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DRAFT STATUTORY INSTRUMENTS

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**2018 No.**

**The Higher Education (Access and Participation Plans) (England) Regulations 2018**

**Approval of plans**

3.—(1) In deciding whether to approve a plan, in addition to any other matters it considers appropriate, the OfS must have regard to—

- (a) whether the governing body of the institution provided its students with an opportunity to express their views about the content of the plan before it was submitted for approval; and
- (b) if it provided such an opportunity and received views from its students in response, what steps were taken subsequently by the governing body in relation to the plan.

(2) Where the governing body of an institution applies to the OfS for approval of a proposed plan—

- (a) the OfS must inform the governing body within a reasonable time whether it approves the plan or whether it is minded not to approve the plan, giving reasons in the latter case;
- (b) where the OfS informs the governing body under sub-paragraph (a) that it is minded not to approve the plan, the governing body may, within a reasonable time, do either or both of the following—
  - (i) make representations as to why the OfS should approve the plan,
  - (ii) modify the plan and resubmit it to the OfS;
- (c) where the governing body acts in accordance with sub-paragraph (b), the OfS must, within a reasonable time, consider the representations or modifications to the plan (or both) and, having considered them, inform the governing body whether or not it approves the plan;
- (d) where the governing body does not act in accordance with sub-paragraph (b), the OfS must, within a reasonable time, inform the governing body whether or not it approves the plan.

(3) Where the OfS has approved a plan, the governing body of the institution must publish it in a manner which makes it conveniently accessible to students and prospective students.