



Chief Executive's report

Issue

1. To update on work undertaken and issues that have arisen since the date of the last board meeting on 21 May 2020, to the extent that they are not covered in other board papers. Issues relating to coronavirus (COVID-19) are covered in the separate paper (paper 4.1).

Recommendations

2. The board is invited to:
 - a. Exempt from publication.
 - b. Note the report on the use of delegated authority between 14 May and 19 June 2020 at Annex B
 - c. Note the update on media activity at Annex C
 - d. Note the updates contained in this paper.

Further information

3. Available from Nicola Dandridge.

Summary of main activity

4. OfS work continues to be dominated by our response to coronavirus, described in paper 4.1. This paper summarises the other activities that we continue to undertake outside of our pandemic response.
5. Board members may be interested to note the following reports that have been published since the last board meeting. This [blog](#) by Andrew Norton summarises and analyses the recently announced reforms to the fees and funding of Australian higher education. The Sutton Trust have [reported](#) on some of the effects that the pandemic may have on university access and HEPI have also recently published the [results](#) of their Student Academic Experience Survey.

Strategic objective – participation

6. On 4 June 2020 we published experimental official statistics covering continuation, achievement and progression rates for students according to:
 - a. care experience
 - b. free school meal eligibility
 - c. parental higher education
 - d. sexual orientation
 - e. socio-economic background.

This work showed that there were substantial gaps for many of the groups and was designed as a precursor to inclusion in our wider access and participation data resources.

7. Work is continuing on the annual update on the impact of unconditional offers on continuation, with data due to be published as an official statistic on 16 July 2020.

Strategic objective - experience

8. On 5 June 2020 we ran an online event looking at support for black, Asian and minority ethnic students during the coronavirus pandemic. The event was attended by over 300 people, mostly representatives of universities and colleges and some student unions. The feedback from attendees was overwhelmingly positive. We have published the recording of the event on our website.
9. A subgroup of the provider risk committee has agreed that we should continue with the assessment of about 50 per cent of the remaining live registration applications where the assessment is almost complete and where we have all the evidence required to proceed to a decision. Where a provider in this category has reported a change to its financial forecasts as a result of the pandemic, we will reassess their financial viability and sustainability before proceeding to a registration decision. We are also asking these providers to report short term liquidity risks on the same basis as registered providers.
10. Where we have paused the assessment of an application to register – for example, where the provider has applied recently, is not able to respond to our queries, or where the assessment requires considerable resource – providers are nonetheless able to make a case for exceptional circumstances to allow their applications to proceed. A similar process is being followed for applications for degree awarding powers.

11. We have received the following applications for changes to category of registration:
 - 7 providers applied to change from Approved to Approved (fee cap)
 - 9 providers applied to change fee limit within the Approved (fee cap) category
12. Assessments have been carried for these applications, including, where necessary, the negotiation of a new Access and Participation Plan. Decisions on each case will be taken before the SLC's deadline of 31 July 2020.
13. We are currently preparing a consultation on a proposed new ongoing condition of registration which would apply where a provider is at risk of market exit. If implemented, the new condition would mandate compliance with student protection directions issued by the OfS. This would allow us to intervene more rapidly than is currently possible if we judge a provider to be at material risk of market exit. Our intervention would be designed to protect students from the impact of a disorderly exit. We will update the board further on the development of this consultation as it is progressed.

Strategic objective – outcomes

14. The Digital Secretary Oliver Dowden formally announced at the CogX event in June our programme of taught postgraduate training to support students into AI and Digital careers. A total of £13m funding has been awarded to 18 providers, including a consortium bid led by Coventry University on behalf of the Institute of Coding. This funding will accelerate the number of highly skilled AI and data science graduates by at least 2,500 students over three years, including 1000 scholarships for underrepresented groups, particularly female, black and disabled students. We have created a student facing page on our website to manage the increasing number of student queries, which includes links to courses and creative content using the campaign assets.
15. Alongside this, the OfS-funded Institute of Coding (IoC) is experiencing large increases in learner numbers to its short online CPD digital courses since the coronavirus pandemic started and now has 365,000 learners. Large increases in enrolments just after lockdown increased further following the inclusion of IoC courses within the recently launched DfE Skills Toolkit, which is aimed at furloughed workers. An analysis of a sample of learners on the courses indicates that they are reaching the target market of people entering the workplace for the first time, re-entering after a break, and or in work and looking to add to their skillset. 45% are female and 58% are over 26 years old, which is significantly higher than the proportions on undergraduate computer related courses across the higher education sector.

16. Exempt from publication.

Strategic objective – efficient and effective

17. The OfS annual report and accounts 2019-20 was laid before Parliament on Thursday 4 June 2020, and has now been [published on our website](#). We were the first body in the UK to lay its annual report and accounts before Parliament. This publication was the result of a large amount of work across all directorates within the OfS and particularly within the

Finance and Governance teams. It was subject to audit by the National Audit Office which due to lockdown was carried out remotely for the first time.

