

**Office for
Students**



Payment of annual OfS registration fees

Technical guidance for registered providers

Reference OfS 2020.27

Enquiries to OfS finance team at FeeQueries@officeforstudents.org.uk

Publication date 12 May 2020

Documents referred to in this guidance

Higher Education and Research Act 2017 (HERA):¹ The Office for Students (OfS) was established as the regulator for English higher education by the Higher Education and Research Act 2017. Section 70 makes provision for the OfS to charge providers a fee for their registration in the register of English higher education providers.

Higher Education (Registration Fees) (England) Regulations 2019 (the Regulations):² These regulations set out the fees the OfS may charge providers for their inclusion in the Register of English higher education providers. It makes provision for 'initial fees' (for providers joining the Register during a registration year) and 'ongoing fees' (referred to in this guidance as 'annual registration fees'). It also makes provision for micro-provider fee exemptions and reduced fees for new providers (these are referenced in paragraphs 44 to 50 of this document).

OfS regulatory framework:³ This document constitutes the regulatory framework for higher education in England as required under section 75 of HERA. It sets out how the OfS intends to perform its various functions and provides guidance for registered higher education providers on ongoing conditions of registration. Additional information about regulatory requirements is also published by the OfS in the form of regulatory notices and regulatory advice. Condition G3 of the regulatory framework (payment of OfS and designated body fees) is an ongoing condition of registration applying to all registered providers. It requires all providers to pay an annual registration fee and other OfS fees, in accordance with regulations made by the Secretary of State, and fees charged by the designated bodies.

Student number data:⁴ The OfS calculates student numbers for various regulatory purposes, and consulted on its methodology in autumn 2018.⁵ The higher education student numbers of providers registered with the OfS are published in full-time equivalence (FTE) as an official statistic on the OfS website.⁶ The table is updated every four weeks and will include any providers that have successfully registered since the last publication. This data is used to establish which fee band a provider falls into (see Annex A of this document).

¹ See www.legislation.gov.uk/ukpga/2017/29/contents/enacted.

² See www.legislation.gov.uk/uksi/2019/543/contents/made.

³ See www.officeforstudents.org.uk/publications/securing-student-success-regulatory-framework-for-higher-education-in-england/.

⁴ See www.officeforstudents.org.uk/data-and-analysis/student-number-data/.

⁵ See www.officeforstudents.org.uk/publications/calculating-student-numbers-consultation-on-the-principles-guiding-how-we-will-calculate-student-numbers-for-regulatory-purposes/.

⁶ See www.officeforstudents.org.uk/data-and-analysis/student-number-data/get-the-data/.

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Please note: Annexes B and C are available as separate documents at www.officeforstudents.org.uk/publications/payment-of-annual-ofs-registration-fees/.

Summary

1. This guidance is for higher education providers in England that are registered with the OfS.
2. It outlines the process for payment of the annual registration fees⁷ payable by providers, with specific information on the fees payable for the 2020-21 registration year (1 August 2020 to 31 July 2021).
3. It sets out:
 - how registration fees will be calculated
 - when fees are payable
 - how to pay them
 - what information you need to give to the OfS (through Annexes B and C)
 - the discounts that are available and which providers are eligible for them.
4. If your provider paid its fees by direct debit last year, and no changes are required to contacts or bank accounts, then there is no further action for you to take.
5. For a full schedule of key dates and activities required for the 2020-21 annual registration fees see Table 1 on page 11.
6. Ongoing condition of registration G3 requires that providers pay annual OfS registration fees. Condition G3 also requires providers to pay the fees charged by the designated quality body (the Quality Assurance Agency) and the designated data body (the Higher Education Statistics Agency). These fees are required to be paid in full, by the set deadline.
7. The OfS has published revised regulatory requirements during the period of the coronavirus pandemic⁸. The requirements under condition G3 to pay OfS and designated body fees in full and on time remain in place following the publication of these revised regulatory requirements.
8. This technical guidance document concerns the annual OfS registration fee. If you think that as a consequence of the coronavirus pandemic your provider will be unable to pay its annual registration fee on time, you should contact FeeQueries@officeforstudents.org.uk as soon as possible.
9. The designated bodies publish separate guidance for registered providers about the calculation and collection of their fees. Further information about these fees and their collection processes is beyond the scope of this guidance.

