

## Annual Equality, Diversity and Inclusion Report 2019-2020

### Issue

1. OfS's Annual Equality, Diversity and Inclusion (EDI) Report 2019-20, including a detailed review of our objectives (Annex A) and annotated action plan (Annex B). Annex C presents an overview of the most recent equality data on students and staff at OfS.

### Recommendations

2. The board is invited to approve OfS's Annual Equality and Diversity Report 2019-2020 and note the progress made towards the equality objectives<sup>1</sup> approved by the board in July 2018.

### Timing for Decisions

3. To ensure that the legal requirement to publish equality information on an annual basis is fulfilled, the report (this paper) should be published on the OfS website by the end of July 2020.
4. As in previous years, we also intend to publish a future looking action plan for the next 12 months, hopefully in the autumn.
5. This will be agreed through the OfS Directors Group and is being developed as part of our business planning, which in itself takes account of the impact of the coronavirus outbreak on specific groups of students, on the higher education sector and our work in OfS. The board's discussion will inform this work.

### Further Information

6. Further information is available from Amy Norton, Head of Equality, Diversity and Inclusion (0117 931 7025, [amy.norton@officeforstudents.org.uk](mailto:amy.norton@officeforstudents.org.uk)), or Rachel Attwood, Head of Human Resources and Organisational Development (0117 931 7110, [rachel.attwood@officeforstudents.org.uk](mailto:rachel.attwood@officeforstudents.org.uk)).

### Legal Context

7. This paper relates to the OfS's general duty to have regard to equality considerations when exercising our functions, for example our function to promote equality of opportunity in relation to access and participation in higher education, pursuant to the Higher Education and Research Act (HERA) 2017.

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<sup>1</sup> <https://www.officeforstudents.org.uk/media/cdc6fbf2-94b9-45d4-a3b1-f1a54d8c4a8a/ofs-eandd-statementand-objectives.pdf>

8. More specifically, this paper relates to OfS's compliance with the specific duties of the Equality Act 2010 to publish equality information and progress against our objectives on an annual basis.
9. The Equality Act 2010 puts a general duty on public sector bodies (including the OfS and publicly-funded higher and further education institutions) to have regard to the need to:
  - a. Eliminate unlawful discrimination, harassment and victimisation
  - b. Advance equality of opportunity between people who share a protected characteristic<sup>2</sup> and persons who do not share it; and
  - c. Foster good relations between people who share a protected characteristic and those who do not share a protected characteristic.
10. Public bodies must meet this general duty both as employers and as providers of public services, and show 'due regard' to the duty across all of their functions. It is referred to as the 'public sector equality duty' (PSED).
11. The general duty is underpinned by specific duties, for which there are the following requirements:
  - a. To publish annual information demonstrating compliance with the general duty. This should include information on employees and people affected by the OfS's functions who share a protected characteristic.
  - b. To publish objectives setting out how the OfS will meet the requirements of the Act at least every four years.
  - c. To ensure that such published information is accessible to the public.
12. The OfS achieves this by ensuring that our Annual EDI Report, objectives<sup>3</sup> and action plan for 2018-2022<sup>4</sup> are published on our website. The inaugural version was approved by the board in July 2018<sup>5</sup>.
13. Since March 2018, there has also been a duty which applies to all organisations employing over 250 people to publish a set of calculations and data in relation to their gender pay gap.

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<sup>2</sup> The equality duty covers the nine protected characteristics: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. Public authorities also need to have due regard to the need to eliminate unlawful discrimination against someone because of their marriage or civil partnership status. This means that the first aim of the duty applies to this characteristic but that the other aims (advancing equality and fostering good relations) do not apply. For additional information: <https://www.equalityhumanrights.com/en/advice-and-guidance/public-sector-equality-duty-guidance>

<sup>3</sup> See <https://www.officeforstudents.org.uk/about/equality-and-diversity/>

<sup>4</sup> See <https://www.officeforstudents.org.uk/media/5dd6fffe-f585-401a-a8b8-d00d00c89e7e/ofs-eandd-statementand-objectives-action-plan.pdf>

<sup>5</sup> See <https://www.officeforstudents.org.uk/media/cdc6fbf2-94b9-45d4-a3b1-f1a54d8c4a8a/ofs-eandd-statement-and-objectives.pdf>

This applies to the OfS and the annual publication date for a public sector employer is annually on 31 March. The OfS published its first gender pay report in March 2020<sup>6</sup>.

14. The Equality and Human Rights Committee (EHRC) is responsible for monitoring and enforcing the PSED for all public authorities listed in the Equality Act 2010 and has a statutory power to institute judicial review proceedings where a public authority may have failed to comply with the PSED. If the EHRC suspects that an authority is not complying with the PSED it has the power to conduct an assessment and, if necessary, serve a compliance notice on the authority requiring it to address the non-compliance. Separately, an aggrieved party who feels a public authority has not complied with the PSED can bring their claim by way of judicial review.