18. Due to the timing of this board meeting, no quarterly finance report is included in the papers. The management accounts for the end of May show us to be on budget in respect of both administration and programme costs. On the operating side we have faced a reduction in auxiliary income over the past three months, but this has been matched by reductions in expenditure.
19. We are planning to publish our second annual review in December 2020. This will offer us the opportunity to highlight strategic priorities for 2021 and reflect our work during the coronavirus pandemic too, noting where existing work has been impacted. We plan to share an outline document with the board in September, enabling discussion in particular of the issues we plan to highlight, as well as providing an opportunity for the board to see the full report when the text is close to being finalised.
20. Work on recruiting new members of the student panel is now underway. We have had an energetic social media campaign to support recruitment and have now received a total of 890 applications. Martha Longdon will be able to update the board further in the student panel update included in the meeting agenda.
21. HESA Data Futures work is progressing to plan based on the proposals received in April and we are in the process of approving a further set of work for HESA prior to submission of a full proposal for consideration in September.
22. Our work on reviewing regulatory burden continues, though our focus is now on work that we can do internally given that the external facing work required collaboration with providers and that has been paused due to the pandemic. We are also working closely with the Department for Education on its scrutiny of bureaucracy across the higher education sector as part of its wider review across the whole education sector.
23. We continue to defend the appeal against the High Court decision in the Bloomsbury judicial review case. Bloomsbury has been given leave to appeal by the Court of Appeal on limited grounds: in relation to our scheme of delegation, the transparency and rationality of our approach to assessing student continuation and outcomes for the purposes of condition of registration B3. It was not given leave to appeal the findings in relation to the Public Sector Equality Duty, our decision not to disapply registration conditions, and our approach to proportionality. A one-day hearing is anticipated, solely on points of law (rather than matters of fact), potentially to be listed for September. Our legal advice remains that we have reasonable prospects of defending the appeal. Separately, we have now agreed with Bloomsbury's lawyers for payment of the majority of our costs in relation to the High Court hearing.
24. The Black Lives Matter demonstrations following the killing of George Floyd in Minnesota have prompted us to re-focus on our own work to tackle societal racism both in terms of our regulatory responsibilities and internally. Addressing inequality and Black disadvantage forms a central part of our regulatory and policy work. Our Access and Participation plans detail the targets and actions we have negotiated with providers to address BAME degree attainment gaps and we have also been working on issues such as the BAME experience of mental ill-health and the progression of BAME students into research careers. As set out in paragraph 8 above, on 5 June 2020 we ran an event looking at how to support Black,

Asian and minority ethnic students during the coronavirus pandemic. We will continue to review our work in this area to ensure it is effective and targeted. Internally, our black, Asian and minority ethnic staff network has actively supported colleagues and shared their views and analysis of recent events for our staff intranet. These views are informing the work of our internal Equality, Diversity and Inclusion group which is developing programmes of work to ensure greater diversity and inclusion in terms of recruitment, and other HR practices including the coordination of our new five staff networks. We have also opened internal applications for one or two six-month appointments to the directors' group that will ensure a diversity of perspectives within the group and offer career development opportunities for staff. Much of this work will be discussed further in our People Update, later in the agenda.

25. Since the start of lockdown, we have gained over 1,000 additional followers to the OfS Twitter account. We currently have 13,500 followers on Twitter, and 6,200 followers on LinkedIn (a more than three-fold increase since August 2019).
26. On the OfS website, since 1 March 2020 the coronavirus content has received a total of 176,207 unique page views, with particular interest in our coronavirus focused Briefing Notes, highlighting innovative sector practice. The accommodation note has had over 13,000 unique views, and other briefing notes on mental health, information, advice and guidance, care leavers and international students have each had over 2,000 unique views. This amounts to just over a quarter of all traffic to the website, and we are regularly updating questions and answers for students, as well as our guidance to providers.
27. A summary of media activity is available at Annex C.

Annex B – Report on use of delegated decision making

14 May to 19 June 2020

Supporting student mental health

1. On 9 June 2020, the chief executive delegated her authority to the Director for Fair Access and Participation to approve a proposal for up to £3 million as a direct award of grant funding to Student Minds for a short term programme of work (up to six months) to address the additional mental health support needs of all higher education students in England caused by the COVID-19 pandemic. This includes:
 - a. Offering immediate and high-quality mental health support for students experiencing distress.
 - b. Providing digital resources to help individuals maintain good mental health and wellbeing during this period.
2. The payments will be made in phases, subject to Student Minds meeting certain milestones. To that end, the chief executive also delegated authority to the Director for Fair Access and Participation to agree with Student Minds the specific terms and conditions of that funding
3. To inform the chief executive's decision, the proposal from Student Minds has undergone an internal assessment process with three assessors working in the student mental health policy area independently reviewing the proposal.

Annex D – Board forward look

22 September

Update on TEF

Funding for data futures project

Follow up on freedom of speech and academic freedom

PGT survey options and the next stages for NSS

OfS annual review

Finance report

Report from the Provider Risk Committee

Report from the Risk and Audit Committee

Report from the Quality Assessment Committee including periodic “focus on” the committee

1 December

OfS annual review (if required)

Finance report

Report from the Horizon Scanning Panel

Report from the Provider Risk Committee