



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 22 September 2020, to the extent that they are not covered in other board papers.

Recommendations

2. The board is invited to:
 - a. Note the summary of media coverage at Annex A
 - b. Note the risk report at Annex B
 - c. Note the report on the use of delegated authority at Annex C
 - d. Note the updates contained in this paper.

Further information

3. Available from Nicola Dandridge.

Summary of main activity

4. Since the date of the last board meeting in September, our primary focus has been to contribute to the sector-wide effort to respond to the coronavirus pandemic and ensure that students receive teaching and support that is as effective as possible in these exceptionally challenging circumstances. We continue to seek to strike the right balance between ensuring a minimum level of protection and support for students, both in terms of their academic education and pastoral support particularly in relation to mental health, while being realistic about how much providers can achieve.
5. In terms of our regulatory approach to quality and standards, we continue to operate to the guidance we set out in April 2020 where we stated that 'we do not expect to take any regulatory action where we consider that reasonable efforts have been made to protect the interests of students and where standards have not been compromised'. We will continue to operate to that threshold into the new year and will give providers good notice as we revert to our usual arrangements. As set out below, on 9 October 2020, we published a statement letting providers know how in practice we intended to monitor the 'reasonable efforts' expectation. In practice, it means that we are in active discussion with all providers to monitor their response to the coronavirus pandemic, and where we identify concerns – either from those discussions with providers or through other channels such as notifications from students - we are increasing the frequency and extent of our monitoring to ensure that the necessary measures are in place.
6. Although this autumn's admissions figures indicate higher numbers of students from disadvantaged backgrounds entering higher education, we are monitoring closely the experience of those students over the next few months. Our work on digital teaching and learning is particularly focusing on the impact of digital poverty, with a report planned for early in the new year.
7. In terms of our work on access and participation, we held roundtables during the summer with staff, students and third sector organisations to explore how students and activity had been affected by the pandemic. This informed the development of guidance on how we would monitor access and participation plans, both in terms of the activity and financial support delivered during the last year and the effect on future plans. We held a briefing event on this with representatives of all providers with an approved access and participation plan on 2 November 2020 and will issue the guidance during the final week of November, with responses required in April 2021. These returns will enable us to hold providers to account for the judgements they have made in relation to access and participation plans during the pandemic and to agree any changes with them that may be necessary to address new imperatives. This could be driven by more students becoming eligible for financial support, the need to secure digital resources for some students, and growing demand from adults who want to re-train. We expect this to be an increasing priority, both for individual providers through their access and participation plans and for the local consortia we support through Uni Connect. We will be consulting on the future of Uni Connect funding in December.
8. Meantime, our longer-term focus over the last few months has been the publication of our new quality and standards consultation, which we discussed extensively at our last board meeting in September. This consultation reflects our experience over the last two years and proposes new and more challenging expectations in relation to quality and standards. The consultation is ongoing and will close on 12 January 2021.

9. We continue to engage with the DfE regarding their plans for reform of the higher education sector. We are waiting to see their proposals that may include their response to the independent review of the TEF, as well as wider proposed reforms relating to the skills agenda and lifelong learning. Depending on the government's response to the TEF, so we will need to align our approach to the TEF with the outcomes of our consultation on quality and standards, as described in paragraph 18 below.

