

## SCHEDULES

### SCHEDULE 4

#### ASSESSING HIGHER EDUCATION: DESIGNATED BODY

#### PART 2

#### OVERSIGHT BY THE OFS

##### *Application*

- 6 This Part applies if there is a body designated under this Schedule to perform the assessment functions.

##### *Oversight arrangements*

- 7 The OfS must make arrangements for holding the designated body to account for the performance of the assessment functions.

##### *Annual report by the designated body*

- 8 (1) As soon as possible after the end of each annual reporting period, the designated body must prepare and send to the OfS a report about the performance of the assessment functions during the period.
- (2) “Annual reporting period”, in relation to a designated body, means—
- (a) the period of 12 months beginning with the effective date, and
  - (b) each successive period of 12 months.

##### *Triennial report by the OfS*

- 9 (1) As soon as possible after the end of each triennial reporting period, the OfS must prepare and send to the Secretary of State a triennial report about—
- (a) how the designated body has performed the assessment functions during the period,
  - (b) whether the designated body should continue to be designated under this Schedule,
  - (c) the appropriateness of any fees charged by the designated body under section 28, and
  - (d) any other matters that the OfS considers relevant.
- (2) In preparing a triennial report, the OfS must have regard to any views provided to the OfS by a person listed in sub-paragraph (3) about—
- (a) the matters listed in sub-paragraph (1)(a) to (c), and
  - (b) what other matters, if any, should be dealt with in the report.

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*Status: This is the original version (as it was originally enacted).*

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- (3) Those persons are—
  - (a) registered higher education providers,
  - (b) persons representing, or promoting the interests of, students on higher education courses provided in England by registered higher education providers,
  - (c) persons representing, or promoting the interests of, employers of graduates, and
  - (d) such other persons as the OfS considers appropriate.
- (4) “Triennial reporting period”, in relation to a designated body, means—
  - (a) the period of 3 years beginning with the effective date, and
  - (b) each successive period of 3 years.

*Power of the OfS to give directions*

- 10 (1) The OfS may give the designated body general directions about the performance of any of the assessment functions.
- (2) In giving such directions, the OfS must have regard to the need to protect—
  - (a) the expertise of the designated body, and
  - (b) the designated body’s ability to make, or make arrangements for, an impartial assessment of the quality of, and the standards applied to, higher education provided by a provider.
- (3) Such directions must relate to—
  - (a) English higher education providers or registered higher education providers generally, or
  - (b) a description of such providers.
- (4) The designated body must comply with any directions given under this paragraph.

*Duty of the OfS to inform the Secretary of State about significant concerns*

- 11 The OfS must inform the Secretary of State if it has significant concerns about—
  - (a) how the designated body is performing the assessment functions, or
  - (b) the continued suitability of the designated body to carry out those functions.