



Higher Education and Research Act 2017

2017 CHAPTER 29

PART 1

THE OFFICE FOR STUDENTS

Regulatory framework

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- (1) The OfS must, from time to time, prepare and publish a regulatory framework.
- (2) The OfS must have regard to it when exercising its functions.
- (3) The regulatory framework is to consist of—
 - (a) a statement of how it intends to perform its functions, and
 - (b) guidance for registered higher education providers on the general ongoing registration conditions.
- (4) The statement under subsection (3)(a) must set out how the OfS intends to perform its functions in relation to a registered higher education provider in proportion to the OfS's assessment of the regulatory risk posed by the provider.
- (5) “Regulatory risk” means the risk of a breach of the provider's ongoing registration conditions.
- (6) Guidance under subsection (3)(b) must include guidance for the purpose of helping to determine whether or not behaviour complies with the general ongoing registration conditions.
- (7) The guidance may in particular specify—
 - (a) descriptions of behaviour which the OfS considers compliant with, or not compliant with, a general ongoing registration condition;
 - (b) factors which the OfS will take into account in determining whether or not behaviour is compliant with a general ongoing registration condition.

Status: This is the original version (as it was originally enacted).

- (8) Before publishing a regulatory framework under this section the OfS must consult—
- (a) bodies representing the interests of English higher education providers,
 - (b) bodies representing the interests of students on higher education courses provided by English higher education providers, and
 - (c) such other persons as it considers appropriate.
- (9) Where a regulatory framework is published, the OfS must send a copy of it to the Secretary of State who must lay it before Parliament.