

Office for  
Students



# Blended learning and OfS regulation

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# Summary

1. This report sets out our regulatory views following a review of blended learning, which we commissioned in June 2022.<sup>1</sup> By 'blended learning' we mean 'teaching and learning that combines in-person delivery and delivery in a digital environment'.<sup>2</sup>
2. We commissioned a panel of academic experts to look at approaches to blended learning in six higher education providers and set out its findings in a report to the OfS. This document follows that report, setting out how the themes identified by the review panel relate to our regulatory requirements.

## How to use this report

3. By drawing out examples of approaches to blended learning from the review and relating them to our regulatory requirements, we indicate the ways in which a university or college should approach blended learning to comply with our requirements. This report considers different approaches to blended learning in the context of the OfS's requirements relating to providing a high quality academic experience with appropriate resources, support and student engagement (conditions of registration B1 and B2).
4. Alongside this report we have also published a short online guide for students, parents or interested members of the public. These webpages explain what students can do if they have any concerns about their academic experience.<sup>3</sup> Students, parents or members of the public can also use this report to explore in more detail what our requirements might mean for the way a university or college offers blended learning.
5. We expect universities and colleges to read this report carefully and consider whether they need to change their approach to blended learning so that it complies with our regulatory requirements.
6. Any university or college should also consider its particular context and determine its own approach. Our report is intended to encourage and enable thoughtful assessment of the ways different approaches to blended learning are likely to interact with relevant regulatory requirements, not to work as a prescriptive checklist of compliant and non-compliant approaches.
7. This report may be particularly relevant for providers that have recently changed the way they deliver teaching and learning or that plan to do so in future.
8. Universities and colleges may also wish to consider the separate report authored by the blended learning review panel which has been published alongside this document. The panel's report contains a number of recommendations for the design and implementation of blended

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<sup>1</sup> See [www.officeforstudents.org.uk/publications/blended-learning-and-ofs-regulation/](http://www.officeforstudents.org.uk/publications/blended-learning-and-ofs-regulation/).

<sup>2</sup> Sir Michael Barber, 'Gravity Assist: Propelling higher education towards a brighter future' (2021), pp 29-30. Available at: [www.officeforstudents.org.uk/publications/gravity-assist-propelling-higher-education-towards-a-brighter-future/](http://www.officeforstudents.org.uk/publications/gravity-assist-propelling-higher-education-towards-a-brighter-future/).

<sup>3</sup> See [www.officeforstudents.org.uk/blended-learning/](http://www.officeforstudents.org.uk/blended-learning/).

learning. The review panel's recommendations reflect the views of the independent expert panel. The panel's recommendations should not be interpreted as OfS regulatory guidance.

9. Following the publication of this report, we will continue to monitor registered universities and colleges and, where appropriate, intervene to protect the interests of students.<sup>4</sup>

## How providers might comply

10. Paragraphs 38 to 164 of this document set out in more detail the themes which emerged from the review. We have summarised here the approaches which would be likely to cause compliance concerns in relation to the two conditions of registration that are particularly relevant: conditions B1 and B2.

### Complying with condition B1

We would be likely to have compliance concerns in relation to condition B1, if a provider's blended learning approach:

- a. Uses lecture recordings that are no longer up-to-date when re-used, or are not appropriately informed by subject matter developments, research, industrial and professional developments, or developments in teaching and learning.
- b. Does not facilitate feedback for students that is appropriate to the content of their course, such as where dialogue and immediate feedback is required for course content to be effectively delivered.
- c. Does not foster collaborative learning among students registered on a course, which may indicate the course is not being effectively delivered.
- d. Does not consider changing expectations for students' digital skills in related disciplines or industries, if this means that a course is no longer up-to-date, or that a course does not require students to develop relevant skills, in a manner appropriate to the subject matter and level of the course.
- e. Does not require students to develop practical skills in a manner appropriate to the subject matter and level of the course.
- f. Is driven by an arbitrary fixed blend ratio for a course, rather than using the most appropriate delivery method for the subject material. If decisions about the delivery method (for example: online or in-person) are not being made for sound pedagogical reasons, this may indicate that the course is not being effectively delivered.