Strategic objective - participation

10. We published on 23 October 2020 an interim evaluation of our access and participation reforms. This independent evaluation found that providers are working with and assessing the outcomes of a more diverse range of student groups, as well as actively engaging students in their work. Part two of the independent evaluation will be published next year and will report on the extent to which our regulatory action has led to greater ambition and changes in behaviour.
11. On 22 October 2020 we launched a joint funding competition with Research England to improve access and participation for black, Asian and minority ethnic groups in postgraduate research study. Together, we are making available up to £8 million for the scheme with a particular interest in projects that aim to provide evidence of effectiveness and impact on improved access and participation for these groups. The deadline for bids is 28 January 2021.
12. Board members will have noticed a series of announcements relating to higher education admissions earlier in November. These announcements follow the OfS's publication of an admissions consultation in January 2020 which we subsequently paused in March 2020 due to the coronavirus pandemic. To summarise, on 9 November 2020, UCAS signalled its intention to set out two models for reform of university and college admissions: post-qualification applications and post-qualification offers. Shortly after the UCAS announcements, Universities UK (UUK) published the results of its own fair admissions review. UUK's report included recommendations that there should be a move to post-qualifications offers, that conditional unconditional offers should be ended and that there should be greater transparency and consistency in the use of contextual admissions. In line with the OfS's proposals in January 2020, UUK also recommended a set of changes to the Schwartz 'fair admissions principles' that would make them more student-focused. Shortly after the publication of the UUK review, the Secretary of State for Education announced his intention to consult on reforms of the university admissions system, signalling a desire to shift to a new model of post qualification admissions.
13. From the OfS's point of view, these responses are welcome given that decisions on admissions reform depend on both the government and the sector, with a cross-sector and government response being necessary to leverage any sustained reforms. We will now work closely with UCAS, UUK and DfE on the next phases of their work. In doing so, we will consider whether there is a case for further investigation of issues identified within our admissions review, as a clearer set of proposals emerge during the coming year. In particular, we will consider the extent to which any proposed reforms consider the experiences of part-time, mature, international and postgraduate students. If there is a case to relaunch our review of admissions with a narrower set of considerations, then we will do so.

Strategic objective - experience

14. We took an active public stance in terms of our expectations of providers as students returned to campuses in late September and early October. We emphasised the importance of keeping students fully informed following outbreaks of coronavirus on campus in a statement of expectations on 28 September 2020 that was covered extensively by the media. We followed this up on 9 October 2020 with an account of the monitoring of quality we are undertaking. In this statement we explained how we were engaging with all providers who move into the coronavirus related Tiers 3 or 4 to understand how they are maintaining the quality of their provision, and following up on notifications from students or other third parties, as well as requiring providers to notify us if they are unable to deliver a course or award a qualification. Our student panel's powerful statement of 5 October 2020 on the need to support students who were self-isolating was well picked up on social media and by sector press.
15. We are in active discussion with registered providers to monitor their response to the pandemic. Where we are identifying concerns through our engagement with providers, or through other channels, we are increasing our monitoring to ensure the provider has the necessary measures in place. We are currently applying increased monitoring in a number of cases where providers have changed tier, reported new outbreaks or where they have received notifications indicating concerns about academic and mental health support. We also continue to monitor at the sector level, including through polling of students' views which we will share with the board as soon as possible.
16. The call for evidence for Sir Michael's review of Digital Learning and Teaching closed in late October and work is now underway to assess the responses, engage closely with additional stakeholders and to clarify the findings and recommendations ahead of publication in the new year. Sir Michael published a blog on 30 October 2020, setting out the findings so far, which include a proposed definition of the term digital poverty.
17. Student mental health continues to be a pressing priority, especially as students experience increased isolation, possible loss of income and general uncertainty. On 1 October 2020, we relaunched a £1 million funding competition to contribute to improving mental health support for students. We have also extended our support to Student Space, the new online platform delivering targeted mental health support during the pandemic, so it runs throughout the whole of the current academic year.
18. Following the discussion at our last board meeting, on 17 November 2020 we published our consultation on the regulation of quality and standards. The consultation sets out, at a principles-based level, how we propose to regulate quality and standards in future. It signals our intention to raise the bar on our expectations in terms of minimum baseline requirements, and proposes a new approach that allows consideration of quality in relation to subjects of study as well as groups of students. It is a significant milestone as we seek to ensure that we are in a better position to anticipate risks to quality and standards and to take action at both provider and sector level. The launch of the consultation was covered extensively by the national and sector media. Reports featured in The Telegraph, Times, Guardian, Mail Online, Sun, Sky News, Research Professional, and Times Higher Education and Wonkhe.

19. The quality and standards consultation also references a new experimental metric, currently described as 'start to success'. We have recently consulted with providers about an initial publication of this indicator in a research report that we propose to publish shortly.

