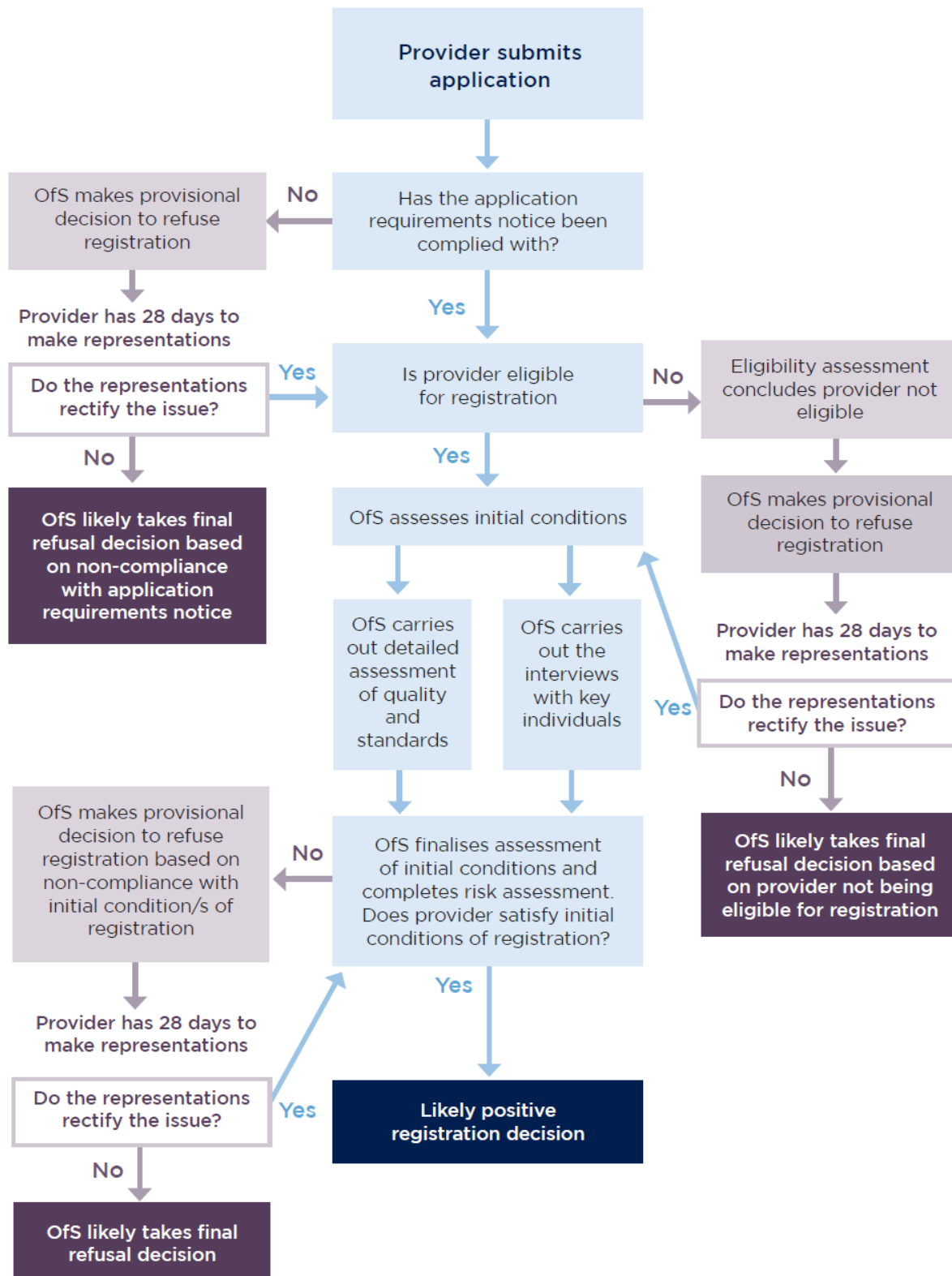
69. We recognise that you will need to familiarise yourself with a substantial amount of information before starting to develop an application for registration. You may benefit from an opportunity to discuss your planned application and ensure you have fully engaged with, and understood, our requirements in detail. We offer a pre-application virtual meeting for any provider planning to seek registration. You can request this at any time during your application. To get the most benefit from the meeting, we strongly recommend you do so after you have read the guidance through at least once.
70. The pre-application virtual meeting is an opportunity for you to ask any questions about the application requirements notice and our guidance. It is intended to support your understanding of our registration requirements. We will expect you to have read the application requirements notice and relevant guidance before the meeting. Please be aware that our engagement will not include business or strategic advice.
71. For any enquiries related to your registration application, please contact regulation@officeforstudents.org.uk.

How to submit an application

72. Providers must submit their application through the registration sections of the OfS portal. We have provided detailed information about how you can access the portal and submit your application through it at [Annex D: 'How to submit an application on the portal'](#). This explains:
- technical information about how to submit your application and supporting evidence using the OfS portal (part 1)
 - a checklist to assist you with submitting an application. It also outlines the sections of the OfS portal where each piece of evidence must be submitted (part 2).

4. Assessment

73. The main steps in the assessment process are shown below. This includes the steps relevant if we take a provisional decision to refuse an application. This diagram is illustrative in nature and is based on a straightforward registration application and therefore your provider's application may not strictly adhere to this journey.



74. The registration process involves a number of steps. Each step is designed to evaluate different aspects of your provider's eligibility, and compliance with initial conditions. An application will be refused if it does not meet the requirements of the application requirements notice.
75. The indicative timeframe for a provider to become registered is typically one year, although this can vary depending on the circumstances of the application. Some complex applications are likely to take longer for the reasons including but not limited to those set out in paragraph 78. This means that we cannot give a precise timescale for the assessment of an application.

Overview of assessment

76. The table below provides a guide to the steps in the registration process once you have submitted your provider's application.