### **Delivering EDI at the OfS**

15. This annual report and accompanying annexes provide an opportunity to showcase the breadth, depth and emerging impact of our activity, and gives the board the opportunity to hold us to account for our performance and progress.
16. We will publish this report on our website after this meeting. In order to promote greater awareness of and accessibility to our work in this area, we will be publishing a shorter briefing note to go alongside this, which will be targeted at students and the general reader. The staff equality data in Annex C enables us to examine our practices fully and meet our obligations under the Equality Act 2010. This is also published annually.

### **Impact of the coronavirus pandemic on our EDI programme**

17. As the board discussed in May 2020<sup>7</sup>, the impact of the coronavirus pandemic on current students is severe and we are acutely aware that some groups of students will suffer more, particularly those the government has identified as vulnerable.
18. We know also that many of the students we have identified as priorities for our access and participation work face additional challenges at this time. Through our revised regulatory requirements, we have made clear that providers should continue to seek to deliver their access and participation plans. We do not expect to see a reduction in the level of ambition and rigour within these plans across the five-year period agreed for their delivery.
19. We have advised that providers may use funding previously earmarked for outreach, together with the funding they receive through the student premium element of our teaching grant, to support the groups of vulnerable students identified by the government, including in relation to financial hardship and mental health.
20. We are also working with Uni Connect partnerships to agree new modes of outreach for this year, building wherever possible on platforms that have been evaluated to demonstrate their effect and accessibility for a diverse group of learners.

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<sup>6</sup> See <https://www.officeforstudents.org.uk/about/equality-and-diversity/gender-pay-gap/>

<sup>7</sup> See <https://www.officeforstudents.org.uk/about/board-papers/>. May 2020 papers not published at time of writing.

21. We have sought to embed EDI within our work across the OfS to address the consequences of the pandemic. This has included where appropriate implementing equality impact assessment in the development of new work strands (including the proposed new ongoing condition of registration E6), and leading or contributing to a suite of briefing notes to support providers<sup>8</sup>.
22. We are also developing a programme of work mapping out how we should transition out of our current working patterns and regulatory requirements. This work contributes to a new OfS strategy from April 2021 and EDI will be embedded within these plans.
23. Our ambition to diversify our workforce and create an inclusive culture internally has been identified as an ongoing priority throughout the coronavirus pandemic, aligning with our external priorities. Our new EDI Adviser (who is appointed on a one-year secondment) started just before the lockdown and will be supporting the delivery of our internal objectives over the coming year.

### **2019-20 Assessing our progress and performance**

24. Annex A discusses each of our EDI objectives in turn and further detail is provided in the action plan (Annex B). Objectives 1-5 focus on our corporate governance and operations, alongside external facing priorities as a regulator and funder; objectives 6-8 focus on OfS as an employer.

### **Risk implications**

25. Key corporate and operational risks are captured through the OfS risk register and we will continue to report to the Board any emerging high-level risks which emerge, particularly those which relate to our responsibilities under the PSED and the potential for regulatory enforcement by the Equality and Human Rights Commission or legal challenge through judicial review. Similarly, we continue to actively manage risks associated with the reputational damage to the OfS, and loss of credibility, if our ambitions internally and externally are not well aligned, and we do not meet the objectives we have set ourselves. The impact of the coronavirus pandemic on vulnerable students remains an immediate concern.

### **Communications and engagement**

26. If the board approves this report, we will publish it on our website by the end of July 2020, along with a shorter briefing aimed at a wider audience to highlight our progress in this area.

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<sup>8</sup> All briefing notes available at: <https://www.officeforstudents.org.uk/advice-and-guidance/coronavirus/briefing-notes/>. The EDI team have led or contributed to the briefings on supporting: student mental health, international students, postgraduate research students, and disabled students.

## **Annex A: OfS performance on equality, diversity and inclusion 2019-20 – review of objectives**

### **Objective One**

**The OfS will develop, implement, and consult on our equality and diversity objectives, evidence base, impact assessments and action plan to ensure successful implementation of our PSED.**

#### Corporate Governance and Operations

1. One of the areas we have focused on in the last twelve months is embedding our values in corporate governance and operations. The Remuneration and Nominations Committee (RNC) has agreed a framework so that the OfS's committee composition reflects that of wider society, providing diverse perspectives in the OfS's decision-making processes, having regard to the Cabinet Office's Public Appointments Diversity Action Plan 2019 and the Equality and Human Rights Commission's guidance. During spring of 2020, we undertook recruitment to the Disabled Students Commission (which was an open recruitment), and to the TEF Advisory Group (to which nominations were made by sector bodies). In taking account of the Cabinet Office's guidelines to achieve representation of public appointees that 50 per cent of all public appointees should be female and that 14 per cent of appointments (at least) should be from ethnic minorities, bringing representation in line with the resident population in England and Wales.
2. Using this as a guide for creating a diverse TEF Advisory Group our initial approach was to ensure the ratio of male: female members to be no further apart than 55:45 per cent. Eight out of the 15 members are female, and four of the 15 members are from Black, Asian or minority ethnic backgrounds- therefore exceeding our targets. Whilst the membership is subject to change, and the co-opted DfE position is currently vacant, this is a pleasing starting position for the group's activities.