⁷ The Regulations refer to these as 'on-going fees'.

⁸ See www.officeforstudents.org.uk/publications/regulatory-requirements-during-the-coronavirus-covid-19-pandemic/.

10. If you have any queries about this guidance, please contact the OfS finance team at FeeQueries@officeforstudents.org.uk or 0117 931 7111.

Key terms used in this guidance

Annual registration fee: Fee payable by a provider of higher education that is registered with the OfS for a full registration year (1 August to 31 July).

Micro-provider: A registered provider with fewer than 300 FTE students that meets the Companies Act 2006 definition of a 'micro-entity'. These providers are entitled to a 100 per cent discount against initial or annual registration fees. See paragraph 44 for details.

New provider: A provider that is new to the sector with fewer than 1,000 FTE students. These providers are entitled to a discount of between 75 per cent and 25 per cent against the registration fees, depending on how long they have been registered. See paragraph 47 for details.

Registration year: A registration year runs from 1 August to 31 July. References to years in this guidance refer to registration years unless otherwise indicated. For example, '2020-21' refers to the period from 1 August 2020 to 31 July 2021.

Introduction and background

11. The OfS was established as the regulator for English higher education providers ('providers') by HERA. Section 70 of HERA provides for the OfS to charge providers that register with it an annual registration fee.
12. The Regulations, which followed a two-stage government consultation on a registration fee model, set out the arrangements for the collection of registration fees, and the levels that the OfS may charge.
13. The OfS's running costs were funded through government grants until 31 July 2019. From 1 August 2019, when the OfS's regulatory framework became fully operational, these costs are mainly funded from registration fees charged to providers registered by the OfS.
14. This document provides guidance on what providers need to do in order to pay their fees.
15. Condition G3 of the OfS regulatory framework requires registered providers to pay:
 - an annual registration fee and other OfS fees in accordance with regulations made by the Secretary of State
 - fees charged by the designated bodies.
16. This guidance covers the annual registration fee (and initial fee for providers that join the register partway through a registration year) charged by the OfS. Any other fees that may be charged by the OfS, and fees charged by designated bodies, are beyond the scope of this guidance.
17. You should contact the OfS (FeeQueries@officeforstudents.org.uk) if you think that as a consequence of the coronavirus pandemic, your provider will be unable to pay its annual registration fee on time.

Annual registration fee

For providers that are included on the register before 1 August of the registration year

18. From 1 August 2019, providers that are registered with the OfS on 1 August of each year are required to pay the OfS an **annual registration fee**.⁹ The fee covers the period from 1 August to 31 July (the registration year).
19. The annual registration fee will vary between providers. Each provider will be placed in one of a range of fee bands based on the number of FTE higher education students it has. A table of annual registration fee bands for registration year 2019-20 and 2020-21 appears in Annex A.
20. The annual registration fee will be based on the latest student numbers data published by the OfS on or before 1 July before the beginning of the next registration year. For 2020-21, the fee will be based on the numbers of FTEs calculated from student data submitted to the Higher Education Statistics Agency or Individualised Learner Record for the period 1 August 2018 to 31 July 2019.
21. We will calculate student numbers in accordance with the principles and methods set out in our guidance on calculating student numbers. We will also publish student number data for each provider.¹⁰

Annual registration fee – example

A provider with 600 student FTEs in the OfS student numbers data will be assessed as being in band G for the 2020-21 registration year. It will therefore be charged a registration fee of £47,350.

Fee notifications and queries

22. As required by the Regulations, we will send you a fee notification which will set out the basis on which your annual fees have been calculated, net of any relevant discounts, and the date by which payment must be made. If you have chosen to pay in quarterly instalments (see paragraph 31), the date and amount for each instalment will also be set out.
23. Please note that where a provider's systems require an invoice to be processed for a payment to be made, the fee notification should be used for this purpose. No separate invoice will be sent by the OfS. We are also unable to supply purchase orders relating to registration fees.

⁹ This is referred to as an 'ongoing fee' in the Regulations.

¹⁰ See www.officeforstudents.org.uk/data-and-analysis/student-number-data/.

