

Approval of new name for the University of Bolton

UKPRN: 10006841

The Office for Students (OfS) has consented to the inclusion of the word ‘university’ in the University of Bolton’s proposed new name ‘University of Greater Manchester’.

The OfS’s role

The OfS has the legal power to consent to the use of the word ‘university’ in a registered higher education provider’s name.¹ In consenting to the inclusion of the word ‘university’ in any name the OfS has regard to the need to avoid names which are, or may be, confusing.

The OfS has published guidance for registered higher education providers that wish to use either ‘university’ or ‘university college’ as part of their name (‘university title’ or ‘university college title’). It states that we will consult on a provider’s proposed new name and assess the extent to which the proposed name is, or may be, confusing or misleading.²

As well as requiring consent from the OfS a provider also requires approval from the Registrar of Companies (via Companies House) before it can use a name including the sensitive word ‘university’. Under current regulations, the provider needs to seek a view from the Department for Education (DfE), also known as ‘non-objection’, before it can request approval from the Registrar of Companies. In this case, DfE issued a non-objection letter on the same day as the OfS’s final decision letter. The provider can now request approval from the Registrar of Companies to use the word ‘university’ in its proposed new name.

Consultation responses

The University of Bolton applied to the OfS for approval of its proposed new name, ‘University of Greater Manchester’, in August 2023. We consulted on the provider’s proposed new name and received 1,885 responses.³

1,187 respondents (64 per cent) responded that in their view the proposed name is not, or does not have the potential to be, confusing or misleading. 676 (36 per cent) responded that the proposed name is or has the potential to be confusing or misleading.

The reasons for confusion given by those respondents that thought the proposed name was or had the potential to be confusing, included that the proposed name has the potential to be confused

¹ See the Further and Higher Education Act 1992: <https://www.legislation.gov.uk/ukpga/1992/13/section/77>.

² See [Regulatory advice 13: How to apply for university college and university title - Office for Students](#).

³ See [Proposed new name for the University of Bolton](#).

with those of other providers in the area and that the geographic location of the provider was unclear.

The OfS's consideration of responses

After careful consideration we took the view that the majority of stakeholders will not find the proposed name confusing or misleading. This is because:

- a. The majority of universities have a name that includes the word 'university' and many contain a reference to a geographical area. We therefore consider that there is likely to be a relatively high degree of similarity between the names of **any** two universities.
- b. We consider that relevant stakeholders, including but not limited to students, are used to:
 - i. Distinguishing between conceptually similar names by paying a closer regard to differences in the names than might be the case in the contexts of other similar brands, including by using relevant contextual information to check and confirm the name or institution is the one intended.
 - ii. Distinguishing between a range of university names, some of which may provide a specific geographic location but others that do not.
- c. We consider that there is sufficient difference between the provider's new name and other provider's names to enable the majority of students and other stakeholders to differentiate between the two names. This is because stakeholders are used to distinguishing similar names of higher education providers including through the use of contextual information.

However, we consider that the proposed name may have the potential to be confusing for particular groups of stakeholders, including for example those for whom English is not their first language or who have difficulties in distinguishing or processing information. However, we concluded that most instances of potential confusion are unlikely to lead to any material harm or cause detriment. We also consider that there are existing mitigations. These include, for example, the range of contextual information that students use when applying to study and the requirement for the provider to comply with consumer law. These will either help to avoid potential confusion or prevent the material harm or detriment that arises from it.

We expect the university to review on an ongoing basis any potential sources of confusion about its name and take such necessary steps to either prevent such confusion from occurring or prevent it from creating harm. We will monitor whether there is any confusion and if, in practice, there is evidence of this then we may take further action.

The OfS's decision

In considering this decision, we considered our general duties from the Higher Education and Research Act 2017, among other factors.⁴ In this particular case, we placed weight on the OfS's general duties to have due regard to the need to protect the institutional autonomy of English higher education providers, and the need to encourage competition between English higher

⁴ See [PART I – The OfS's risk-based approach](#).

education providers in connection with the provision of higher education. We consider that these duties weigh in favour of consenting to the proposed name.

We also had regard to our regulatory framework, which states 'The OfS will only approve names that it considers not to be, or not to have the potential to be, confusing or misleading'. The OfS will consider departing from the position set out in the regulatory framework (that it will not authorise names that are, or have the potential to be, confusing) where there is good reason to, for example as in this case, that the risk of harm or detriment from a potentially confusing name is low or can be effectively mitigated.

Therefore, we decided to consent to the inclusion of the word 'university' in the University of Bolton proposed new name 'University of Greater Manchester' and invited the provider to formally change its name.

In making this decision:

- We have not purported to determine how any acts that might follow from the use of the proposed name might be categorised as a matter of law. The provider must not regard or represent the OfS's decision as endorsing or otherwise granting permission for it to breach or circumvent any laws which may apply to the use of the name, including intellectual property law or consumer protection law. Responsibility for compliance with the law remains with the provider.
- We are consenting to the name that has been assessed 'University of Greater Manchester', and not another variation of that name.