#### Making inclusive decisions

3. We have developed comprehensive internal training and support mechanisms to roll out our new approach to equality impact assessment (EIA): Making Inclusive Decisions (MIDs). The Directors Group requires evidence of assessment to be rigorous and robust before any new work is approved and we expect increasingly to publish some assessments externally. It has become a fundamental part of our approach to managing the impact of the coronavirus, with the aim of embedding EDI throughout rapid and changing circumstances, and will be one of the ways in which we judge our own success during this period.

#### Building and supporting an inclusive organisation

4. It is fundamental that an organisation challenging the sector to promote equality and diversity and support protected and underrepresented groups is equally ambitious internally and replicates these behaviours and standards itself. Activity in this area extends learning and development, representation, recruitment, and governance. More information is available in the 'OfS as an employer' section of the paper and in Annex B.

## Student Engagement

5. In February 2020, we published our student engagement strategy, which sets out an organisation-wide approach to engaging students over the next three years<sup>9</sup>. The strategy has given particular focus to the perspectives of students whose voices go 'unheard' – referring to those students, sometimes from backgrounds underrepresented in higher education, whose voices or experiences might be missed. Students who engaged in the consultation process challenged the OfS to be more ambitious on EDI and stressed the importance of our work being informed by lived experience.

## **Objective Two**

**The OfS will conduct and publish rigorous and influential analysis, research and insight into EDI (including the Protected Characteristics and socio-economic disadvantage) issues across the student lifecycle.**

### Data analysis and measurement of performance

6. We continue to work with the designated data body and others to support improvement in the quality and volume of data collected, with a view to improved analysis and insight.
7. We have continued to publish updated equality and diversity data for students at English higher education providers<sup>10</sup>. The official statistics present the proportion and numbers of students in higher education by age at entry, disability (broad and detailed), educational disadvantage (POLAR4), ethnicity (two groups, five groups and 17 groups) and sex.
8. The experimental data reports the proportion and numbers of students in higher education by gender identity, parental education, religion or belief and sexual orientation. In the last year there have been improvements in the quality of experimental data that has allowed further analysis to identify gaps in access and participation outcomes, for example continuation and attainment of LGB+ students.
9. We have been exploring the potential to include a range of new characteristics in our publications. We have published a report looking at the differences in outcomes by further characteristics<sup>11</sup> - sexual orientation, care experience, free school meals eligibility, parental higher education and socio-economic background.
10. Our equality and diversity success factors are woven into our Key Performance Measures (KPMs) and include protected characteristics. Our key performance measures are our main tools for understanding whether our vision and strategy is being realised. KPM four focuses on decreasing the gap in degree outcomes (1sts or 2:1s) between white students and black

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<sup>9</sup> See <https://www.officeforstudents.org.uk/publications/students-experts-in-their-own-experience/>

<sup>10</sup> See <https://www.officeforstudents.org.uk/data-and-analysis/equality-and-diversity/>

<sup>11</sup> See <https://www.officeforstudents.org.uk/publications/differences-in-student-outcomes-further-characteristics/>

students. KPM five highlights the gap in degree outcomes (1sts or 2:1s) between disabled students and non-disabled students<sup>12</sup>.

### Access and Participation Dataset and Dashboard

11. The access and participation dashboard and associated data resources was updated on 7 May 2020 to include student data for 2018-19. This year's first update of the dashboard offers an improved user experience and better accessibility, with a second phase of updates expected later in 2020. As set out below, this data has been crucial to the development and assessment of access and participation plans.

### Health Professions

12. In 2019 we published two sets of data on nursing, midwifery and allied professions. The first specifically focused on the impact of the funding reforms by student characteristics<sup>13</sup>. The second analysed year one continuation and showed that not only is retention slightly better in nursing, midwifery and allied health than in the sector overall, but it was also significantly better when looking at mature student continuation<sup>14</sup>. In January 2020 we published a study of barriers to male participation in nursing and allied health<sup>15</sup>.

### Evidence and Effective Practice

13. To close equality gaps and improve sector practice we need to understand the specific issues and barriers facing different groups of students, which we address in line with our duties relating to the identification and promotion of good practice in relation to access and participation.