24. We will send annual fee notifications to the fee contact you provide us with (see Annex B¹¹) by 30 June of the preceding year (for example, notification of the fees due for registration year 2020-21 will be issued by 30 June 2020).
25. If we have not received specific fee contact information, we will send the fee notification to the accountable officer.
26. Notifications will be sent by email and will therefore be deemed to be received on the same day the email is sent, unless this is after normal working hours (after 1700, Monday to Friday), in which case they will be assumed to have been received the following working day.
27. Please check your fee notification. If you wish to make representations in relation to the fee or any of the information used to calculate it, please contact the OfS finance team at FeeQueries@officeforstudents.org.uk within 14 days of receiving the notification.
28. Representations regarding fees must be made in writing. You must set out which aspects of the fee notification you are disputing, and why. We will aim to respond to you within two working days. However, complex cases may take longer to resolve.
29. On resolution of the representations you will have a period of not less than 14 days to make the required payment. The exact payment date will be set out in our decision notification.

When are fee payments due?

30. Annual registration fees are due to be paid by 1 August of the registration year, or 30 days after you receive our notification of the amount due if later. For the **2020-21 registration year**, fees are due to be paid **on or before Saturday 1 August 2020**. You should contact the OfS (FeeQueries@officeforstudents.org.uk) if you think that as a consequence of the coronavirus pandemic your provider may be unable to pay its annual OfS registration fee on time.
31. We would prefer that annual registration fees are paid in a single payment to make the process as cost-effective as possible. You may choose to pay registration fees by equal quarterly instalments, but as a consequence we will collect them by direct debit.
32. If you wish to pay by quarterly instalments (rather than the default single annual payment), please **ensure** you have advised the OfS of this through selecting this option in Annex B¹² and returning it to FeeQueries@officeforstudents.org.uk, along with a completed direct debit mandate form (Annex C). If you have previously advised the OfS of this you do not need to do this each year. However, if your bank details have changed, you will need to complete a new direct debit mandate.

¹¹ Available as a separate form at www.officeforstudents.org.uk/publications/payment-of-annual-ofs-registration-fees/.

¹² Available as a separate form at www.officeforstudents.org.uk/publications/payment-of-annual-ofs-registration-fees/.

How should payments be made?

33. To maximise the efficiency of the fees collection process we would prefer payment by direct debit (see paragraph 37). If you have requested to pay by equal quarterly instalments, you are required to pay by direct debit. If you are unable to sign up to the direct debit process then payment must be made in full by bank transfer to the account listed on the fees notification.
34. If you elected to pay last year's registration fee by direct debit, and no changes to this are required, then you do not need to take any further action.
35. If you choose to pay your fees by bank transfer, you are responsible for ensuring that cleared funds are in our account on or before the due date, remembering that common forms of bank transfer take up to three working days to clear. Please ensure that the reference number provided in the fee notification letter is quoted.
36. Assuming you accurately complete the direct debit sign up process in time, all payments will be deemed to be made by the due date. This will **not** be the case where appropriate requests for payment made by the OfS are rejected by your bank for reasons that are within your control (e.g. insufficient funds, or changes in bank details not communicated to the OfS).
37. To make your payment by direct debit, please complete and return the direct debit mandate form, in Annex C, to FeeQueries@officeforstudents.org.uk. Please ensure that this is fully completed and authorised by the appropriate signatories. The appropriate payment option should also be selected in Annex B. If you have previously advised the OfS of this payment method you do not need to do this each year; however, if your bank details have changed, you will need to complete a new direct debit mandate.

Providers leaving the register

38. Providers that leave the OfS register before the beginning of a registration year will not be charged a fee for that year (e.g. a provider that leaves the register before 1 August 2020 will not be charged an annual registration fee for 2020-21). Providers that leave the OfS register during a registration year must pay all fees for the year (or part year) that they were registered by OfS. This will be equivalent to the annual registration fee adjusted to reflect the number of complete months on the register. The OfS will determine the exact date a provider leaves the register, taking into account relevant factors including the interests of students.

What happens next?

39. Please complete the following actions:

If you paid your fees by direct debit last year and no changes are required to either contacts or bank accounts, then there is no further action for you to take.

If any contact details previously submitted have changed, complete the form at Annex B¹³ and email it to FeeQueries@officeforstudents.org.uk as soon as possible. For 2020-21

¹³ Available as a separate form at www.officeforstudents.org.uk/publications/payment-of-annual-ofs-registration-fees/.

registration fees, this information should be received by the OfS **by 31 May 2020**. If we do not receive specific contact information for registration fees, we will send all registration fee notifications and follow-up correspondence to the accountable officer.

