

Membership Regulations Appendix: Definitions

For the purposes of these Regulations:

Board / Governing Body

The primary decision-making body of the provider, with collective responsibility for the institution's long-term success, governance, strategy, oversight, regulatory compliance and accountability. The board may be known by different names, including a board of directors, board of governors or board of trustees, depending on the provider's legal form and constitutional arrangements.

Connected Provider

A UK education or training provider connected to a Member institution through ownership, control, governance arrangements, significant influence, contractual relationships or common senior personnel. This would include a shareholding or directorship of another education provider held by a family member of an individual who owns or controls the institution (that is, their spouse, civil partner, any person with whom they live as a partner in an enduring family relationship, a child or stepchild, a child or stepchild of their partner (if living with the director and under the age of 18), or their parents).

In assessing whether connected providers operate independently, IHE may consider factors including:

1. Whether institutional strategies are separate
2. Whether internal policies and processes are distinct and institution-specific
3. Whether staff are shared between the providers
4. Whether there is any validation or franchising arrangement between the providers
5. Whether institutions are regulated independently of one another
6. Whether the Boards of the two institutions are sufficiently independent of one another.

Fit and Proper Person

This is defined in Regulation M6 Fit and Proper Person Test.

Head of Institution

The most senior executive officer of a Member institution, irrespective of job title. This may include, but is not limited to, a Chief Executive, Principal, President, Managing Director or equivalent position.

Higher Education

Education at Level 4 and above of the Framework for Higher Education Qualifications of Degree-Awarding Bodies in England, Wales and Northern Ireland, or equivalent provision recognised within the relevant regulatory arrangements of the UK.

Individuals who Own and Control the Institution

Any individual who, directly or indirectly, exercises significant influence over the provider through ownership, voting rights, shareholder arrangements, family trusts, parent organisations, contractual rights, management authority, or other means that enable them to influence the institution's strategic direction, governance, or decision-making. This may include shareholders, beneficial owners, partners, trustees, founders, family members, directors and senior executives where relevant.

Member

The institution, company, charity or other legal entity admitted to membership of Independent Higher Education (IHE) in accordance with these Regulations. Membership is held by the institution and not by any individual associated with it. Member Institutions are the legal Company Members of IHE for the purposes of company law. Institutions which have purchased a subscription to IHE services (for example, Launchpad) but have not been formally admitted to membership by the Board are not Members of IHE.

Nominated Representative

An individual formally authorised by the Member institution, normally by the Head of Institution, to act as its representative in dealings with IHE where the Head of Institution is unavailable or chooses not to act directly.

Person with Significant Control (PSC)

An individual meeting the definition of a Person with Significant Control under applicable UK company law, together with any individual who exercises equivalent influence or control through another legal or governance structure.

Regulated Higher Education

Higher education provision that is subject to a statutory regulatory framework within England, Scotland, Wales or Northern Ireland, including provision delivered through recognised partnership arrangements with a regulated provider.

Staff

Any employee, worker, contractor or other individual engaged by a Member institution in the delivery, management or support of its activities.

Student

Any learner registered on a programme or course delivered by a Member institution.

UK

The United Kingdom of Great Britain and Northern Ireland.