14. This work aims to equip providers to select, develop and implement the strategic measures that will have the greatest impact on reducing equality gaps for students from the groups we identify as being under-represented in our access and participation guidance. We have developed an online resource, the 'A-Z of effective practice in access and participation', which also draws on our analysis of access and participation plans. Further details of priority groups and our key activities are available in the action plan.

15. We want to make sure that universities use evidence so that their activity is strategic and has the greatest impact. We have introduced tougher requirements on evaluation, including a self-assessment as part of their access and participation plans, and measuring the outcomes from this through the relevant KPMs (6 and 7).

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<sup>12</sup> See <https://www.officeforstudents.org.uk/about/measures-of-our-success/participation-performance-measures/>

<sup>13</sup> See <https://www.officeforstudents.org.uk/data-and-analysis/changes-in-healthcare-student-numbers/>

<sup>14</sup> See <https://www.officeforstudents.org.uk/advice-and-guidance/funding-for-providers/health-education-funding/nursing-midwifery-and-allied-health-courses/#analysis>

<sup>15</sup> See <https://www.officeforstudents.org.uk/publications/male-participation-in-nursing-and-allied-health-higher-education-courses/>

### Centre for Transforming Access and Student Outcomes (TASO)

16. At sector level we are now funding the Centre for Transforming Access and Student Outcomes (TASO), which is using evidence and evaluation to improve equality across the student lifecycle. TASO is an affiliate What Works Centre established by a consortium led by King's College London, Nottingham Trent University and the Behavioural Insights Team and will become an independent charity later in 2020. In January 2020, TASO published its first commissioned research project on 'the impact of interventions for widening access to higher education'<sup>16</sup>. The Centre's early research priorities include a project designed to identify effective approaches to addressing continuation and attainment gaps for BAME students.

### Insight Briefings and Events

17. Insight events and briefings are a way of shining a spotlight on critical issues. In November 2019, we held an insight event on 'Improving student lives: hate crime, harassment and mental health in higher education', which explored the role of universities and colleges in tackling these issues. To coincide with the insight event, we published an Insight Brief on 'Mental health: Are all students being properly supported?'<sup>17</sup>. The brief included analysis from our new access and participation dataset, which identified gaps in outcomes for students with mental health conditions and focused in particular on intersections between mental health and other characteristics. The brief highlighted the continuation and attainment gaps for black full-time students who report a mental health condition, with the degree attainment gap between black and white students with a declared mental health condition at 26.8 percentage points. Further, it showed that since 2013-14 the continuation rates for full-time students who reported a mental health condition improved in all ethnic groups apart from black students, for whom the gap increased.

18. In October 2019, we published an updated review of models of support for disabled students and the insight briefing 'Beyond the bare minimum: Are universities and colleges doing enough for disabled students?'<sup>18</sup>. The briefing reflected on the persistent gaps in access, success and progression for disabled students, inclusivity of teaching and learning in higher education, and the role of the Disabled Students' Commission<sup>19</sup>. The DSC is an independent group that will advise, inform and challenge the English higher education sector (including providers, sector agencies, regulators and government) to improve models of support for disabled students in higher education<sup>20</sup> by identifying and promoting practices and approaches which will help students with disabilities to have a positive and successful experience at university. During the pandemic, Commissioners are engaging with students, staff and representative bodies to

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<sup>16</sup> See <https://taso.org.uk/publications/>

<sup>17</sup> See <https://www.officeforstudents.org.uk/publications/mental-health-are-all-students-being-properly-supported/>

<sup>18</sup> See <https://www.officeforstudents.org.uk/publications/beyond-the-bare-minimum-are-universities-and-colleges-doing-enough-for-disabled-students/>

<sup>19</sup> See <https://www.officeforstudents.org.uk/advice-and-guidance/promoting-equal-opportunities/disabled-students-commission/>

<sup>20</sup> Terms of reference available here <https://www.officeforstudents.org.uk/media/45601486-5c9a-4391-be86-77f66dac64dd/dsc-terms-of-reference.pdf>



consider how the clearing process, blended and online learning, transition and induction, and student engagement can be delivered in a way that provides the best possible support to disabled students.. The Commission will report on the outcomes from this work later in the summer.