When completing Annex B, please ensure that you have selected your preferred payment mechanism. If you do not express a preference, we will assume that you are paying in a single payment by bank transfer.

If your bank account details have changed, or if you wish to pay by direct debit for the first time, complete the direct debit mandate in Annex C,¹⁴ ensuring it is properly authorised, and send to FeeQueries@officeforstudents.org.uk. Direct debit mandates should be received by 31 May 2020 to be effective for the 2020-21 registration fees collection.

Please ensure that your systems are fully set up to enable you to pay the appropriate registration fee by the payment deadline. We will not complete new supplier forms (or equivalent) for providers or quote specific purchase order numbers on registration fee notifications. Annex D (in this document) includes all the details you should need in order to set the OfS up as a supplier on your finance system.

Annex B and C can be downloaded as separate documents from the OfS website at www.officeforstudents.org.uk/publications/payment-of-annual-ofs-registration-fees/.

You should contact the OfS (FeeQueries@officeforstudents.org.uk) if you think that as a consequence of the coronavirus pandemic your provider will be unable to pay its annual OfS registration fee on time.

If you have any queries please contact the OfS finance team at FeeQueries@officeforstudents.org.uk or 0117 931 7111.

Table 1: Key dates and activities for 2020-21 annual registration fees

| Action | Who is responsible? | Date |
|---|---|--|
| Issue guidance on fees to providers | OfS | Early May 2020 |
| Return amended provider information (Annex B – separate document) to the OfS – including changes to payment frequency | Provider (if there are changes from previous year) | 31 May 2020 |
| Submit direct debit mandates (Annex C) for 2020-21 fees | Provider (if changing to direct debit payments or changing existing direct debit details) | 31 May 2020 |
| Issue fee notifications for annual registration fees issued | OfS | Before 30 June 2020 |
| Submit any representations in respect of fee notifications | Provider | To be received by 14 days after fee notification |

¹⁴ Available as a separate form at www.officeforstudents.org.uk/publications/payment-of-annual-ofs-registration-fees/.

| | | |
|---|----------|---|
| Issue 10 day-direct debit notification of payments to be taken | OfS | 21 July 2020 |
| Transfer cleared funds to the OfS (where providers paying by bank transfer) | Provider | To be received by 1 August 2020 (or previous working day) |
| Take direct debits from provider bank accounts (if paying annually) | OfS | 3 August 2020 |
| Take direct debits from providers paying by quarterly instalments | OfS | 3 August 2020 2 November 2020 1 February 2021 4 May 2021 |

Discounts for micro-providers and new providers

For all registered providers (subject to specific criteria)

40. The Regulations make provision for two types of discount in respect of annual or initial fees.
41. Providers do not need to apply for these discounts, as the OfS will determine eligibility from the information that it holds.
42. Providers may be eligible for a discount on the full annual or initial fee based on their assessed FTEs. These discounts are available for 'micro-providers' or 'new providers' (see paragraphs 44 to 50 below). Only one discount can be applied for each provider. Should you be eligible for both, we will automatically apply the micro-provider discount before the new provider discount.
43. Your fee notification will identify any discount that we have assessed you as being eligible for. If you believe that the discount applied is not correct, please follow the representations process in paragraphs 27 to 29.

Micro-providers

44. A micro-provider must have 300 or fewer FTE students, and qualify as a 'micro-entity' under section 384A of the Companies Act 2006 on the basis of the most recent available audited accounts of the provider at the initial registration date or the annual assessment date each year.
45. In order to qualify as a micro-entity a provider must meet **at least two** of the following basic conditions:
 - its turnover must be not more than £632,000
 - the balance sheet total must be not more than £316,000
 - the average number of employees must be no more than 10.

Additional details of qualification criteria as a micro-entity can be found at www.legislation.gov.uk/ukpga/2006/46/section/384A. Note that the provision in Companies Act 2006 section 384B(1)(f) excluding a charity from qualifying as a micro-entity does not apply for the purposes of assessing qualification in respect of this discount.

46. A registered micro provider is entitled to a 100 per cent discount in respect of both annual and initial registration fees. Any other fees associated with being on the register (e.g. other OfS fees or fees charged by designated bodies) are still payable in full. The OfS will assess all providers to see whether they qualify as micro-providers. If a provider is eligible, this will be reflected on the fee notification issued.

