



# Higher Education and Research Act 2017

## 2017 CHAPTER 29

### PART 1

#### THE OFFICE FOR STUDENTS

##### *Information duties*

#### **65 Duty to publish higher education information**

- (1) The relevant body must publish, or arrange for the publication of, appropriate information relating to registered higher education providers and the higher education courses they provide.
- (2) In this section “the relevant body” means—
  - (a) the designated body (see section 66), or
  - (b) if there is no such body, the OfS.
- (3) The information must be published—
  - (a) at appropriate times, and
  - (b) at least once a year.
- (4) The information must be published in an appropriate form and manner.
- (5) What is “appropriate” for the purposes of subsections (1), (3) and (4) is to be determined—
  - (a) by the designated body if the OfS has notified the body that it is required to do so (and has not withdrawn the notification), or
  - (b) otherwise, by the OfS.
- (6) A notification under subsection (5) may relate to one or more of subsections (1), (3) and (4).
- (7) When the designated body or the OfS determines what is appropriate for the purposes of subsection (1), (3) or (4), it must in particular consider what would be helpful to—

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*Status: This is the original version (as it was originally enacted).*

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- (a) students on higher education courses provided by registered higher education providers;
  - (b) people thinking about undertaking such courses;
  - (c) registered higher education providers.
- (8) The consideration under subsection (7) of what would be helpful to those described in paragraphs (a) to (c) of that subsection must include a consideration of what would be helpful to—
- (a) international students on higher education courses provided by registered higher education providers;
  - (b) people thinking about undertaking such courses who would be international students on such courses;
  - (c) registered higher education providers who recruit, or are thinking about recruiting, people who would be international students on such courses.
- (9) When the designated body or the OfS determines what is appropriate for the purposes of subsection (1), it must, in particular, consider whether information about the numbers of international students on higher education courses provided by registered higher education providers would be appropriate information.
- (10) The OfS must from time to time consult, or require the designated body to consult, the following about the matters described in subsections (7) to (9)—
- (a) a number of registered higher education providers that, taken together, appear to the OfS to comprise a broad range of the different types of such providers,
  - (b) a number of persons that, taken together, appear to the OfS to represent, or promote the interests of, a broad range of students on higher education courses provided by registered higher education providers,
  - (c) a number of persons that, taken together, appear to the OfS to represent, or promote the interests of, a broad range of employers of graduates, and
  - (d) such other persons as the OfS considers appropriate.
- (11) In performing the duty under subsection (1), the relevant body must—
- (a) cooperate with other persons who collect information from registered higher education providers, and
  - (b) have regard to the desirability of reducing the burdens on such providers relating to the collection of information.
- (12) In carrying out other functions under this section, the OfS and the designated body must have regard to the desirability of reducing the burdens described in subsection (11)(b).
- (13) The functions conferred by this section do not affect any other functions of the OfS regarding information.
- (14) In this section—
- “graduate” means a graduate of a higher education course provided by a registered higher education provider;
  - “international student” means a person—
    - (a) who is not within any description of persons prescribed under section 1 of the Education (Fees and Awards) Act 1983 (charging of higher fees in case of students without prescribed connection with the UK) for the purposes of subsection (1) or (2) of that section, and

- (b) whose presence in the United Kingdom, and undertaking of the higher education course in question, are not in breach of primary or secondary legislation relating to immigration.