# **Bath Spa University logo****Reportable Events Policy**

| Responsible Office | University Secretary’s Office |
| --- | --- |
| Responsible Officer | University Secretary |
| Approving Authority | Board of Governors |
| Date of Approval | 8 December 2021 (Version 2) |
| Effective Date | 1 January 2022 |
| Related Procedures | N/A |
| Related University Policies | [Prevent duty](https://www.bathspa.ac.uk/about-us/governance/policies/safeguarding-wellbeing-and-prevent-duty/)  [Whistleblowing policy](https://www.bathspa.ac.uk/media/bathspaacuk/about-us/policies/staff/Whistleblowing-Policy.pdf)  [Anti-fraud, bribery and corruption policy](https://www.bathspa.ac.uk/media/bathspaacuk/about-us/policies/finance/Anti-Fraud-Bribery-Corruption-Policy.pdf) |
| Amended (if applicable) | Policy reviewed and amended following revisions to Regulatory Advice 16 published by OfS on 20 October 2021. |
| Supersedes | Version 1 (25 November 2020) |
| Next review due | December 2024 |

1. **INTRODUCTION**
   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 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. **Scope**

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.

1. **PROCEDURE**
   1. **What constitutes a Reportable Event?**

The University must comply with the OfS Regulatory Framework, which 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.

Further information and guidance regarding Reportable Events is published within [Regulatory Advice 16](https://www.officeforstudents.org.uk/publications/regulatory-advice-16-reportable-events/), which shall be read in conjunction with this Policy. Regulatory Advice 16 contains a non-exhaustive, illustrative list of reportable events, which includes some events that are always reportable. A change to the identity of the governing body chair or a change to the identify of the nominated Accountable Officer must always be notified to the OfS and such notifications will be managed in accordance with this Policy.

* 1. **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 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.

* 1. **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 in a timely way:

*“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].*

Relevant details of Reportable Events must be submitted via the OfS online portal, using the secure access key provided to the Accountable Officer (Vice-Chancellor). Once completed successfully, the OfS will send an acknowledgement email, usually to the Accountable Officer.

1. **ROLES AND RESPONSIBILITIES**

* 1. **OfS reporting**

The Accountable Officer 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 Accountable Officer. If there is any doubt about whether the threshold for reporting an event to the OfS has been met, the Accountable Officer shall exercise their reasonable judgement and have regard to both the context and impact of the event in question when considering the materiality test. If the reportable event relates to the Accountable Officer, the Reporting Officer shall consult with the Chair of the governing body who will decide on the appropriate course of action.

* 1. **Internal reporting**

Any member of staff, student or any other stakeholder who holds a reasonably held concern about an incident, event or circumstance which falls within the definition of a Reportable Event at paragraph 2.1, above, should report the matter in writing to the Reporting Officer via [reportableevents@bathspa.ac.uk](mailto: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 Accountable Officer. This Policy should be read in advance and referenced within the written report as necessary. The Reporting Officer is responsible for consulting with the Accountable Officer 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. For cases where a significant decision about reporting is finely balanced the University will record written reasons for the decision taken, whatever that decision may be.

A reportable events flowchart is **appended below** to provide staff with step by step guidance on how to ‘report’ these types of events internally.

1. **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](https://www.bathspa.ac.uk/media/bathspaacuk/about-us/policies/finance/Anti-Fraud-Bribery-Corruption-Policy.pdf) or the [Data Protection Policy](https://www.bathspa.ac.uk/about-us/governance/policies/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](https://www.bathspa.ac.uk/media/bathspaacuk/about-us/policies/staff/Whistleblowing-Policy.pdf) as required.

1. **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](https://www.bathspa.ac.uk/media/bathspaacuk/about-us/policies/general/Policy-on-Establishing-Policies-and-Procedures.pdf). 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.

1. **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: <https://www.officeforstudents.org.uk/advice-and-guidance/regulation/the-regulatory-framework-for-higher-education-in-england/>

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/>

**REPORTABLE EVENTS FLOW CHART**