### Objective Three

**The OfS will challenge the sector to significantly reduce gaps in access, success and progression for students from all backgrounds and identities and across all disciplines.**

#### Transforming access and participation

19. Access and participation plans, which serve as the first condition of registration for providers that want to charge higher fees to undergraduate students, are the primary way we hold individual providers to account on achieving equality of opportunity. Through our regulation of plans, we want to make greater and swifter progress in closing persistent gaps in outcomes for students from underrepresented groups in higher education.
20. At the time of writing, we have assessed over 220 of these new plans. Our assessment and monitoring aims to focus our scrutiny towards those providers at highest risk of making insufficient progress, while reducing regulatory burden for those that are doing well.
21. While our definition of underrepresented groups does not explicitly include all the protected characteristics covered by the Equality Act 2010, many protected characteristics interlink with groups that are underrepresented in higher education, such as disability, ethnicity, and age (mature students). Providers have been required to take a whole provider approach – showing alignment between their plan and their broader equality and diversity strategies.
22. In January 2020, we published a report analysing access and participation plans submitted by higher education providers – 171 with an approved access and participation plan as of 31 October 2019 – for the period 2020-2021 to 2024-25<sup>21</sup>. Our analysis found that if all universities and colleges with targets related to the gap in degree award outcomes between black and white students (KPM4) meet those targets, the gap would reduce from 22.0 percentage points in 2017-18 to 11.2 percentage points in 2024-25. If this progress is maintained in the longer term, it is likely that there will be equality in award rates between the two groups by around 2030. If all universities and colleges with targets related to the gap in degree award outcomes between disabled students and non-disabled students (KPM5) meet those targets, the gap would close from 2.8 percentage points in 2017-18 to 1 percentage point in 2024-25, representing a narrowing of the gap to a level close to equality.
23. The analysis suggests that the stronger focus on student success in the OfS guidance has resulted in a strengthening of the ‘whole provider’ approach, but that a number of underrepresented student groups may not be adequately addressed, including mature students.
24. While there is much to celebrate in these plans, we need providers to deliver on them. For some groups of students, gaps will remain too wide or take too long to close even if providers meet their targets. We need increasingly to understand the effect of intersecting characteristics:

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<sup>21</sup> See <https://www.officeforstudents.org.uk/publications/transforming-opportunity-in-higher-education/>

the low levels of participation by men from the most disadvantaged areas, for example, and the barriers faced by students of minority ethnicities with mental health conditions. These findings, coupled with our insights on the effect of the coronavirus outbreak on different groups of students, will influence our priorities for monitoring activity during the coming year and our broader strategy for access and participation.

### Strategic use of funding

25. Funding remains an important lever to drive collaboration where this cannot be achieved through outcomes-based regulation at provider-level. This is exemplified by the Uni Connect programme, which enables universities and colleges to work together on their outreach to schools and colleges, thereby minimising the burden for schools and improving the efficiency and impact of the work. We also continue to fund a range of challenge and funding competitions, as detailed in the action plan and under objective 4 below. Our review of future funding has been delayed by the pandemic, but we expect to continue with this work to inform the government's spending review later in 2020.

## **Objective Four**

### **The OfS will work to address the risk of some students not receiving a high quality higher education experience**

#### Provider Regulation

26. We continue to take account of the general duties and equality considerations in our initial registration decisions and also our ongoing regulation of providers. In both areas, emphasis continues to be placed on the principle that equality of opportunity extends to students having the same opportunity to succeed in and progress from HE, not just to access it.
27. Contextual information on the differential outcomes of different groups of students is considered both at the point of application for initial registration and as part of ongoing regulation. In line with the regulatory framework, the approach taken is to recognise where there may be differential achievement for different student groups, but to ensure that the OfS's regulatory approach does not 'bake in' the assumption that students with particular characteristics will necessarily have stronger, or weaker, outcomes. This was referenced when the OfS published details of its approach to baseline monitoring of student outcomes<sup>22</sup>.
28. Equality is also embedded within the ongoing monitoring of the quality of providers' provision. Condition B2 requires a provider to provide all students, from admission through to completion, with the support that they need to succeed in and benefit from higher education. This sets out a clear expectation that the OfS takes account of the differential experience of different groups in its consideration of this condition.
29. During the coming year, we intend to develop our regulatory approach to student outcomes further, and also our broader approach to the regulation of the quality of provision. We are looking to explore how NSS data could become a more central component of our regulation in this area. This will include development of our conditions of registration relating to quality and

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<sup>22</sup> See [https://www.officeforstudents.org.uk/media/490d884f-03aa-49cf-907d-011149309983/condition\\_b3\\_baselines.pdf](https://www.officeforstudents.org.uk/media/490d884f-03aa-49cf-907d-011149309983/condition_b3_baselines.pdf)

standards and the next phase of the Teaching Excellence and Student Outcomes Framework, taking into account the independent review and subject-level pilots completed during 2019. Equality of opportunity and differences in outcomes between different student groups will remain key considerations as our approach is developed.