Step of assessment process	Description
We check whether your provider's application is complete and confirm this with you	We review the application to ensure it contains all required information and documentation. If your provider's application does not meet the requirements of the application requirements notice, we will provisionally decide to refuse registration. We will allow your provider no less than the statutory 28 calendar days to make representations and submit any missing information. If the application is complete, we will confirm this with you.
We assess eligibility, undertake an assessment of all the initial conditions applicable to your provider's registration application	We assess your provider's eligibility for registration and all applicable initial conditions of registration. If your provider is applying for registration in the Approved (fee cap) category and is intending to charge tuition fees up to the higher amount, you are required to comply with condition A1 and submit an access and participation plan. The submission requirements for initial condition A1 are set out in the application requirements notice. An access and participation plan must meet the requirements set out in OfS Regulatory notice 1.³⁵ Regulatory notice 1 also contains information about the requirement to include supporting information about fees, targets and investment. Providers applying in the Approved and Approved (fee cap) category and charging up the basic amount are required to comply with condition A2 and provide an access and participation statement. The

³⁵ OfS, '[Regulatory notice 1: Access and participation plan guidance](#)'.

Step of assessment process	Description
	submission requirements for initial condition A2 are set out in the application requirements notice. We will assess initial condition B3 as set out in paragraph 89 to 90 of this Regulatory advice. We will also assess initial conditions B7 (quality) and B8 (standards). This process normally involves setting up an assessment team, reviewing relevant documentation, and conducting site visits. Providers will normally be notified at least six weeks before the assessment starts. At this stage, providers are required to pay the relevant assessment fee in accordance with our published fee arrangements.³⁶ You will be required to submit proof of payment within ten working days of our request. We normally expect to undertake a single assessment for initial conditions B7 and B8 and will discuss timescales with you where this is not the case. Timescales may be extended for complex or negative findings, or where your response to our draft report is particularly extensive. We assess initial condition D by using information from your provider's application at the start of the registration process. Updated financial information will be requested once your quality and standards assessment is complete and we will use this information to update our assessment of initial condition D. The submission requirements for initial condition D are set out in the application requirements notice. For further information see Annex L: 'Guidance for providers about financial information required for registration'. We will also assess initial conditions C5, E7, E8 and E9 based on the application documents submitted and any additional information we request from your provider and any further intelligence or information available to us. As part of our assessment of Part 1 of initial condition E9, we will conduct an interview to evaluate whether key individuals have the relevant knowledge and expertise. The submission requirements for initial condition E9 are set out in the application requirements notice at Annex A. For

³⁶ See [The Higher Education \(Assessment Fees\) \(England\) Regulations 2023](#).

Step of assessment process	Description
	further details see Annex R: 'Guidance for providers on the interview process' . We will engage with you before the interviews take place.
We finalise the assessment of initial conditions of registration and complete a risk assessment in relation to future compliance and make a registration decision	This step includes reviewing updated financial information, audited financial statements, and ensuring all initial conditions are satisfied. We then make a registration decision, which we will communicate to your provider. If we decide to refuse registration, your provider will have no less than a statutory 28-day period to make representations before we make a final decision.

77. Throughout the application process we will consider any additional information that we receive or that is made available to us which includes, but is not limited to, intelligence such as credible notifications we receive about your provider. This may result in a change to our assessment of your provider's initial conditions of registration. We may request additional information or clarifications if required. If we investigate any regulatory intelligence we receive related to your provider's application for registration, we will normally publish information related to this as set out in our guidance on our approach to publishing information.³⁷
78. We are likely to have a number of applications for registration at any one time and have a duty to consider using our resources in an efficient and effective way.³⁸ In prioritising applications for assessment, we will exercise reasonable judgement and deal with all applications on a case-by-case basis. Our assessment is likely to take significantly longer where:
- Providers submit an application that is particularly complex, involving finely balanced judgements about whether the initial conditions are satisfied.
 - Providers seek to amend timelines for the quality and standards assessment after we have confirmed these. We expect providers to meet the timelines for an assessment set out at the beginning of the process, including payment of assessment fees and deadlines in responding to requests for further information. Any changes to the timeline after the assessment process has begun are likely to result in significant delay and may result in additional costs.
 - Providers have complex education portfolios (such as multiple subjects, multiple locations, in partnership with multiple third parties, or novel education delivery models).
 - We receive credible third-party notifications, have existing or new regulatory intelligence about a provider, because we would normally expect to investigate these as part of the registration process.

³⁷ OfS, '[Regulatory advice 21: Publication of information](#)'.

³⁸ See section two (General duties) [Higher Education and Research Act 2017](#)

- Any relevant individual (as defined in condition E9) is subject to any investigation which is open or opened during the registration application. Paragraphs 97 to 113 of this guidance contain relevant information about how we consider investigations in our assessment of your application for registration, and how this may affect our timelines and your provider's registration application.
- Providers intend to submit an application to register at the same time as an application for degree awarding powers (DAPs)³⁹ and delivery of the provider's business plan relies on successfully obtaining both registration and DAPs. In this situation providers should contact us before submitting any application to discuss likely timelines for decisions. We will not normally expect to start a DAPs assessment before completing our assessment of all initial conditions of registration. This is to avoid a situation in which a provider is unsuccessful in its application for registration but has, nevertheless, already committed time and paid fees for a DAPs assessment.
- Where we consider that we need to recruit academic assessors with an expertise different to that available in our existing pool, this may result in an extended timeline.⁴⁰ We will contact you if this is the case.
- If at any point in the process, we reach a provisional decision to refuse your provider's application, this is likely to extend the timeline for reaching a final decision.

79. This is an illustrative list of circumstances which may affect the timeline of an assessment and is not intended to be exhaustive.

