

## Quick guide

# Designation

## Overview

This guide details the designation rules from each awarding authority in the devolved administrations.

It is your responsibility to ensure that you only add designated courses to our Courses Management Service (CMS).

## English providers

From AY 2019/20 English providers intending to access student finance must be registered with the Office for Students (OfS).

Once you are registered with OfS, all eligible courses are automatically designated for English students.

You will only be able to add your courses onto CMS if you are registered with OfS.

There are two categories of registration:

- Approved (fee cap) with or without an Access and Participation Plan (APP)
- Approved

If you were designated in AY 2018/19 but did not register with OfS for any reason, you must seek 'teach out' at course level from OfS. This will let your returning students access the student finance system.

## Franchise and validation arrangements:

English providers that are registered with OfS can enter into validation and franchise agreements with providers that are registered with OfS, or providers that are not registered with OfS, without seeking specific designation. All eligible courses run through validation or franchise arrangements are automatically designated. Eligible students will be able to access the student finance system.

If you are a higher education provider that is not registered with OfS, courses delivered via validation and franchise agreements by an OfS-registered provider are not eligible for student finance funding.

Validation arrangements are needed when a provider (Provider A) does not have the level of degree-awarding powers (DAPs) needed to run a course leading to a designated qualification. Such a provider can enter into a validation arrangement with another provider (Provider B) with the DAPs needed.

For example:

Provider B approves a programme of study offered by Provider A that contributes to the qualification awarded from Provider B. In validation arrangements, the degree-awarding body (Provider B) is ultimately responsible for the academic standards of any awards granted in its name and for the quality of the learning programme.

Franchise arrangements are used when a lead provider (the franchisor) enters into an agreement with another provider (the franchisee) that will deliver a course on behalf of the lead provider. The franchisee may deliver all or part of a programme approved and owned by the franchisor (the lead provider). The lead provider retains overall control of the programme's content, delivery, assessment and quality assurance arrangements. The lead provider must add the course on CMS. Students will apply for funding at the lead provider and all tuition fee loan payments will be paid to the lead provider.

For example:

Provider C (franchisor) has entered into a franchise agreement with Provider D (franchisee). Provider D is delivering the course at its campus on behalf of Provider C. It is the responsibility of the lead provider, Provider C, to upload the course details to CMS under their provider details. The location of the course should be shown as Provider D.

## Offering courses to students domiciled in the rest of the UK

If an English provider offers its own\* courses to students domiciled in the rest of the UK (rUK), the following designation rules apply:

An English provider that is:	Wales	NI
	Designation	Designation
Approved (fee cap) with APP	Automatic	Automatic
Approved (fee cap) without APP	Automatic	Automatic
Approved	Specific (course-level) designation by the HEFCW	Specific (provider-level) designation by DfENI

*\*Own courses are courses which are wholly provided by the HE provider.*

English providers offering their courses to Scottish students need specific designation at course level if their organisation:

- was an Alternative provider in AY 2018/19
- was a publicly-funded provider that registers as an Approved provider with OfS
- is a new provider in AY 2020/21

The Student Awards Agency Scotland (SAAS) will only designate full-time courses that are not available at a provider located in Scotland.

If your organisation was publicly funded in AY 2018/19 and registers as an Approved (fee cap) provider with OfS, you have automatic designation for Scottish students for full-time courses only. Again, this only applies where the course is not available at a provider located in Scotland. This includes courses run through validation or franchise arrangements.

There are separate rules for course designation for students domiciled in rUK for validation and franchise arrangements.

Where specific designation is required (course or provider-level), you must request this from the relevant designating authority (DA). We can request this on behalf of your organisation for Northern Irish and Scottish students. However, you should contact the Higher Education Funding Council for Wales (HEFCW) directly to seek designation for Welsh students.

**Validation arrangements** – course-specific rules for Welsh-domiciled students attending an HE provider located in England:

From AY 2019/20, providers registered in the Approved (fee cap) category can automatically enter into a validation arrangement with other registered providers. Approved providers, and those not registered with OfS, must seek specific course-level designation from the HEFCW.

Before AY 2019/20, all publicly-funded providers could enter into validation arrangements without seeking specific designation. From AY 2019/20, a provider who was publicly funded in AY 2018/19 and registers in any other category other than Approved (fee cap) must have all courses that are run through a franchise arrangement for new students specifically designated by HEFCW.

You should not add courses to CMS before HEFCW has granted designation.