30. It is imperative that students from protected groups or socioeconomic disadvantage are not disadvantaged disproportionately in the event of provider, campus or course closure. We have been working to ensure that in the event of market exit the OfS has immediate access to data that will enable consideration of a range of demographic factors in relation to the student profile of the provider that are relevant to equality, diversity, and inclusion. Student protection cases considered by the OfS prior to March 2019 all considered these matters as part of the normal process and the OfS will continue to focus on the characteristics of students through its engagement with providers on student protection and market exit issues, including those arising from the pandemic.

#### Harassment, Sexual Misconduct and Hate Crime

31. In January 2020, we published a consultation on harassment and sexual misconduct affecting students in higher education. This consists of two main proposals:
- a. A 'statement of expectations' that sets out the processes, policies and systems a provider will have in place to prevent and respond to harassment and sexual misconduct.
  - b. Action where there are significant failures in a providers reporting systems and complaints processes.
32. Our regulatory remit in this area does not extend to intervention in individual student cases to provide resolution or redress. We propose, therefore, to focus on the extent to which a provider operates robust reporting and complaint handling mechanisms for harassment and sexual misconduct. Failure to operate such systems could constitute a breach, or an increased risk of a future breach, of initial and ongoing conditions B2 (Quality) and C1 (Guidance on consumer protection law). In line with the OfS regulatory approach during the coronavirus pandemic, this consultation has been paused until further notice, but we intend to complete and implement it as soon as possible.
33. Alongside this, we are funding and working with projects across the higher education sector which are designed to establish networks and improve practice in relation to tackling sexual violence, online harassment, and religious-based hate crimes, the last of which completed in February 2020.
34. In November 2019, the evaluators of the religious-based hate crimes programme published an interim report exploring the extent to which funding had encouraged positive change<sup>23</sup>. Participants identified the cultural shift they noticed as a result of the projects, as staff and students became more willing to discuss religion and belief on campus. Participants also noted the increased visibility of religion and belief work and a greater awareness of it among students, staff and senior leaders. Providers have since revised their own policies and

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<sup>23</sup> See <https://www.officeforstudents.org.uk/media/1f23be64-ae64-4cbe-b771-916bbf30f6e2/evaluation-of-safeguarding-students-catalyst-fund-projects-round-three-interim-report.pdf>

procedures, and taken steps to improve reporting mechanisms and embed new approaches to training. Students were also more motivated to establish their own faith-based activities and events, which has increased their knowledge of other faiths, enabled them to meet others from different backgrounds and improved employment opportunities.

35. We have a new page on the OfS website to host the many resources created by our funded projects, which include training materials, videos and reporting, and support portals<sup>24</sup>.

### Student Mental Health

36. A joint programme with Research England to improve support for the mental health and wellbeing of postgraduate researchers concluded in January 2020. We have commissioned external evaluators to work with the projects on programme level evaluation, with a view to developing good practice to disseminate across the higher education sector. The final evaluation report is in drafting stage and we hope to publish this in summer 2020.

37. We announced funding for ten projects within a £6m programme on 'Achieving a step change in mental health outcomes for all students' in June 2019. With matched funding of £8.5m, this results in a total investment of £14.5m and these projects involve over 60 partners. We have put in place a programme-level evaluation strategy, including an independent programme-level evaluation focusing predominantly emerging practice and transferable learning.

38. We have been working with Student Minds to develop a university mental health charter, which aims to make mental health a priority and deliver improved outcomes for students. The charter was launched in December 2019 and is being further developed and piloted through 2020. We also announced in June a programme co-ordinated by Student Minds to address gaps in mental health support for students during the period of the pandemic.

### Addressing equality gaps for black, Asian and minority ethnic students

39. In addition to the commitments agreed by individual providers to reduce the Black, Asian and minority ethnic attainment gap through their access and participation plans, we have made investments to support collaboration where this is needed to improve practice.

40. The Addressing Barriers to Student Success programme concluded in 2019, enabling resources and evaluation to be shared that have been proven to reduce the attainment gap in different contexts.

41. We know that black, Asian and minority ethnic students are underrepresented at postgraduate research level in England. Working together with Research England<sup>25</sup>, we have planned a joint funding competition for project proposals to increase access and participation for black, Asian and minority ethnic groups in postgraduate research. This funding competition has been

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<sup>24</sup> See <https://www.officeforstudents.org.uk/advice-and-guidance/student-wellbeing-and-protection/resources-for-student-safety-and-wellbeing/>

<sup>25</sup> For example, [blog post](#) by Steven Hill, Director of Research at Research England and Nicola Turner MBE, previous Head of Sector Practice at the OfS.

delayed due to coronavirus, but we have published a joint statement on our intention<sup>26</sup> to support projects for up to four years to develop effective practice and transferable insights across the higher education sector.