How we assess registration applications

80. We will assess registration applications using the evidence you submit to us, and any other relevant information and intelligence available to us.
81. During the assessment process, we may have additional questions or require further information from your provider. We will write to you setting out our reasons for requiring more information with a requirement for you to submit the information. We will do this by issuing your provider with a bespoke application requirements notice.
82. If your provider fails to provide additional information as required in the bespoke application requirements notice and within the deadlines we set, which will be no less than 28 days,⁴¹ we will normally issue a provisional decision to refuse registration on the basis that your provider has not complied with the requirements for a registration application. Your provider will then have no less than 28 days in which to make representations about our provisional refusal decision before we make any final decision to refuse registration. If you need more time to

³⁹ Providers looking to apply for DAPs should also read '[Regulatory advice 12: How to apply for degree awarding powers](#)'.

⁴⁰ See analysis of responses to consultation and decision (paragraphs 32-33), available at '[Consultation on quality and standards conditions - Analysis of responses](#)'.

⁴¹ See section 4(3) [Higher Education and Research Act 2017](#)

gather the information, your provider may withdraw its application and reapply at a later date (see 'Withdrawing an application' below).

83. If a provider submits a compliant initial application but, during the registration process fails to provide additional further information including the information as set out in part B of the application requirements notice,⁴² we may decide to issue a provisional decision to refuse registration on the basis that the provider had not complied with our requirements for a registration application. The provider would have a 28-day period in which to make representations about the provisional refusal decision before we made any final decision to refuse registration.
84. If you submit information that we believe is inaccurate, we will normally engage with you in the first instance to highlight the issue and discuss the reasons for it. If an inaccuracy is trivial, such as a typographical or data-entry error, we may simply clarify our understanding or request the correct information.
85. If the inaccuracy is non-trivial and suggests an issue with the provider's control of information, we may consider it appropriate to refuse your provider's registration application. This will be on the basis that your provider has not complied with our application requirements. Non-trivial inaccuracies might include:
- record-keeping or a provider's ability to extract information from its own records correctly
 - an issue with general competency when putting an application together.
86. If we made a provisional decision to refuse registration on this basis, your provider will be given no less than the statutory 28-day representations period during which it could provide an explanation for the inaccuracy or inaccuracies and submit the correct information.
87. If you intentionally submit information that is false or misleading, we would likely make a provisional decision to refuse your provider's application for non-compliance with the 'accuracy' requirement set out in paragraph C of the application requirements notice at [Annex A](#). In this case, even if you do subsequently submit accurate information as part of any representations your provider makes, we may conclude that this does not remedy the original issue(s) with your provider's application. For example, if you incorrectly disclose any relevant individuals or omit any relevant individuals from your application, we may still reject your submission even if you later provide the correct information as part of your representations.
88. If you have submitted an access and participation plan, there may be a period of discussion and challenge on the detail of your provider's plan, and you will have the opportunity to make amendments or provide further evidence if appropriate. Further information about this process is set out in 'Regulatory notice 1: Access and participation plan guidance'.⁴³ If you have any questions about an access and participation plan, you can contact the access and participation plan team at app@officeforstudents.org.uk.
89. As part of your registration application we will assess condition B3 which requires providers to deliver positive outcomes in relation to three student outcome measures: continuation,

⁴² See Annex A: Application requirements notice at [Supporting documents](#).

⁴³ OfS, 'Regulatory notice 1: Access and participation plan guidance'.

completion and progression.⁴⁴ The way we will assess whether your provider satisfies initial condition B3 (student outcomes) is set out in 'Regulatory advice 20: Regulating student outcomes' (see paragraphs 6 to 34).⁴⁵ Initial condition B3 will apply to your provider if, in our judgement, there is data available which shows your provider's performance against at least one indicator or split indicator, and that data relates to at least one of the preceding five years.

90. If initial condition B3 applies, we will undertake an initial assessment of all indicators and split indicators, focusing on those that are not at or above the relevant numerical threshold. If we do not judge that your provider's performance in relation to those indicators and/or split indicators is positive, you may be invited to submit information about the context in which your provider delivered those outcomes for your students. This will happen before we take any provisional or final decision about your provider's registration application. We will write to you about this during the registration process if required, but you will not otherwise need to submit any information for the assessment of this initial condition.
91. To assess compliance with initial condition B7 we will determine whether it is necessary to undertake an assessment visit to your provider, the form that visit should take, and whether it should be undertaken by assessors able to provide expert academic judgement. Annex G: 'Your quality plan and supporting evidence for condition B7' sets out the initial submission requirements for condition B7. We have published guidance on how we will conduct quality assessment visits for condition B7.⁴⁶
92. We will also need to undertake an assessment of academic standards. This assessment provides us with evidence about whether initial condition B8 (standards)⁴⁷ is likely to be satisfied. Guidance on the submission requirements and the B8 assessment process for this are at Annex H: 'Guidance for providers on the assessment of initial condition B8'.
93. During the registration assessment process, we will notify you when we are ready to begin the academic standards assessment and confirm the initial evidence we require you to submit. We normally expect to commission the same assessment team to assess quality (for condition B7) and standards (for condition B8) at the same time.
94. We will charge providers a fixed fee of £28,463 for assessing the quality of, and the standards applied to, higher education in connection with your application for registration. We will issue a 'fee notice' that specifies the period within which your provider must pay the fee in full.⁴⁸ As required under the application requirements notice, you must submit proof of payment within ten working days of our request. If you do not provide proof of payment for your provider's quality and standards assessment (if it is referred for one) by the deadline we set, we cannot proceed with the assessment and therefore will normally refuse your provider's application.

⁴⁴ OfS, 'Description of student outcome and experience measures used in OfS regulation'

⁴⁵ OfS, 'Regulatory advice 20: Regulating student outcomes'.

⁴⁶ OfS, 'Regulatory advice 23: Arrangements for initial condition B7 quality assessment visits'.

⁴⁷ See Condition B8: Standards.