Validated provision		
Course type	Registered status	Designation type
Full-time and part-time undergraduate	Approved (fee cap) with plan	Automatic
	Approved (fee cap) with statement	Automatic
	Approved	Specifically designated by HEFCW
	Not on register	Specifically designated by HEFCW

**Franchise arrangements** – Welsh-domiciled students attending an HE provider located in England:

Only providers registered as Approved (fee cap) with an Access and Participation Plan are automatically designated to run franchised courses. All other categories of provider must have these courses specifically designated by HEFCW.

Before AY 2019/20, all publicly-funded providers could enter into franchise arrangements without seeking specific designation. From AY 2019/20, a publicly-funded provider in AY 2018/19 that registers in any category other than Approved (fee cap) with an Access and Participation Plan must have all courses that are run through a franchise arrangement for **new** students specifically designated by HEFCW.

You should not add courses to CMS before HEFCW has granted designation.

Franchised provision			
Course type	Franchisor (lead provider type)	Franchisee (deliverer) status	Designation type
Full-time and part-time undergraduate	Approved (fee cap) with APP	On the register	Automatically designated
	Approved (fee cap) without APP	On the register	Specifically designated by HEFCW
	Approved		
	Approved (fee cap) with APP	Not registered with the OfS	Specifically designated by HEFCW
	Approved (fee cap) without APP		
	Approved		

For example:

Provider C is registered with OfS as an Approved (fee cap) provider with an Access and Participation Plan. Provider C is running a genetics course, however they would like to run the course at another location (Provider D) to use Provider D's specialist laboratory. Provider C is the lead provider and therefore, as it is an Approved (fee cap) provider with an Access and Participation Plan, the genetics course is automatically designated for funding. Provider C can add the course to CMS and set the location in CMS to Provider D's location.

Provider E is registered with OfS as an Approved (fee cap) provider and does not have an Access and Participation plan. Provider E also runs a genetics course and wants to enter into a franchise arrangement with Provider D to use their specialist laboratory. Provider E must apply to HEFCW to have the course specifically designated for support. It should not enter the course to CMS until HEFCW has awarded it specific designation.

## Northern Irish and Scottish providers

Authority-funded providers, or public providers, are maintained or assisted by recurrent grants out of public funds. Authority-funded (public) providers are automatically designated for all domiciles.

An Alternative Provider is any provider of higher education courses that is not maintained or assisted by recurrent grants out of public funds. They do not receive any other form of direct annual public funding (for example, from a local authority, or the Secretary of State for Education) and are not a further education college. Courses that are provided wholly or in part by an Alternative Provider fall outside the scope of any automatic designation under the regulations and need to be specifically designated so that eligible students may access student support.

Scottish Alternative Providers must be specifically designated by the Student Awards Agency Scotland (SAAS). Northern Irish Alternative Providers must be specifically designated by the Department for Economy Northern Ireland.

If an Alternative Provider wants to offer courses to students under other designating authorities, it must request specific course-level designation from the relevant DA. We can request this on behalf of your organisation for Northern Irish and Scottish students. However, you should contact the Higher Education Funding Council for Wales (HEFCW) directly if you wish to seek designation for Welsh students. English students will be automatically designated for Welsh and NI Alternative Providers where the home DA has designated the provider. Scottish Alternative Providers will need to be designated for Scotland, NI and Wales.

We will administer course details in CMS on behalf of Alternative Providers and only the domiciles for which the provider has specifically been designated will be selected.

## Franchise and validation arrangements

Authority-funded providers can enter into validation and franchise agreements with providers that are not authority-funded. In these arrangements students who are studying at the franchise location may be entitled to student finance.

## Welsh providers

From 1 August 2017, the automatic designation of full-time HE courses applies only to courses provided by 'recognised educational institutions'. A 'recognised educational institution' is currently defined as either of the following:

- a Welsh-regulated institution, meaning an institution which has a fee and access plan approved by the Higher Education Funding Council for Wales (HEFCW) under Section 7 of the Higher Education (Wales) Act 2015 whilst that plan remains in force
- a provider operated by a charity within the meaning given by section 1 of the Charities Act 2011 on behalf of a Welsh-regulated institution

Where a higher education course is not automatically designated, it will need to be specifically designated by HEFCW before students can apply for financial support from the Welsh Government. These courses might be designated on a course-by-course basis by the Welsh Ministers.

If a Welsh provider that is not a 'recognised educational institution' wants to offer their courses to students under other designating authorities, it must request specific course-level designation from the relevant DA. We can request this on behalf of the provider for Northern Irish and Scottish students. English students will be automatically designated for Welsh Alternative Providers where Wales has designated the provider.