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31 March 2021

Dear [Accountable Officer]

## Information about deadlines for data returns

We wrote to you on 30 July 2020<sup>1</sup> setting out deadlines for data returns required during the 2020-21 academic year. We are writing now to set out:

1. An amended deadline for the Higher Education – Business and Community Interaction survey.
2. Deadlines for two routine returns that fall due during the 2020-21 academic year that were not previously specified.
3. Early information about the requirements for the Annual Financial Return 2021.

Annex A contains the detailed requirements and deadlines for these returns.

We will write to you again in July 2021 to set out the arrangements for all data returns due during the 2021-22 academic year.

Please contact us at [regulation@officeforstudents.org.uk](mailto:regulation@officeforstudents.org.uk) or on 0117 931 7305 if you have any questions about this letter, or the information contained in its annexes.

Yours sincerely

**Susan Lapworth**  
**Director of Regulation**

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<sup>1</sup> See [www.officeforstudents.org.uk/publications/update-on-the-office-for-students-approach-to-regulation-and-information-about-deadlines-for-data-returns/](http://www.officeforstudents.org.uk/publications/update-on-the-office-for-students-approach-to-regulation-and-information-about-deadlines-for-data-returns/)

## **Annex A: Information requirements**

**To:** The governing body, xxxxxxxx (the “Provider”)

### **Notice under general ongoing condition of registration F3: Provision of information to the Office for Students (‘OfS’) and general ongoing condition of registration F4: Provision of information to the Designated Data Body**

#### **Whereas:**

(A) The Provider was registered by the OfS in accordance with section 3 of the Higher Education and Research Act 2017 (HERA) on the Register of English Higher Education Providers.

(B) For the purpose of assisting the OfS in performing any function, or exercising any power, conferred under any legislation, the OfS has the power under general ongoing condition F3(i) (and by virtue of section 8(1)(b) of HERA) to compel the governing body of a registered English higher education provider to provide the OfS, or a person nominated by the OfS, with such information as the OfS specifies at the time manner and form specified.

(C) For the purposes of the Designated Data Body’s duties under sections 64(1) and 65(1) of HERA, the provider must provide the Designated Data Body with such information as the Designated Data Body specifies at the time and in the manner and form specified by the Designated Data Body.

#### **Therefore:**

Pursuant to general ongoing condition of registration F3 and F4, the Provider is required to provide the Specified Information at the Specified Time and in the Specified Manner.

#### **Definitions:**

“Designated Data Body” means the designated body as defined in section 66 of HERA and refers to the Higher Education Statistics Agency (HESA).

“Specified Information” means the Notice (Schedule 1), which sets out the requirements for the provision of information to the designated data body (Condition F4) or to the OfS, or an external provider nominated by the OfS (Condition F3).

“Specified Manner” means the Specified Information must:

- i. Be provided to the Designated Data Body via the HESA data collection system; the OfS via the OfS Portal or an external provider nominated by the OfS using their specified systems for each data return requirement.
- ii. Comply fully with guidance issued by the Designated Data Body, the OfS or an external provider nominated by the OfS for each data return requirement.
- iii. Adhere fully to the Supply-Side Code of Practice for higher education data.

iv. be signed off by the specified provider contact given in the specified data collection guidance.

“Specified Time” means the relevant date as set out in the relevant guidance (as specified in Schedule 1) for each collection by the Designated Data Body, the OfS or an external provider nominated by the OfS.

“The Supply-Side Code of Practice” means the Code published on the HESA website which outlines the principles that apply to all data preparation and collection by higher education providers.

**Signed on behalf of the OfS and authorised for that purpose:**

**Susan Lapworth**  
**Director of Regulation**

**Date:** 31 March 2021

## Schedule 1: Data returns

1. The table below sets out the data returns that providers are required to submit. There are different requirements for providers registered in the Approved and Approved (fee cap) categories and for further education and sixth form colleges: these are shown in columns 4 and 5 of the table below.
2. The collection organisation will issue detailed guidance on the time, format and coverage of the individual data returns.
3. Where data returns have interim dates before the final deadline, for example for data verification processes, a provider is required to meet all deadlines applicable to it.

In some cases, a provider may not have any reportable activity within the coverage of a return and so is required to make a nil return. For example, a new provider might not have any qualifying students within the coverage of the Graduate Outcomes return.

1 Data return	2 Collection organisation	3 Further information and purpose of collection	4 Required for Approved category	5 Required for Approved (fee cap) category	6 Sign-off required by	7 Sign-off deadline
Higher Education – Business and Community Interaction survey (2019-20)	HESA	<p>A provider will need to submit details of the volume and direction of interactions between the provider, business and the wider community.</p> <p>The data is used by UKRI to allocate Higher Education Innovation Fund funding and to generate metrics for the Knowledge Exchange Framework.</p> <p>Further information:  <a href="https://www.hesa.ac.uk/collection/c19032">https://www.hesa.ac.uk/collection/c19032</a></p>		<p>✓</p> <p>All excluding further education and sixth form colleges</p>	Accountable officer	12 April 2021