⁴⁸ See The Higher Education (Assessment Fees) (England) Regulations 2023

95. As we assess an application, we will also undertake a risk assessment of the extent of the risk that your provider will breach one or more of the general ongoing conditions of registration if registered.
96. Where our assessment suggests that your provider may not be able to satisfy the initial conditions of registration, or where we consider there to be an increased risk of a future breach of a general ongoing condition of registration, we may seek additional information from you. This may result in us imposing a specific ongoing condition of registration (see paragraph 121 to 123 for more information).

How we consider investigations

97. We require you to inform us whether your provider has been subject to an investigation in the 60 months preceding the date of your registration application. This information should be submitted in the template at Annex P: 'Investigations declaration form' in the list of supporting documents.
98. We require you to inform us about whether there are any open investigations into any 'relevant individuals'.⁴⁹ This would include, for example, investigations into tax or other financial probity matters. This should be indicated in the template at Annex P: 'Investigations declaration form' in the list of supporting documents. If you have answered yes to any of the questions in this form, we will be in contact to request further details.
99. We encourage you to engage with us if your provider or any relevant individuals are subject to an ongoing investigation while preparing an application for registration. By discussing the scope and nature of the investigation with us at an early stage, we can give you an indicative view of whether we are likely to require the investigation's outcomes before making a registration decision. This information can help your provider decide its next steps, including whether to defer its application until the investigation concludes and the outcomes are available.
100. If your provider is subject to an ongoing investigation (or has a relevant individual subject to an ongoing investigation) and did not engage with us before submitting an application, our provisional view is that we would be likely to require your provider to submit the outcomes of that investigation before we could make a decision about your provider's registration application. This would be likely to mean delaying the assessment of your provider's application until the investigation had concluded.
101. This is intended to encourage early and proactive engagement about ongoing investigations to avoid delays and unnecessary work during the registration process. Without early engagement, you may invest significant effort in preparing and submitting an application and we could do the same in assessing an application that is then paused for a long period. If the information becomes outdated, you may need to resubmit significant parts of your application.
102. If a new investigation begins after you submit your provider's application and while we are assessing it, we are likely to require you to submit the outcomes of that investigation before

⁴⁹ See OfS, 'Securing student success: Regulatory framework for higher education in England'.

we can make a decision on your provider's registration application. This is because the investigation's recency increases the likelihood that it relates to your provider's current practices, which we are actively assessing.

103. We recognise that investigations can take time to conclude. If an investigation is ongoing when your provider applies or is ready to apply, this may delay our decision about your provider's application. This is because if the investigation is relevant to our assessment and conducted by a regulatory, statutory, enforcement, or public body, we will generally not be able to make a reasonable, accurate, and proportionate decision on your provider's application until the outcomes are known.
104. We require information about the outcomes of any investigation relevant to your provider's application to be available prior to our decision, to ensure our decisions are fully informed and evidence based. This helps us assess the regulatory risk your provider may pose. Requiring information about the outcome of an investigation before making a registration decision means we can act in the public interest, ensuring that only providers that meet the required standards are granted registration.
105. In cases where we make a provisional decision to refuse a provider's application and a new investigation is opened after the decision has been made, we will normally proceed with that decision and will not require information about the outcomes of that investigation.
106. In all cases, our decision will depend on the scope and nature of the investigation and its relevance to our registration assessment.

Factors we consider in requesting additional information about investigations

107. We will consider several factors when deciding whether to request more information about an investigation, including any that are ongoing.
108. These factors include but are not limited to:
 - a. The scope and relevance of the investigation – we will assess whether the investigation or the issues it addresses are directly or indirectly linked to any regulatory requirements.
 - b. The outcomes of the investigation – we will consider whether the investigation resulted in formal findings, sanctions, or other actions against your provider or relevant individuals, and whether those outcomes raise concerns about your provider's eligibility for registration or ability to meet registration conditions. For example, sanctions or actions could indicate risks or weaknesses in governance.
 - c. The timing and relevance of the investigation – we will take into account how recently the investigation occurred or concluded, and how relevant its outcomes are to your provider's recent or ongoing practices.

Types of investigations likely requiring detailed information

109. We are more likely to request detailed information about certain types of investigations than others. These include, but are not limited to:
110. **Quality** – we may request information about investigations by professional, statutory, and regulatory bodies or awarding bodies. Ofsted inspections may also be relevant to our

assessment of conditions B3 (student outcomes), B7 (quality), and B8 (standards), depending on the specific findings. For example, if Ofsted findings relate to your provider's provision at Level 3 or below, we will consider whether those findings are also relevant to your provider's higher education provision (Level 4 or above), including overall management and governance.

111. **Governance** – we may request information about investigations by funding or public bodies, such as the Department for Education or the SLC, particularly where they concern the appropriate use of funds. We will also consider investigations by the Charity Commission that relate to your provider's governance. These are especially relevant to our assessment of condition D (financial viability and sustainability) and the E conditions (management and governance).
112. **Finance** – We may request information about investigations by organisations, including but not limited to:
- The Financial Conduct Authority, if they raise concerns about financial management or compliance practices.
 - The Prudential Regulation Authority (PRA), if your provider is linked to entities involved in banking or financial risk management. PRA findings could affect financial sustainability.
 - The Pensions Regulator (TPR), if your provider operates a pension scheme and fails to meet TPR standards, which may indicate financial mismanagement.
 - HM Revenue and Customs, if investigations or penalties related to tax matters suggest broader financial or operational governance concerns.
 - The Insolvency Service, particularly if investigations relate to the conduct of your provider's directors or potential corporate abuse.
113. If we require more information we will write to you explaining our reasons and will issue a bespoke requirements notice to your provider setting out what you need to submit. If we do not require any further information, we will confirm this and proceed with our assessment of your provider's application.