Strategic objective - outcomes

20. There was significant attention for our report on degree classifications over time, published on 19 November 2020. This report noted that in 2018/19, 'unexplained' grade inflation looked as if it were stalling with an increase of 0.4% since 2017/18, though this was against the background of a significant increase since 2010/11 of 14.3%. The 'explained' element of the increases relate to differences such as the nature of the provider, the subjects studied, students' entry qualifications and other demographic details. [The i News](#), [Guardian](#), [Times](#), [Telegraph](#), [Daily Mail Independent](#), [Daily Express](#) [THE](#), [TES](#), [Wonkhe](#), [the Playbook](#) and [Research Professional](#) all covered the analysis, along with a number of regional newspapers.
21. A significant update to the Discover Uni website went live on 5 November 2020. The main changes include the inclusion of Graduate Outcomes survey data, and additional LEO earnings data. There is also more information about perceptions of employment after graduating, and we have made improvements to data visualisation and the look and feel of the website which should all add up to an improved user experience.

Strategic objective – efficient and effective

22. On 29 October 2020 we published our [revised business plan](#). This covers the remaining months of the business plan year 2020/21 and reflects the fact that we had to set aside the original business plan we were due to publish in April 2020 due to the onset of the pandemic. Between April and September 2020 we have operated to a different set of priorities reflecting the immediate challenges of the pandemic, focusing on protecting the quality of teaching for students, ensuring we understood the impact of the pandemic on providers' financial circumstances, and supporting the most vulnerable students. This work continues but is now embedded into our normal programmes of work and reflected in this revised six-month plan.
23. The OfS continues to operate on a remote basis predominantly, though our Bristol office is available to those staff who need to use it, for either their wellbeing or due to other requirements. Our London office will shortly become available to use for London based staff, on the same basis. We continue to support staff who are working from home. Our most recent Pulse Survey indicated that staff like the flexibility that homeworking is providing but increasingly miss going into the office and working with colleagues in person. Well over 90% of staff continue to feel supported by the OfS but the situation is clearly becoming increasingly challenging with staff reporting that their mental health is being adversely impacted by the pandemic.
24. On 16 November 2020, the OfS received its recertification to Cyber Essentials Plus. Cyber Essentials Plus is a government standard assessment of cyber security systems, where independent security assessors carry out tests to ensure an organisation is protected against hacking and phishing attacks. Our IT Team have been working throughout October and November to support the assessors to carry out their detailed review.

25. As well as confirming the OfS passed the certification, the assessor commended the IT team at the OfS for showing a deepened level of security hardening, along with good practice in managing malware and ensuring systems were locked down. This is an annual certification and work is ongoing to ensure OfS continues to meet the level defined by the Cyber Essentials Plus accreditation throughout the year.
26. Our social media channels continue to grow. At the time of writing, we have 15,300 followers on Twitter. We are continuing to use social media to update students on information relating to the pandemic, including the government's plans to facilitate the safe movement of students during the Christmas break.

Annex C – Report on use of delegated decision making

8 September to 18 November 2020

Recurrent and capital funding allocations

1. The scheme of delegation, approved on 22 September 2020, specifies that:
 - a) (Part 8, row 11) “Any decision to give financial support under sections 39 and 40 of HERA (and determine terms and conditions for such financial support under section 41 of HERA)” has been delegated to the Chief Executive and the Director of Resources and Finance. With the written permission of the Chief Executive or Director of Resources and Finance, this may also be delegated to any director.
 - b) (Part 6, paragraph 2) “Apart from Reserved Matters (which are dealt with separately in this scheme of delegation and include other delegations to directors), each director has individual authority to exercise, and make decisions in respect of, any other Functions of the OfS without any limitation whatsoever (irrespective of whether or not such Functions: are in force at the time this scheme of delegation was made; involve matters of policy; or may have serious consequences for any natural or legal person).”
2. The Director of Resources and Finance agreed changes to recurrent grant allocations on 7 October 2020 and 4 November 2020. The changes related to:
 - a. Adjustments to recurrent funding for 2017-18 to 2019-20 for nine providers, arising from student data audit and reconciliation.
 - b. Approval of capital and recurrent allocations for seven providers newly registered in the Approved (fee cap) category.
 - c. Approval of zero funding allocations for two providers that have confirmed that they have no OfS-fundable students.
 - d. Adjustments to 2020-21 capital and recurrent funding for eight providers, arising from amendments to their Higher Education Statistics Agency (HESA) or Individualised Learner Record (ILR) student data.
 - e. Adjustments to 2019-20 and 2020-21 capital and recurrent funding for six providers, arising from amendments to their 2019 Higher Education Students Early Statistics (HESES19) or 2018 Higher Education in Further Education Students (HEIFES18) survey data.
 - f. Adjustments to 2020-21 capital and recurrent funding for four providers, arising from provider merger.
 - g. Adjustments to 2020-21 capital and recurrent funding for eight providers, arising from transfers of provision.
 - h. An adjustment to 2020-21 capital funding for King’s College London to reflect forecast full-time equivalent student numbers (FTEs) for a new course in dental hygiene and therapy.

