



**Higher Education Services
Reportable Events
Policy**

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Higher Education Services Reportable Events Policy

1.0 Introduction and Purpose

1.1 To be compliant with the Regulatory Framework for Higher Education in England (condition of registration F3 'Provision of information to the OfS'), FutureLearn is required to identify and report significant events considered to be reportable events to the OfS.

1.2 The purpose of this document is to clearly outline to all FutureLearn management, staff, students, and stakeholders the organisation's obligations for escalating any adverse events or circumstances that may impact operations at FutureLearn.

1.3 This policy should be read alongside the following:

- [Office for Students Reportable Events](#)
- [Detailed list of Reportable Events to the OfS](#)
- [Submission of a Reportable Event to the OfS](#)
- [Student Whistleblowing Policy](#)
- [Staff Whistleblowing Policy](#)

2.0 Definitions

2.1 The OfS define a reportable event as:

"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.

2.2 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."

2.3 Where incidents occur from time-to-time FutureLearn usually deals with them locally as they do not fall within the scope of the OfS reporting and therefore do not have a significant impact on health and safety, service delivery, finances, or reputation.

3.0 What is a Reportable Event?

3.1 The OfS provides a non-exhaustive list of events or matters that may comprise reportable events, some of which are always reportable and others which may only be reportable in certain circumstances.

3.2 The seven categories outlined in the OfS regulatory framework are:

- a. Matters relating to a provider's ownership, legal form, or corporate structure.
- b. Matters related to the delivery of higher education in England.
- c. Matters relating to the quality and standards of a provider's higher education courses.
- d. Matters relating to student and consumer protection.
- e. Matters relating to a provider's financial viability or sustainability.
- f. Matters relating to management and governance.
- g. Matters relating to information provision.

3.3 The full list and further information can be found in the OfS Regulatory Advice [16: Reportable Events](#).

4.0 Confidentiality

4.1 FutureLearn promotes a culture of openness and transparency and in doing so encourages individuals to report events via the outlined reporting channels laid out in this document in section 7.0. FutureLearn encourages individuals to share their identity but will where reasonably possible keep their identity anonymous where this has been requested. It may, however, become necessary to share the identity if any investigation requires this.

5.0 Reporting to Other Regulators

5.1 FutureLearn is required to notify other regulatory bodies of certain events, for example, reporting personal data breaches to the Information Commissioner's Office (ICO). This obligation does not remove the requirement to also inform the OfS if the event affects compliance with the OfS regulatory framework.

6.0 Governance and Responsibility

6.1 The Board of Directors holds ultimate accountability for ensuring FutureLearn's compliance with the OfS' ongoing conditions of registration, with the Accountable Officer being the Managing Director.

7.0 Reporting

7.1 The OfS requires providers to report events as soon as possible, and no later than five working days from the date the event is identified. For events that have not yet occurred, the reporting deadline is within five working days of the matter being formally discussed by FutureLearn's governing body.

7.2 Where a potential reportable event is subject to investigation under an existing FutureLearn policy, that investigation should be conducted and concluded promptly. If the event is subsequently deemed reportable, it must be reported within five working days following the conclusion of the investigation.

7.3 To ensure a consistent, controlled approach to the identification, assessment, and reporting of potential reportable events, the following process must be followed:

- 7.3.1** Any member of staff, student or other stakeholder who has a reasonable concern about an incident, event, or circumstance that may fall under the categories listed in section 3.0 should report the matter in writing via email to the Managing Director, Ian Howell: ian.howell@futurelearn.com. Notifications should be submitted without delay. If an individual has any doubt as to whether the incident is reportable, they are still to submit it to the Managing Director for review.
- 7.3.2** Individuals making the report should state the following in writing:
- The date they became aware of the event.
 - The nature of the event.
 - A summary of the event.
 - Details of any partners or professional bodies linked to the event.
 - The potential impact of the event on FutureLearn.
 - Whether the incident or event has been reported to anyone else at FutureLearn, if so, details of who are required, or if it has been reported externally to an authority, which one (and lead contact details).
 - If any other policies are being used to review the event.
- 7.3.3** Upon receipt of the notification, the Managing Director will review the matter. If an existing policy is applicable, the event will be considered under that policy and investigated if necessary. A report of any such investigations will be provided to the Managing Director.
- 7.3.4** If no relevant policy exists or if an investigation under an existing policy suggests the matter may be reportable the Managing Director will consult with the Chair of the Board, the Chair of the Audit and Risk Committee, and/or other members of the Senior Leadership Team as appropriate.
- 7.3.5** Upon taking guidance from those named in 7.3.4 the Managing Director will make the final determination on whether the event meets the OfS criteria for reporting, considering the materiality of the issue and relevant guidance. It is important to note that OfS guidance is not exhaustive. The OfS states: *"It is a provider's responsibility to decide whether a particular event or matter constitutes a reportable event and should be reported."*
- 7.3.6** All decisions, including justifications for not reporting an event, will be recorded by the Audit and Risk Committee for future audit or inspection and reported to the Board of Directors by the Managing Director.
- 7.3.7** Details of all reportable events submitted to the OfS will be included in regular compliance reports shared with the Senior Leadership team, the Audit and Risk Committee and the Board of Directors by the Managing Director.
- 7.3.8** The Accountable Officer (Managing Director) is formally responsible for reporting events to the OfS. However, operationally, reportable events will normally be submitted by the Director of Academic Affairs via the OfS portal, acting on behalf of the Chair of the Board.
- 7.3.9** The Audit and Risk Committee will maintain comprehensive records of all reportable events. These records will be periodically reviewed to identify any emerging trends that may warrant further action or investigation.

8.0 Investigation

8.1 The Managing Director may appoint an investigating officer to examine the event and circumstances. The investigating officer will be given authority to access information and individuals to gain an

understanding as to whether the event can be dealt with locally through another FutureLearn policy, for example whistleblowing, disciplinary or counter-fraud.

8.2 Where there is a serious breach of, or incident related to, any FutureLearn policy or procedure this may constitute a Reportable Event, for example, an incident falling under the scope of FutureLearn's Fraud Response Plan. Investigations will be conducted as speedily as possible.

9.0 Prevent Duty

9.1 The OfS is the designated monitoring authority for the Prevent Duty within the higher education sector, as established by the Counterterrorism and Security Act 2015. FutureLearn has a dedicated Prevent Policy outlining the procedures for handling matters related to the Prevent Duty. The Director of Academic Affairs serves as the lead for ensuring compliance with this duty. In accordance with regulatory requirements, FutureLearn must report any relevant matters through its reportable events reporting process and provide an annual return of information to the OfS.

10.0 Training & Monitoring

10.1 The Accountable Officer, Audit and Risk Committee members, and other relevant managers within FutureLearn will familiarise themselves with the Reportable Events Policy and [OfS guidance](#).

10.2 The policy and procedure set out in this document will be kept under review by the Managing Director and Director of Academic Affairs, and any changes will be approved by the Audit and Risk Committee.