Withdrawing an application

114. During our assessment and before we reach a decision, we may share information with you that indicates your provider's application is unlikely to satisfy our requirements, and that our assessment is likely to result in a provisional decision to refuse registration. In these circumstances we may tell you if there are actions you can take to address the issues identified, including any additional information you need to submit to meet our requirements. However, based on this information your provider may wish to withdraw its application.
115. Your provider may also wish to withdraw its application for other reasons. We recognise that there are circumstances in which applications may need to materially change, or where a provider may reconsider whether and when it plans to be registered, not owing to any previous failure to engage with the registration requirements. We encourage providers to

recognise such circumstances and take proactive steps to manage applications, including withdrawing from the process where appropriate.

116. We will consider any request to withdraw from the application process on a case-by-case basis. However, we will consider the circumstances of your application and any previous applications when considering a request to withdraw an application. This will include any past pattern of submitting and then withdrawing registration applications.
117. If a provider chooses to withdraw its application following a quality and standards assessment containing negative judgements, or following a provisional decision to refuse its registration application, and we accept its request to withdraw, we will normally publish some information about the case. The information that we normally expect to publish and the reasons for publication can be found in our guidance on our approach to publishing information.⁵⁰

Reapplying for registration following withdrawal of a previous application

118. If a provider has previously withdrawn from the application process, it may reapply at any time by submitting a new registration application. However, it should not reapply using the same or a very similar application without having addressed the weaknesses in the original application or without ensuring the new application meets the requirements of the application requirements notice.
119. We will consider each application on a case-by-case basis. However, we are likely to prioritise first-time applications ahead of providers that have previously applied and have withdrawn. If a provider withdraws and reapplies, its assessment is likely to take longer than the indicative timeframes we have set out in this guidance.

⁵⁰ OfS, '[Regulatory advice 21: Publication of information](#)'.

5. Outcomes

Successful applications

120. If we approve an application for registration, we will write to the provider to confirm:

- the date of registration and the date on which we will publish the provider's details on the Register
- that the provider is eligible for registration and satisfies the initial conditions of registration
- the general ongoing conditions of registration that will apply
- whether we will impose any specific ongoing conditions of registration at the point of registration (see paragraphs 121 to 123)
- whether we will put in place any enhanced monitoring requirements at the point of registration, or require the provider to provide other information on an ongoing basis, for example by specifying that a particular type of reportable event is always reportable for the provider⁵¹
- if applicable, whether the provider's access and participation plan has been approved and the way in which the provider makes any representations about that decision⁵²
- an introductory meeting for staff at the provider to meet with senior OfS staff. This is a chance for the provider to find out more about how we regulate registered providers, to ask any questions and find out about upcoming events.

Specific conditions of registration

121. Specific ongoing conditions of registration may be imposed where we have identified a risk to compliance with the general ongoing conditions of registration.⁵³ Specific ongoing conditions will apply to your provider in addition to the general ongoing conditions of registration. Specific conditions cannot be imposed for the purpose of ensuring there is compliance with an initial condition of registration because all the requirements of initial conditions must be satisfied for a provider to be registered.

122. If we intend to impose any specific conditions of registration we will notify your provider's governing body of our provisional decision, setting out:

- the wording of the proposed specific condition(s)
- the reasons for the provisional decision to impose the specific condition(s)
- how your provider can make representations about our provisional decision

⁵¹ See [Reportable events](#).

⁵² See paragraphs 41 to 48 of '[Regulatory notice 1: Access and participation plan guidance](#)'.

⁵³ See [Glossary](#).

- the timeframe for your provider to make such representations (not less than 28 days).

123. We will consider any representations your provider wishes to make before making our final decision on whether to impose a specific condition of registration.

You can read more about specific conditions of registration, enhanced monitoring requirements and reportable events in the regulatory framework.⁵⁴

Unsuccessful applications

124. If we intend to refuse your provider's application for registration, we will notify your provider's governing body of our provisional decision to refuse registration, setting out:

- the reasons for our refusal
- how your provider can make representations about our provisional decision
- the timeframe for your provider to make such representations (not less than 28 days).

125. We will normally require a provider to submit any written representations via the OfS portal. This is an opportunity for you to submit, for example, any missing information and to explain any previous omissions, inaccuracies, or insufficient evidence in your provider's original application. We will then assess your provider's representations to determine whether the reasons for our provisional refusal are still valid before making our final decision.

126. When we make a provisional decision to refuse registration on the basis that your provider has not complied with the application requirements notice, we will identify the requirements that your provider has not met.

127. When we make a provisional decision to refuse registration because your provider has not satisfied one or more of the initial conditions of registration, we will identify the initial conditions of registration that are not satisfied. In these circumstances we may not have completed our assessment of some other initial conditions. For example, we may not have assessed initial conditions B7 and B8 because we have not yet decided to begin a quality and standards assessment – for which we charge a fee. If your provider applies for registration in the Approved (fee cap) category and it does not meet the additional requirements for that category but does satisfy the initial conditions of registration for the Approved category, we may discuss with you the possibility of registering your provider in the Approved category instead.

Our decision following representations

128. If your provider's representations cause us to reach a different view, we will write to your provider as follows:

⁵⁴ OfS, '[Securing student success: Regulatory framework for higher education in England](#)'.

- where we decide that your provider should be registered, we will write to your provider's governing body with confirmation of this and any relevant information related to our decision
- where we decide to proceed to assess conditions of registration that have not previously been assessed, we will write setting out:
 - the outcome of our assessment of your provider's representations relating to the conditions we had assessed
 - the next steps for the assessment of any remaining conditions
 - any further information we require from your provider to allow us to complete our assessment.

129. If we receive new information as part of your provider's representations and our assessment of that information leads to different grounds for refusal, we may take a further provisional decision to refuse your provider's registration.

130. If we make a final decision to refuse your provider's application for registration, we will write to you to set out the grounds for our refusal.

Reapplying for registration following a final refusal decision

131. If your provider applies for registration on or after 1 January 2026 and receives a final refusal decision, it will not be able to submit a new application until 12 months after the date of the final decision to refuse registration. This does not apply to change of registration category applications.