New providers

47. To be eligible for the new provider discount, a new provider must have 1,000 or fewer FTE students and, immediately before admission to the register, all of the following criteria must be met:

- a. It was not eligible for funding under section 65 of the Further and Higher Education Act 1992 at any time on or after 1 August 2014.
 - b. It has not provided higher education courses which were designated for the purposes of section 22 of the Teaching and Higher Education Act 1998 by or under regulations under that section at any time on or after 1 August 2014.
 - c. It has not previously been a registered higher education provider.
48. New providers are entitled to a tapering discount in the amounts they need to pay for both annual and initial fees. The discount reduces the amount of fee payable by between 75 per cent and 25 per cent over the first three full years of registration. Any other fees associated with being on the register (e.g. other OfS fees or fees charged by designated bodies) are still payable in full. The OfS will assess all providers to see whether they qualify as a new provider; if so, this will be reflected in the fee notification issued.
49. New providers registered before 1 August 2019 will be required to pay:
- 25 per cent of the normal annual fee in 2019-20 (i.e. a 75 per cent discount)
 - 50 per cent of the normal annual fee in 2020-21
 - 75 per cent of the normal annual fee in 2021-22
 - full fees from 2022-23 onwards.
50. For new providers that register after 1 August 2019 the discounts will apply to both initial and annual fees over the first three years of registration on a pro-rata basis.

New providers: Initial and annual fee calculation – example

A new provider joining the OfS register in November 2020 will pay 25 per cent of the eight months' initial fee for 2020-21.

In 2021-22 it will pay 25 per cent of four months of the annual registration fee for that year, plus 50 per cent of the remaining eight months of that fee.

In 2022-23 it would pay 50 per cent of four months of the annual registration fee for that year, plus 75 per cent of the remaining eight months of that fee.

The final year of discount would be 2023-24, when it would pay 75 per cent of four months of the annual registration fee for that year and eight months at the full rate.

Annex A: Table of annual registration fees for 1 August 2019 to 31 July 2020 and 1 August 2020 to 31 July 2021

| Band | Full-time equivalent number range | Band fee |
|------|--|----------|
| A | Not more than 25 | £12,300 |
| B | More than 25 and no more than 50 | £15,350 |
| C | More than 50 and no more than 75 | £19,200 |
| D | More than 75 and no more than 100 | £24,050 |
| E | More than 100 and no more than 300 | £30,100 |
| F | More than 300 and no more than 500 | £37,750 |
| G | More than 500 and no more than 1,000 | £47,350 |
| H | More than 1,000 and no more than 1,500 | £59,400 |
| I | More than 1,500 and no more than 2,500 | £74,600 |
| J | More than 2,500 and no more than 5,000 | £93,750 |
| K | More than 5,000 and no more than 10,000 | £117,900 |
| L | More than 10,000 and no more than 20,000 | £148,350 |
| M | More than 20,000 | £186,800 |

Annex B: Provider details for registration fees

This form is available at www.officeforstudents.org.uk/publications/payment-of-annual-ofs-registration-fees/.

Newly registered providers should complete the form and email it within 14 days to FeeQueries@officeforstudents.org.uk.

For queries about this form, please call 0117 931 7111.

Existing providers need only complete this form if they wish to change their contact details or their preferred method of payment.

Annex C: Direct Debit mandate

This form is available at www.officeforstudents.org.uk/publications/payment-of-annual-ofs-registration-fees/.

Newly registered providers, or providers opting to pay by direct debit for the first time, should complete the mandate, ensuring that it is fully authorised in line with their bank mandate, and email it within 14 days (for newly registered) or by 31 May to FeeQueries@officeforstudents.org.uk.

For queries about this form, please call 0117 931 7111.

Existing providers that have already completed a direct debit mandate need only complete this form if their bank account details have changed since the last registration fee payment was made.

Annex D: New supplier details

Company name: The Office for Students

Company registration number: N/A – non-departmental public body

VAT number: 304325151

Address: Nicholson House
Lime Kiln Close
Stoke Gifford
Bristol
BS34 8SR

Switchboard: 0117 931 7317

Email: FeeQueries@officeforstudents.org.uk

Finance phone number: 0117 931 7111

Bank account name: The Office for Students

Sort code: 60-70-80

Account number: 10028676



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