
Reportable Events Policy



Responsible Office	University Secretary's Office
Responsible Officer	University Secretary
Approving Authority	Board of Governors
Date of Approval	25 November 2020
Effective Date	25 November 2020
Related Procedures	N/A
Related University Policies	Prevent duty Whistleblowing policy Anti-fraud, bribery and corruption policy
Amended (if applicable)	N/A
Supersedes	(New)
Next review due	November 2023

1. INTRODUCTION

1.1 Purpose

This Reportable Events Policy has been written to facilitate the reporting requirement prescribed by the Office for Students (OfS) under ongoing condition of registration F3 “Reportable Events” within the OfS Regulatory Framework for Higher Education in England. It provides University staff, students and any other stakeholders with an outline of the process for the escalation of any adverse event or circumstance that materially affects the business of the University and which may be reportable to the OfS.

1.2 Scope

The University must comply with the OfS Regulatory Framework, which defines a Reportable Event (at para 494) as:

“any event or circumstance that, in the judgement of the OfS, materially affects or could materially affect the provider’s legal form or business model, and/or its willingness or ability to comply with its conditions of registration”.

The majority of incidents which occur in the course of University business are minor, localised and contained in their impact and are normally resolved through local management action, with minimal impact on health and safety, service delivery, finances, or reputation. This Policy is to address and report on events that are more significant and that fall within the scope of the reporting requirements prescribed by the OfS, outlined below.

2. PROCEDURE

2.1 What constitutes a Reportable Event?

The following are categories of examples of Reportable Events that are provided within the OfS Regulatory Framework:

- a. A change in circumstances (significant sale, merger, acquisition, status change, joint ventures, material change in business model);
- b. A change in ownership (concerning >50% of shareholding);
- c. A change of control of the provider;
- d. Becoming aware of suspected or actual fraud or financial irregularity;
- e. Becoming aware of legal or court action;
- f. Resolving to cease to provide higher education;
- g. Regulatory investigation and/or sanction by other regulators, e.g. Charity Commission, Home Office;
- h. Loss of accreditation by a Professional, Statutory or Regulatory Body (PSRB);
- i. New partnership, including validation or sub-contractual arrangements;
- j. Opening a new campus;
- k. Intended campus, department, subject or provider closure;
- l. Any other material events with possible financial viability or sustainability implications.

The list of examples shown above may be subject to extension or change, as notified by the OfS from time to time. In addition, a change of governing body chair or a change of the Accountable Officer must be notified to the OfS and such notifications will be managed in accordance with this Policy.

2.2 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 (CTSA). The University has separate processes for reporting to the OfS on such matters – the University’s lead for compliance with the [Prevent Duty](#) is the Head of Student Wellbeing Services.

2.3 When, how and what is reported?

The University is reliant on its staff, students and stakeholders to bring any Reportable Events to its attention, without delay. The OfS requires reportable events to be reported to it:

*“as soon as reasonably possible once such an event is contemplated or the provider becomes aware of it, or that it is likely to occur” [para 491(b), Regulatory Framework], and in all cases “reportable events must be reported to the OfS within **five 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 22, Regulatory Advice 16].*

Details of Reportable Events must be submitted via the OfS online portal, using the secure access key provided to the Accountable Officer. Once completed successfully, the OfS will then review the information received and will make contact with the University to confirm if further information or action is required.

3. ROLES AND RESPONSIBILITIES

3.1 OfS reporting

The Accountable Officer (Vice-Chancellor) is responsible for reporting such events to the OfS. All events submitted should be on behalf of the governing body. Operationally, most Reportable Events will be submitted by the University Secretary, the nominated Reporting Officer, in consultation with the Vice-Chancellor. If there is any doubt about whether the threshold for reporting an event to the OfS has been met, the Vice-Chancellor shall exercise their reasonable judgement and have regard to both the context and impact of the event in question.

3.2 Internal reporting

Any member of staff, student or any other stakeholder who holds a reasonably held concern about an incident, event or circumstance which comes under a category listed in paragraph 2.1, above, should report the matter in writing to the Reporting Officer via reportableevents@bathspa.ac.uk without delay. If it is not possible or appropriate to report the case to the Reporting Officer, then the written report should be sent to the Vice-Chancellor. This Policy should be read in advance and referenced within the written report as necessary. The Reporting Officer is responsible for consulting with the Vice-Chancellor to determine whether a report is required and then for coordinating the preparation of the report for submission. For significant cases, the Chair of the Audit Committee and/or the Chair of the Board of Governors will be informed at the time of reporting to OfS and then an oral or written report will be provided to the next Audit Committee meeting for monitoring and compliance purposes.

For significant cases, the Senior Leadership Group will also normally be informed that an event has been reported to the OfS.

The University Secretary's Office will maintain a register of all Reportable Events and will periodically review it to establish if there are trends that require further investigation.

4. RELATED POLICIES AND PROCEDURES

A significant breach of, or event associated with, any University policy or procedure could potentially result in a Reportable Event, for example, under the [Anti-Fraud, Bribery and Corruption Policy](#) or the [Data Protection Policy](#). The University regularly reviews its corporate governance provisions to mitigate against any adverse events occurring within the University, but particularly against any of a significant nature that would warrant reporting to the OfS. This Policy should also be read in conjunction with the [Whistleblowing Policy](#) as required.

5. REVIEW, APPROVAL & PUBLICATION

This Policy shall normally be reviewed at least every three years and should remain reflective of the requirements of the OfS Regulatory Framework. Reviews shall be led by the University Secretary. Amendments and future versions of the Policy will be authorised in line with the University's [Policy on Establishing Policies and Procedures](#). Significant changes to the Policy should normally be considered by the Audit Committee in the first instance. A copy of this Policy shall be available on the policy directory on the University's website.

6. FURTHER INFORMATION

The University's Reporting Officer is the University Secretary. The University Secretary will nominate a deputy Reporting Officer during periods of their absence.

The OfS Regulatory Framework for Higher Education in England is available here: http://www.officeforstudents.org.uk/media/1406/ofs2018_01.pdf

The OfS regulatory advice note on reportable events, which includes additional information about what must be reported, is available here: <https://www.officeforstudents.org.uk/publications/regulatory-advice-16-reportable-events/>