132. We would consider exceptions to this requirement that relate to issues of procedure. Some non-exhaustive examples are as follows:

- a. An issue which led to the refusal was due to our technical or IT issues which had not been identified during the 28-day representations period.
- b. We refused registration to a provider because it had not submitted information that was temporarily unavailable due to a situation beyond the provider's control but which has become available again.

133. We would be less likely to consider an exception based on an argument that this restriction could result in detriment to a provider because it would delay its ability to apply to be registered.

134. If your provider is seeking registration and is operating substantially the same higher education business as a previous entity that received a final decision to refuse registration, we will take that previous decision into account and apply the same resubmission restriction to your provider's new application. This approach ensures that a provider cannot avoid the resubmission restriction simply by changing its name or legal structure after being refused registration.

135. When determining whether a provider is operating substantially the same higher education business as another legal entity, we will place particular weight on similarities between the provider and the other legal entity, including but not limited to:
- relevant individuals, where a significant proportion of those individuals (as defined in initial condition E9) are the same, even where those individuals are in different roles
 - premises, for example, campuses, offices, location of company registration
 - key identifiers, for example, UKPRN, company number, regulatory licences
 - marketing, for example, name, branding, or public statements of affiliation (e.g. using the name of the other legal entity to market the provider)
 - academic community, for example, staff and student populations
 - ownership and company structure
 - transfer of assets, business and/or liabilities – where assets, business and/or liabilities have been transferred from one legal entity to another.
136. The resubmission restriction period will not apply if you withdraw from the registration application process before we have made a decision about your application. However, we will take into account the circumstances of your application and any previous applications when considering any request to withdraw an application. This will include any past pattern of submitting and then withdrawing registration applications.

Information we will normally expect to publish about registration

137. Our general policy on the publication of information about providers can be found in 'Regulatory advice 21: Publication of information'.⁵⁵
138. We normally expect to publish any decision to refuse a registration application, and the reasons for that refusal, on our website.⁵⁶ This is because we consider that it is a fundamental principle that our regulation should be transparent. We consider a range of factors in deciding whether to publish information, including the public interest, the student interest and the provider interest in making that information public.
139. We will also consider publication of refusals for non-compliance with the application requirements notice and will take into account the publication factors in making these decisions.
140. The information we normally expect to publish for a provider that successfully registers includes any decision to register the provider, the report of any assessment of quality and

⁵⁵ OfS, '[Regulatory advice 21: Publication of information](#)'

⁵⁶ See [Refused registration decisions](#).

standards undertaken during the assessment process, and any specific conditions imposed on the provider.⁵⁷

⁵⁷ See Assessment reports.

6. Applying for changes of registration category or fee limit

Change of registration category

141. A change of registration category (CORC) application is where a registered provider wishes to change:
- from the Approved category to the Approved (fee cap) category (either the basic or higher fee limit)
 - or
 - from the Approved (fee cap) category to the Approved category.
142. A CORC application is a new application for registration. This is because we require providers to de-register in the existing category and register in the new category. The de-registration is only effective if your provider is successful in its CORC application. This means that your provider's current registration status remains while we assess your CORC application. As an application to change registration category requires a new application, your provider should carefully consider which registration category it wishes to join when first applying. Your provider should not apply to register in one category or fee limit with the intention of changing category shortly afterwards.
143. If your provider plans to change registration category after it is registered, please contact regulation@officeforstudents.org.uk. You will need to submit written confirmation from your provider's governing body that it wishes to apply to change category of registration and de-register your provider in its existing category.
144. Your provider should specify in its CORC request how it plans to proceed if we do not approve its CORC application, for example your provider may wish to remain registered in its existing category.
145. Once we have received confirmation from your provider's governing body, we will engage with you to confirm the assessment of initial conditions of registration that will apply to your provider's CORC application. We will issue a bespoke application requirements notice setting out the information you need to submit as part of your provider's application.
146. In general, we require a provider that is already registered with us to submit less information for this type of registration application than for an application for an unregistered provider to become registered. This is because we already hold regulatory information about that provider through routine monitoring. For example, we will already hold audited financial statements for any provider that has complied with the requirements of our Annual Financial Return within the past year, so you will not have to resubmit these statements. However, we may still conduct a full re-assessment of current compliance, including an assessment of the general ongoing conditions of registration.

147. You can refer to the application requirements notice as a guide for the information that could be required for any CORC application, but we will engage with you to confirm the specific requirements for your provider's application, as described above.
148. When a provider changes registration category, if it will be subject to a new fee limit, the new fee limit and access to relevant student loan amount(s), take effect from the next academic year. The SLC uses a 1 August to 31 July academic year, and the access and participation plan guidance also follows these dates. Therefore, any new fee limit associated with a CORC would apply from 1 August in the relevant year.
149. As an example, if we decided to register a provider which was previously in the Approved category in the Approved (fee cap) (higher) category on 1 April 2023, the provider would be in the new registration category from that date, but the higher fee limit wouldn't apply until the next academic year for SLC purposes – i.e. from 1 August 2023.
150. We are required to inform the SLC about all changes of category and changes of fee limit by 31 July for them to apply these changes to their systems for 1 August. This means we aim to make any CORC decision by 31 July in the relevant year otherwise the change cannot come into effect until the following year. If it is not possible for us to make a decision on your CORC application by 31 July for reasons including but not limited to those set out in paragraph 78 of this guidance, we will engage with you in the first instance.
151. For applications involving an access and participation plan we will discuss estimated timescales for the application process with each provider. When to submit a plan depends of a provider's admissions cycle.⁵⁸ Providers need to confirm tuition fees to students prior to them committing to undertake a course. Where relevant, access and participation plan submissions should be made to the OfS no later than 28 February. The closer to the 28 February deadline a provider submits its access and participation plan, the greater the risk that we will not be able to make a decision by 31 July in that year. We ideally make a decision by 30 June as an access and participation approval is provisional and a provider has up to 28 days to accept it.