1 Data return	2 Collection organisation	3 Further information and purpose of collection	4 Required for Approved category	5 Required for Approved (fee cap) category	6 Sign-off required by	7 Sign-off deadline
Graduate Outcomes Survey (2019-20)	HESA	<p>A provider will need to submit and check the contact details for students who have completed their studies, who will then be surveyed by HESA. For further education and sixth form colleges, initial contact details will be sourced from the ILR but will still need checking by the provider.</p> <p>The graduate outcomes survey is used to understand student progression and outcomes including to inform student choice.</p> <p>Further information: <a href="https://www.hesa.ac.uk/collection/c19071">https://www.hesa.ac.uk/collection/c19071</a></p>	<p>✓</p> <p>All providers</p>	<p>✓</p> <p>All providers</p>	Accountable officer	<p>21 May 2021 (Cohort C of 2019/20 record)</p> <p>20 August 2021 (Cohort D of 2019/20 record)</p>
Provider profile (2020-21)	HESA	<p>A provider will need to submit information about the location of its campuses and its internal organisation. This data allows the OfS and others to understand the geographic distribution of higher education.</p> <p>Further information: <a href="https://www.hesa.ac.uk/collection/c20041">https://www.hesa.ac.uk/collection/c20041</a></p>	<p>✓</p> <p>All excluding further education and sixth form colleges</p>	<p>✓</p> <p>All excluding further education and sixth form colleges</p>	Accountable officer	23 June 2021

1 Data return	2 Collection organisation	3 Further information and purpose of collection	4 Required for Approved category	5 Required for Approved (fee cap) category	6 Sign-off required by	7 Sign-off deadline
Annual Financial Return 2021	OfS	<p>The Annual Financial Return for 2021 applies to a provider's financial year ending in the calendar year 2021.</p> <p>A provider will need to submit financial data consistent with its latest audited financial statements, forecast financial and student number data, and other relevant contextual information, including signed, audited financial statements. A provider will need to submit the management letter from its external auditor.</p> <p>Schedule 2 contains further information about the requirements for this return.</p> <p>The data collected is used to monitor the financial viability and sustainability of providers, in particular in considering compliance with Condition D (financial viability and sustainability).</p>	<p>✓</p> <p>All excluding further education and sixth form colleges</p>	<p>✓</p> <p>All excluding further education and sixth form colleges</p>	<p>Financial forecasts and commentary must be approved by the provider's governing body prior to submission. Final sign-off of the return must be completed by the accountable officer.</p>	<p>Within seven calendar months of a provider's financial year end (dates will be issued to individual providers)</p>

## Schedule 2: Annual Financial Return

1. A provider is required to submit to the OfS the following information as part of its Annual Financial Return for the provider's financial year that ends in 2021:
  - a. Signed audited financial statements that are fully compliant with the OfS's Accounts Direction applicable to the accounting period subject to reporting.
  - b. Completed Annual Financial Return workbook, in the template from the OfS (the template will be available in the coming months). For all providers this must include year 1 to year 7 (covering the two most recent audited years, the current year, and four subsequent years). The provider should download its template from the OfS portal (information to be provided separately). The financial and student number tables must be approved by the provider's governing body before the submission is signed off.
  - c. Commentary in the template from the OfS. The commentary must be approved by the provider's governing body before the submission is signed off.
  - d. A management letter from the provider's external auditor.
  - e. A business plan which sets out the provider's plans for the same period as the financial and student number tables. This is:
    - i. **Required** where the provider has delivered higher education for fewer than three years prior to the submission deadline.
    - ii. **Optional** where the provider has delivered higher education for at least three years prior to the submission deadline. The provider may choose to use the business plan as part of its demonstration of how it is ensuring its financial viability and sustainability.

Where submitted, a business plan must be approved by the provider's governing body before the submission is signed off.

- f. A signed legally binding obligation of financial support, if one is being provided for the first time. A provider that is relying on a legally binding obligation of financial support must ensure it meets the OfS's requirements set out in paragraphs 403 to 407 of the regulatory framework (OfS 2018.01).
- g. Where a legally binding obligation of financial support is in place, audited financial statements from the entity giving such support to the provider. These must be for the legal entity's most recent financial reporting period. If such a legal entity has a financial year end that is different from the provider's year end, the audited financial statements for that legal entity's most recent financial reporting period must be submitted within seven calendar months of the end of the provider's financial reporting period.

2. The deadline for sign-off of the Annual Financial Return is seven calendar months after the end of the provider's financial reporting period to which the audited financial statements relate. This is an extension to the normal requirement for these to be submitted after five months and reflects the current challenges faced by providers as a result of the pandemic. Providers do not need to apply to the OfS for this extension, and we would encourage providers to submit this return as early as possible. As in the previous year, providers will be asked to submit data for data verification processes in advance of this deadline. We will notify each provider separately of its exact deadline and the procedures for submitting data and for sign-off.
3. We will apply the same two-month extension to the requirement in the Accounts Direction that audited financial statements are published. We would encourage providers to publish as early as possible.
4. Additional guidance about the Annual Financial Return will be published shortly on the OfS website in Regulatory Advice 14. This will contain technical guidance and information about data verification arrangements.