42. This is one dimension of our broader work with UKRI in our work to eliminate unlawful discrimination, harassment and victimisation in higher education.
43. On 5 June 2020 we held an online event on supporting Black, Asian and minority ethnic students during the coronavirus pandemic, recognising the particular impact on their communities and informed by a briefing from a colleague leading on this issue in his own provider<sup>27</sup>. The event brought over 300 practitioners, teaching staff and students together to discuss experiences and share emerging practice. A blog and recordings of the panel discussions are available on our website.<sup>28</sup>

## Objective Five

**The OfS will work to reduce the risk that some students are prevented from maximising their outcomes through their higher education experience and therefore not maximise their potential in terms of employment or further study.**

### Improving graduate outcomes

44. The results of the first Graduate Outcomes survey (based on graduates from 2017-18) was published by HESA in June 2020. In addition, the OfS will be developing and publishing a Key Performance Measure<sup>29</sup> on graduate well-being based on the results of the Graduate Outcome survey. A contextual analysis looking at how well-being varies for different groups will be published alongside this KPM.

### Degree Apprenticeships

45. Given the increasing importance of degree apprenticeships as a route through higher education, we have been working to understand take-up by students with different characteristics and providing advice to colleagues involved in the regulation and funding of apprenticeships.
46. In May 2020 we published a report on the changes in numbers of level 6 and level 7 apprenticeships,<sup>30</sup> with and without a degree. In 2018-19, level 6 apprenticeships attracted a much higher proportion of mature learners than the sector comparison group (67.9 per cent

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<sup>26</sup> See <https://www.officeforstudents.org.uk/advice-and-guidance/promoting-equal-opportunities/support-for-postgraduate-research-students/>

<sup>27</sup> See <https://wonkhe.com/blogs/covid-19-does-discriminate-so-we-should-tackle-its-impact-on-bame-students/>.

<sup>28</sup> See <https://www.officeforstudents.org.uk/news-blog-and-events/blog/supporting-black-asian-and-minority-ethnic-students-during-the-coronavirus-pandemic/>.

<sup>29</sup> See (KPM - <https://www.officeforstudents.org.uk/about/asures-of-our-success/outcomes-performance-measures/>).

<sup>30</sup> See <https://www.officeforstudents.org.uk/publications/analysis-of-level-6-and-7-apprenticeships/>.

compared with 29.7 per cent). While 40.1 per cent of students in the level 6 sector comparison were from minority ethnic groups, this was only true of 12.3 per cent of level 6 apprentices. A lower proportion of students on level 6 and 7 apprenticeships reported a disability than in the sector comparison groups. Disabled students made up 7.4 per cent of level 6 apprenticeships, compared with 12.9 per cent in the level 6 sector comparison group, and 4.6 per cent of level 7 apprenticeships, compared with 13.3 per cent of level 7 sector comparison group.

### Diversifying the workforce

47. We have invested in two key programmes that are aiming to diversify the flow of graduates into highly skilled jobs:

- a. In October 2019 we launched a competition that invited providers to develop and implement postgraduate conversion courses to deliver a step change in the available pipeline of Artificial Intelligence (AI) and data science graduates – with a central focus on diversification of the applicant pool.<sup>31</sup> The main objective of the PG programme is to increase by a further 2,500 the number of highly skilled graduates in AI and data science by 2023, including 1,000 scholarships for underrepresented groups – particularly female, black and disabled students.
- b. Through the OfS Local Graduates Challenge Competition, we are funding 16 projects to improve the outcomes for graduates who have studied and worked in the place where they grew up<sup>32</sup>. In places such as Bradford and Leicester, this requires a focus on the pathways taken by students of specific ethnicities, with targets established to improve their progression into highly skilled jobs.

### **The OfS as an employer**

**Objective six:** Fostering inclusive leadership and an inclusive and open culture.

**Objective seven:** Supporting staff to build diversity and inclusion into their work.

**Objective eight:** Behaving as an inclusive employer which attracts and retains the widest pool of talent where all staff have the opportunity to unlock their potential.

48. The formation of the OfS and subsequent internal transformation programme established a clear commitment to advancing EDI in the workplace. From 2019, this has been articulated through an internal EDI strategy and immediate priorities (tabled below), which guide our work towards achieving our three internally facing equality objectives. This work has been progressed through the collective efforts of Director-level leadership and sponsorship, dedicated professional support, and a committed workforce. We will continue to develop, implement, and review our internal ambitions, acknowledging that we have further to travel. We envisage that we can make significant progress on our inclusion ambitions in the next 12 months. As an organisation that challenges the sector to be ambitious in terms of closing its

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<sup>31</sup> See <https://www.officeforstudents.org.uk/advice-and-guidance/skills-and-employment/postgraduate-conversion-courses-in-data-science-and-artificial-intelligence/>

<sup>32</sup> See <https://www.officeforstudents.org.uk/advice-and-guidance/skills-and-employment/improving-outcomes-for-local-graduates/>

own equality gaps, it is imperative that we strive to role model our own values and behaviours in doing the same.