Change of fee limit

152. A change of fee limit is where a provider in the Approved (fee cap) category changes fee limit either from basic to higher fee limits or vice versa. This does not require a new registration application.
153. If your provider wishes to move from the basic to the higher fee limit, it is required to have an access and participation plan approved. You should take the following steps:
- inform regulation@officeforstudents.org.uk of your intention to change fee limit as soon as you know that you wish to do so

⁵⁸ See our information on [when to submit an access and participation plan](#)

- submit an access and participation plan according to the deadlines published on our website.⁵⁹

154. If your provider wishes to change from the higher to the basic fee limit, or where this is required because your provider's access and participation plan has not been submitted or approved, you should contact regulation@officeforstudents.org.uk to discuss your plans.

155. The steps required will depend on your provider's individual circumstances, including the type of higher education your provider delivers and the fees currently being charged to students.

Compliance with ongoing conditions of registration

156. If your provider wishes to change category of registration, we will first consider its compliance with any ongoing or specific conditions of registration that apply to it.

157. If your provider is not compliant with the ongoing or specific conditions of registration that apply to it, we are likely to find that it does not satisfy one or more initial conditions of registration and therefore refuse its application to change category. We may deprioritise consideration of your provider's application in such circumstances to ensure that any regulatory concerns are addressed first. Where we plan to deprioritise your provider's CORC application we will engage with you in the first instance.

158. If we have any regulatory concerns about your provider, we are likely to investigate these as part of your provider's application to change category, as the concerns will be relevant to whether your provider satisfies the initial conditions of registration. The OfS may charge your provider for any such investigation on a cost recovery basis.⁶⁰

⁵⁹ See our information on [when to submit an access and participation plan](#).

⁶⁰ As set out under Section 71 of [Higher Education and Research Act 2017](#) and in accordance with [The Higher Education \(Investigation Fees\) \(England\) Regulations 2022](#)

Glossary

We have provided meanings for the abbreviations, as well as definitions for key terms used within this regulatory advice.

Abbreviation	Meaning
APP	Access and participation plan
CMA	Competition and Markets Authority
DAPs	Degree awarding powers
DDB	Designated data body
DfE	Department for Education
HERA	Higher Education and Research Act 2017
ITT	Initial Teacher Training
OIAHE	Office of the Independent Adjudicator for Higher Education
OfS	Office for Students
RHEB	Relevant higher education body
SCITT	School-Centred Initial Teacher Training
TEF	Teaching Excellence Framework
UKRI	UK Research and Innovation
UKRLP	UK Register of Learning Providers

Access and participation plan (APP)

A plan produced by a provider in the Approved (fee cap) category of the Register. The plan sets out how the provider will sustain or improve access to its provision for students from disadvantaged and underrepresented groups in higher education, and promote success for those students including retention, attainment and employability. Plans must be approved by the OfS's Director for Fair Access and Participation.

Access and participation statement

A statement published by a provider in the Approved category of the Register that sets out the provider's commitment to access and participation in higher education.

Approved

Registration category for providers that wish their students to be able to access student support up to the basic fee level and do not want to be eligible for OfS grant funding and/or to be subject to fee limits.

Approved (fee cap)

Registration category for providers that want to be eligible for OfS grant funding in return for a fee limit and, where charging the higher fee amount, an access and participation plan.

Competition and Markets Authority (CMA)

The CMA is responsible for promoting competition for the benefit of consumers. Its aim is to make markets, including higher education, work well for consumers, businesses and the economy.

Conditions (initial, ongoing, specific)

‘Conditions’ and ‘conditions of registration’ are terms used to mean all types of condition that a provider must satisfy in order to be, or remain, registered. See also: initial conditions of registration, general ongoing conditions of registration and specific conditions of registration.

Degree awarding powers (DAPs)

In England degrees must be awarded by a body with degree awarding powers (DAPs). There are three types of DAPs:

- foundation degree awarding powers
- taught degree awarding powers
- research degree awarding powers.

Designated data body (DDB)

A body that performs the duties set out in sections 64 and 65 of HERA, including data collection, data processing, data storage and data publication. The DDB is designated by the Secretary of State following consultation and a recommendation from the OfS.

Fee limit

A limit on the tuition fees that a provider in the **Approved (fee cap)** category of the Register may charge, as prescribed in regulations.

Fit and proper person

A fit and proper person is a person who, in the OfS’s judgement, is fit and proper for the purposes of ensuring that the provider is suitable to access and receive public funds, public trust and confidence in the higher education sector is maintained and the provider is suitable to protect the interests of students.

General ongoing conditions of registration

General ongoing conditions of registration, which a provider must continue to satisfy after it has joined the Register in order to maintain its registered status.

Governing body

Governing body has the meaning given by section 85 of HERA.⁶¹

Set of governing documents

The set of documents required under condition Part 1 of condition E7, namely a set of governing documents which will enable the effective governance of the provider in practice.

Higher Education and Research Act 2017 (HERA)

The OfS's approach to regulation is underpinned by the functions, duties and powers given to it in the Higher Education and Research Act 2017 (HERA), an Act to make provision about higher education and research.

Higher education

'Higher education' is defined in the Higher Education and Research Act 2017 as a course of any description listed in Schedule 6 (as amended) to the Education Reform Act 1988.⁶²

Higher education provider

An organisation that delivers higher education, as defined in Schedule 6 of the Education Reform Act 1988. A provider can be a body with DAPs or deliver higher education on behalf of another awarding body. Unless stated otherwise, in this document 'provider' or 'higher education provider' refer to a higher education provider, as defined in section 83 in HERA.

Initial conditions of registration

Initial conditions of registration, which a provider must satisfy as part of its application to join the Register.

