

Reportable Events Policy and Procedures



1. Purpose

- 1.1 The purpose of this Policy is to ensure that all events requiring reporting to the Office for Students (OfS) are duly reported.

2. Principles

- 2.1 This Policy includes Procedures intended to ensure consistency of decision-making and to provide assurance to the Board of Governors and other stakeholders that events are identified, appropriately considered and reported, in accordance with regulatory requirements.

3. Scope

- 3.1 This Policy applies to the following reporting to OfS:

- (i) Reportable Events as defined in paragraph 494 of the OfS Regulatory Framework (see paragraph 4 below);
- (ii) The requirement in Condition E3 (accountability) to nominate a senior officer as the “Accountable Officer” and to notify a change of Accountable Officer or change of Chair;
- (iii) The requirement in Condition C3 (student protection plan) to inform the OfS of events, except for the closure of an individual course, that require the implementation of the provisions of the plan;
- (iv) The requirement in Condition E4 (notification of changes to the Register) requiring a provider to notify the OfS about changes or errors in information presented about the provider on the OfS Register;
- (v) Prevent duty: the OfS has responsibility as monitoring authority of the Prevent Duty in the higher education sector, as set out in the Counter Terrorism and Security Act 2015. The University has separate processes for reporting Prevent-related incidents to the OfS. However, matters concerning the University’s compliance with the Prevent Duty shall fall within the remit of this Policy.
- (vi) Any updates or amendments to the reporting requirements set out above as published by OfS from time to time; **and**
- (vii) Any specific reporting requirements issued directly to the University by the OfS (usually as an F3 notice or a specific condition of registration). The University Secretary shall keep a record of all F3 notices and conditions of registration and inform the University Executive Board, Audit and Risk Assurance Committee and the Board of Governors of receipt.

- 3.2 Reporting to Research England under the Terms and Conditions of Research England is outside the scope of this Policy and is overseen by Academic Board.

4. Policy

4.1 What is a Reportable Event?

The Office for Students Regulatory Framework sets out the following definition of a Reportable Event (at para 494):

A reportable event is any event or matter that, in the reasonable judgement of the OfS, negatively affects or could negatively affect:

- a. The provider's eligibility for registration with the OfS.
- b. The provider's ability to comply with its conditions of registration.
- c. The provider's eligibility for degree awarding powers, or its ability to comply with the criteria for degree awarding powers, where the provider:
 - i. holds degree awarding powers; or
 - ii. has submitted an application for degree awarding powers to the OfS, and for which the OfS has yet to reach a final decision.
- d. The provider's eligibility for university title, where the provider:
 - i. holds university title; or
 - ii. has submitted an application for university title to the OfS, and for which the OfS has yet to reach a final decision.

In interpreting 'the reasonable judgement of the OfS', the OfS will, as a matter of policy, consider whether a reasonable provider intent on complying with all of its conditions of registration and acting in the interests of students and taxpayers (rather than in its own commercial, reputational or other interests), would consider the event or matter to be material.

- 4.2 Further information and guidance regarding Reportable Events is published in OfS [Regulatory Advice 16](#), which should be read with this Policy. Regulatory Advice 16 contains a non-exhaustive, illustrative list of reportable events, which includes some events that are always reportable.

4.3 Timing for Reporting

"A provider is required to report an event **within five working days** of the date that the event is identified or, if that is not possible due to exceptional circumstances beyond the control of the provider, as soon as reasonably practicable thereafter and without undue delay." [para 30, Regulatory Advice 16].

- 4.4 Timescales for reporting are strict (and also apply to events that have not yet happened but are foreseen) so it is essential that internal reports are made promptly under paragraphs 5.1 and 5.2.

4.5 Responsibilities

- 4.5.1 The Vice-Chancellor as Accountable Officer is responsible for ensuring that all Reportable Events are reported to the OfS and for making a final determination (subject to Board of Governors authority). The Vice-Chancellor has delegated day to day oversight of Reportable Events and ensuring that reports are made to the University Secretary (or their nominee in their absence).
- 4.5.2 Where a potential Reportable Event relates to the Vice-Chancellor or the University Secretary, the Chair of the Board of Governors must be informed and will make the final determination.
- 4.5.3 The University Secretary is responsible for ensuring that reports are submitted in the OfS Portal and recorded for regular reporting to the Vice-Chancellor, University Executive Board and the Audit and Risk Assurance Committee.
- 4.5.4 The University Secretary will notify the Vice-Chancellor and the University Executive Board of all Reportable Events so that any necessary management action can be taken to respond.
- 4.5.5 All members of staff have a responsibility to report circumstances that may constitute Reportable Events promptly.
- 4.5.6 Members of the University Leadership Group are responsible for ensuring that arrangements are in place locally to raise awareness of the need to report as set out at paragraph 5. Arrangements should include having a standing agenda item to discuss Reportable Events at formal Executive, School and Service meetings and encouraging staff to complete relevant training.
- 4.5.7 The Board of Governors has overall responsibility for ensuring that the University complies with its conditions of registration with OfS and must be kept informed of correspondence with OfS about Reportable Events and notified of all Reportable Events (normally via reporting to the Audit and Risk Assurance Committee).

5. **Procedures**

- 5.1 All matters identified as potential Reportable Events should be emailed to reportableevents@bathspa.ac.uk for urgent consideration.
- 5.2 Where reports have been made, or are likely to be made, to another regulator regarding a breach or potential breach of obligations by the University this must also be notified by email to reportableevents@bathspa.ac.uk to enable OfS reporting to be considered under these Procedures.

- 5.3 The University Secretary or their nominee will review emails received under 5.1 and 5.2 of these Procedures and request further information as required to determine whether it is a Reportable Event. Where the University Secretary receives reports under other policies (such as the “Whistleblowing (Public Interest Disclosure) and Third Party Concerns Policy and Procedures” or the “Prevention of Fraud, Bribery and Corruption Policy and Procedures”) they will also consider whether that could constitute a Reportable Event.
- 5.4 All Reportable Events will be submitted to the OfS Portal by the University Secretary or their nominee.
- 5.5 For significant cases, the Chair of the Audit and Risk Assurance Committee and the Chair of the Board of Governors will be informed at the time of reporting to OfS in addition to a report being provided to the next Audit and Risk Assurance Committee meeting.
- 5.6 The Governance, Legal and Compliance team will maintain a register of all Reportable Events including a decision log of matters considered under this Policy and Procedures but determined not to be reportable.

Document Details

Responsible Office: Governance, Legal and Compliance

Responsible Officer: University Secretary

Approving Authority: Board of Governors

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Related Policies and Procedures: Whistleblowing (Public Interest Disclosure) and Third Party Concerns Policy and Procedures; Prevention of Fraud, Bribery and Corruption Policy and Procedures.

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