<b>Internal EDI strategy and priorities</b>	
<b>Priority 1</b>	Fostering inclusive leadership and senior accountability
<b>Priority 2</b>	Fostering an inclusive and open culture
<b>Priority 3</b>	Behaving as an inclusive employer across all protected characteristics: Black, Asian & Minority Ethnic profile and representation
<b>Priority 4</b>	Behaving as an inclusive employer across all protected characteristics: Gender equality and balance
<b>Priority 5</b>	Embedding EDI
Establish open and ambitious qualitative and quantitative success measures	
Establish a strategy which promotes and advances EDI priorities and activities	

48. The EDI strategy has focused our activity into broad packages of work, from which we want to see measurable progress, underpinned by an extensive review of our available equality data. Firstly, an independent equal pay audit reported positive findings that staff with the (measurable) protected characteristics of disability, ethnicity, religion and sexual orientation are being treated equally, but that some areas, in particular gender pay, need further work. Secondly, an unusual peak in recruitment activity in 2019 enabled a more in-depth data analysis of the applicant pool, shortlists and appointment outcomes. Combined with our staff diversity profile, we have used these analyses to challenge ourselves where there are clear patterns in the data, and in turn, helped us focus on areas where we want to see change. This work has formed the basis of the Directors' Group agreement of six stretching, but realistic targets, which we believe will help diversify the workforce at the OfS, lead to a step change in the way we work and ultimately better outcomes. We have committed to these ambitious targets to drive this step change, while acknowledging the challenge presented by our relatively low annual staff turnover.

#### OfS internal EDI targets

<b>Disclosure</b>	<b>Target 1</b>	80 per cent disclosure rate for all protected characteristics by March 2021
<b>Gender Profile</b>	<b>Target 2</b>	Approximately two-thirds of appointments at pay band (PB) 11 and above should be women over a three-year rolling period
	<b>Target 3</b>	Approximately 55 per cent of appointments should be men over a three-year rolling period
<b>Ethnicity Profile</b>	<b>Target 4</b>	Over a three-year rolling period, approximately 20 per cent of appointments at PB 10 and above should be people from BAME backgrounds
	<b>Target 5</b>	On an annual basis approximately 20 per cent of appointments throughout the organisation should be people from BAME backgrounds.
<b>LGBT+</b>	<b>Target 6</b>	Over a four-year rolling period, approximately 7 per cent of appointments at PB 10 and above should be LGBT+

49. A programme of work has been established to support the achievement of these targets and our EDI priorities. These are more fully explained through our detailed action plan update in Annex B of this paper, and includes the following:
- a. Establishing an internal governance structure to oversee the delivery of the EDI strategy and workplan on behalf of the Directors Group
  - b. Appointing a dedicated EDI adviser to support the delivery of EDI objectives and priorities
  - c. Supporting the development of five new staff networks to help create more inclusive workplaces. The five networks are:
    - i. Black, Asian & Minority Ethnic (BAME) network
    - ii. Carers' and parents' network
    - iii. Disability equality network
    - iv. LGBTQ+ network
    - v. Women's network
  - d. Extending data analyses and establishing subsequent EDI targets, as detailed above
  - e. Reviewing recruitment practice through a task and finish group to identify where our current process and practice does not align with best practice and to make prioritised recommendations to the Directors Group for further action, where necessary
  - f. Prioritising and enhancing our EDI learning provision including a range of core mandatory training, and more tailored provision
  - g. Piloting a six month appointment to the Directors' Group to address its noted lack of diversity and to offer some career development
50. The outcome of these activities will continue to inform and direct our future actions, along with the results of the recent OfS people survey. We received an 85 per cent response rate in February 2020, and results were published in April. Directors are considering the results of the survey with their teams, to discuss what actions need to be taken individually and collectively, to improve areas of concern and build on areas of strength. The results from the 'Inclusion and Fair Treatment' section will particularly inform our EDI activities.
51. Work is already developing on a broader review of our EDI strategy and priorities to ensure they are fit for purpose, and will be fully reported in the 2021 board report. Overall, our activity focuses on a continued commitment to:
- a. Setting clear leadership, accountability and assurance for our EDI activities, including a review of our internal EDI strategy and priorities
  - b. Focusing efforts on our strategic priorities and achieving measurable progress, informed by continued data analyses
  - c. Further embedding activity across the organisation to ensure sustainable delivery through business as usual, including through review of OfS policies, pay strategy, learning and development provision, and impact assessments



- d. Regularly monitoring and openly reporting on our activities and progress, both internally and externally
- e. Proactively engaging wider staff in achieving all these, including through staff networks.