Initial teacher training (ITT)

Structured programmes in England that prepare individuals to become qualified teachers. These programmes combine academic study with practical teaching experience and lead to Qualified Teacher Status (QTS).

Lead provider

In the context of a subcontractual arrangement, the lead provider allows another provider (the delivery provider) to deliver all, or part, of a course that is designed, approved and owned by the lead provider. The lead provider retains overall control of the course content, delivery, assessment and quality assurance arrangements.

⁶¹ See [Higher Education and Research Act 2017](#).

⁶² See [Education Reform Act 1988](#).

Office for Students (OfS)

The independent regulator for higher education in England.

Office of the Independent Adjudicator (OIA)

The OIA's role is to review individual and group complaints by students against higher education providers, after internal processes have been exhausted, and to promote good practice in handling complaints and appeals.

Prevent Duty

The Prevent duty aims to safeguard people from becoming terrorists or supporting terrorism.

Quality assessment

A term used to refer to arrangements for ensuring higher education providers meet requirements for course quality and standards.

Relevant Higher Education Bodies (REHB)

Higher education providers that are subject to the Prevent duty, these are:

- providers that are registered with the OfS
- providers that are not registered but have more than 250 higher education students – we define higher education students as those studying on a course that leads to a recognised higher education award in Schedule 6 of the Education Reform Act (1988)
- providers that are designated for student support (e.g. for the purposes of 'teach out')
- all the autonomous colleges, schools and halls of the Universities of Cambridge, Durham and Oxford.

Representations

Responses, made by a provider, following a provisional decision taken by the OfS.

Representations give a provider the opportunity to present additional arguments, submissions, context, information (including documents), which the OfS will consider, before taking a final decision.

School-Centred Initial Teacher Training (SCITT)

A school-led teacher training programme in England that allows graduates to train within a school environment, leading to Qualified Teacher Status (QTS).

Specific conditions of registration

The OfS may decide to impose a specific ongoing condition where it considers that a provider presents a particular risk that is not addressed by a general ongoing condition; to mitigate an increased risk that a provider may breach an ongoing condition of registration; or to prevent or remedy a breach. The specific ongoing condition will be targeted to mitigate the specific risk that is

posed and will be focused on actions or activities by the provider that the OfS may require, or prohibit, to ensure that the provider is able to satisfy its ongoing conditions of registration.

Subcontractual arrangement

A relationship, based on a formal contract, in which a body with DAPs (the lead provider) allows another provider (the delivery provider) to deliver all, or part, of a course which has been designed, approved and owned by the degree awarding body. The lead provider or subcontracting provider retains overall control of the course content, delivery, assessment and quality assurance arrangements. Sometimes described as a franchise arrangement.

Teaching Excellence Framework (TEF)

A scheme for recognising excellent teaching and to provide information to help prospective students choose where to study.

UK Research and Innovation (UKRI)

A public body which brings together the seven disciplinary research councils, Research England, which is responsible for supporting research and knowledge exchange at higher education institutions in England, and the UK's innovation agency, Innovate UK.

UK Register of Learning Providers (UKRLP)

A central portal where learning providers in the UK can register and share key information with government departments, agencies, employers, and learners. Each registered provider is assigned a UK Provider Reference Number (UKPRN), which is used to identify them across various systems.

Validation arrangement

A validated course is approved by a degree awarding body to contribute, or lead, to one of its awards. The validated course is delivered by the provider that designed it and students on the course normally have a direct contractual relationship with that provider and not the validating provider. The validating provider remains responsible for the quality and standards of the course.

Supporting documents

We have listed below the annexes relevant to your application for registration. For a complete list of submission requirements, see the application requirements notice.

Annex	Description
Annex A: Application requirements notice	This notice sets out all the information you must submit with your initial application and throughout the registration process.
Annex B: Initial conditions of registration	Information on the initial conditions of registration that you must comply with to register with the OfS.
Annex C: How to complete application forms 1 and 2	Information on how to complete application forms 1 and 2 as part of your application for registration.
Annex D: How to submit an application on the portal	Information on the process of submitting your application on the OfS portal, including a submission checklist.
Annex E: Application form 1	You are required to complete and submit this template as part of your application for registration.
Annex F: Application form 2	You are required to complete and submit this template as part of your application for registration.
Annex G: Your quality plan and supporting evidence for condition B7	Information on the initial submission requirements of initial condition B7.
Annex H: Guidance for providers on the assessment of initial condition B8 (standards)	Information on the initial submission requirements as well as the process of assessing initial condition B8.
Annex I: B8 information template	You are required to complete and submit this template as part of our assessment of initial condition B8.
Annex J: C5 declaration form	You are required to complete and submit this template as part of our assessment of initial condition C5.
Annex K: C5 Checklist	You are required to complete and submit this template as part of our assessment of initial condition C5.
Annex L: Guidance for providers about the financial information required for registration	Information about the financial information required to assess initial condition D.
Annex M: Financial and student number tables template	You are required to complete and submit this template as part of our assessment of initial condition D.
Annex N: Financial commentary template	You are required to complete and submit this template as part of our assessment of initial condition D.

Annex O: Fraud and public funding declaration form	You are required to complete and submit this template as part of our assessment of initial condition E8.
Annex P: Investigations declaration form	You are required to complete and submit this template as part of our assessment of your registration application.
Annex Q: Fit and proper persons declaration form	You are required to complete and submit this template as part of our assessment of initial condition E9.
Annex R: Guidance for providers on the interview process	Guidance on the interview process that forms part of our assessment of part 1 of initial condition E9.
Annex S: Guidance for providers on Fit and Proper Persons (FPP)	Guidance on the information a provider must submit for our assessment of part 2 of initial condition E9 and how we may use, collect and store that information.
Annex T: Privacy notice	The privacy notice includes information about how the OfS collects and processes personal data about individuals with whom the OfS deals with, to perform our statutory functions, to operate as a public body.



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