3. Details of the funding changes noted in paragraph 2 are set out in **Table 1** below. The changes to 2020-21 funding are reflected in updated annexes to 'Recurrent funding for 2020-21' (OfS 2020.24)¹ and 'Formula capital funding for 2020-21' (OfS 2020.17).²

Table 1: Formulaic grant adjustments for 2017-18 to 2020-21

Provider	Total adjustment to recurrent grant for 2017-18 to 2019-20	Total change to 2020-21 recurrent funding	Total change to 2020-21 capital grant
Canterbury Christ Church University	-£240,068	£471	£31
Chichester College Group	-£87,007	--	--
University of Greenwich	-£614,118	£340,461	£42,168
Highbury College Portsmouth	-£78,604	--	--
Kingston University	-£255,623	--	--
University of Northampton	-£473,112	--	--
Oxford Brookes University	-£568,826	£42	£3
Walsall College	-£138,458	--	--
West Herts College	-£32,442	--	--
ICON College of Technology and Management Ltd	--	--	£108,064
Point Blank Limited	--	--	£45,588
RTC Education Ltd	--	--	£79,533
Central Film School London Ltd	£4,957	£183,933	£12,030
New Model Institute for Technology and Engineering	--	£139,175	£0
Coventry University	--	£0	£2
The University of Essex	--	-£32	-£1
Bishop Grosseteste University	--	£15,488	-£1,024
London Metropolitan University	--	-£1,624	-£92
St Mary's University, Twickenham	--	£1,387	-£1,127
Havant and South Downs College	--	£0	£18
Brunel University London	--	£652,390	£74,996
The University of Kent	--	£57,454	£5,863

¹ www.officeforstudents.org.uk/publications/recurrent-funding-for-2020-21/.

² www.officeforstudents.org.uk/publications/formula-capital-funding-for-2020-21/.

Provider	Total adjustment to recurrent grant for 2017-18 to 2019-20	Total change to 2020-21 recurrent funding	Total change to 2020-21 capital grant
New College Durham	--	£107,950	£27,677
Riverside College	--	-£4,922	£2,558
Burton and South Derbyshire College	£8,455	--	--
East Riding College	--	-£146,360	-£21,200
TEC Partnership	--	£147,166	£21,280
Swindon College	--	-£134,989	-£13,009
New College Swindon	--	£128,680	£13,010
AECC University College	--	£9,118	£907
Bournemouth University	--	-£9,367	-£912
North Kent College	--	£8,018	£0
EKC Group	--	£40,415	£2,756
Hadlow College	--	-£22,154	£0
University Centre Peterborough	--	£325,159	£37,000
New College Stamford	--	-£147,055	-£21,217
City College Norwich	--	£79,446	£9,431
King's College London	--	--	£7,204
Total	-£2,474,846	£1,770,250	£431,537

Annex D – Forward look board agendas 2021

January

CEO report
Review of transparency condition
Review of the NSS
Finance report
Report from RAC
Report from PRC
Report from QAC
Report from HSP
Possible follow up from planning event

March

CEO report
NSS phase 1 outcomes
Funding for Data Futures
Update on TEF
Funding overview & budgets 21-22
Finance report
Report from the student panel
Report from RAC
Report from PRC
Report from QAC

May

CEO report
Data Strategy
Draft annual report & accounts
Finance report
Report from PRC