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<sup>4</sup> Our approach to monitoring and intervention is set out in pages 47 to 62 of the regulatory framework: Office for Students, 'Securing student success: Regulatory framework for higher education in England' (2018). Available at: [www.officeforstudents.org.uk/advice-and-guidance/regulation/the-regulatory-framework-for-higher-education-in-england/](http://www.officeforstudents.org.uk/advice-and-guidance/regulation/the-regulatory-framework-for-higher-education-in-england/).

- g. Is driven by limitations in the supply of physical learning resources, including physical locations, which may indicate that a course is not coherent or effectively delivered, as decisions are not being made for sound pedagogical reasons.
- h. Is delivered in a way that results in low attendance and engagement that may mean there is an inappropriate balance between delivery methods or between directed and independent work that indicate that the course is not effectively delivered.
- i. Is confusing or difficult to manage for students due to insufficient coordination across modules on a course, meaning there is not an appropriate balance between delivery methods, leading to a course not being effectively delivered.
- j. Contains a volume of recorded online lectures and other digital learning resources that is too high for students to engage with effectively and adversely affects their ability to participate fully in their course. This may indicate that a course is not being effectively delivered.
- k. Is not communicated effectively to current or prospective students in terms of the pattern of blended delivery, which may suggest that a course is not coherent or being effectively delivered.

### **Complying with condition B2**

We would be likely to have compliance concerns relating to a provider's blended learning approach in relation to condition B2, if a cohort of students:

- a. Does not receive adequate access to appropriate physical spaces for students that allow them to access and engage with digital learning. This would be particularly likely if there is evidence that students are not receiving access to physical resources because of pressures on the supply of those resources which the provider could have mitigated.
- b. Does not receive adequate access to sufficient hardware, specialist software and IT infrastructure, as appropriate, to access digital content.
- c. Does not receive sufficient support to develop the skills students need for effective digital learning and a high quality academic experience.
- d. Does not receive, where relevant, well-produced online lectures, instead, for example receiving poorly recorded audio or video which leads to students missing course content or administrative information relating to their course.
- e. Receives re-used lecture recordings that contain incorrect and confusing administrative information.
- f. Is not provided with appropriately qualified teaching staff, with sufficient digital skills to effectively deliver their course.
- g. Does not receive timely and high quality feedback that supports students to engage with their course and understand subject content, as appropriate to the course.
- h. Does not receive appropriate support to develop skills to engage with in-person teaching and learning, informed by consideration of the cohort's academic needs.

- i. Does not receive appropriate support to manage their timetables and overcome the challenges of combining online and in-person delivery and the need to balance on-campus and independent work. This may include a failure to support students to develop skills in knowing how long to spend on tasks or how to prioritise work.
- j. Does not receive sufficient resources and support that are appropriate to students' academic needs, (including those which may be linked to students' protected characteristics), in order to ensure a high quality academic experience.

## **Consumer protection**

11. Although this report focuses on conditions B1 and B2, other regulatory requirements are relevant to how universities and college approach blended learning. Registered providers must also, for example, give due regard to relevant guidance about how to comply with consumer protection law ('condition C1').
12. Universities and colleges should ensure their marketing information is clear and provides sufficiently detailed information about how courses will be delivered.
13. We would be likely to have compliance concerns in relation to condition C1 if a provider cannot demonstrate that it has had due regard for relevant guidance about how to comply with consumer protection law in developing and publishing information for prospective students about a course, or if there was otherwise evidence that suggested it had not complied with consumer protection law.

# Background

14. At the start of the first national lockdown in spring 2020, higher education providers moved rapidly to offering most of their learning and teaching online. This rapid shift to online provision, which continued through further national lockdowns and government-imposed restrictions in 2020 and 2021, stimulated discussion across the higher education sector and the wider public about how providers should approach and deliver blended learning.
15. We define blended learning as ‘teaching and learning that combines in-person delivery and delivery in a digital environment.’<sup>5</sup> Blended learning is not a new concept, and its use, alongside fully remote, fully online and other approaches, such as ‘hybrid’ or ‘asynchronous’ learning precede the coronavirus pandemic.<sup>6</sup> The rapid shift to online approaches to teaching and learning at a much larger scale than at any point in the past has led higher education providers to consider in larger numbers their longer-term plans for the deployment of blended learning.
16. Our blended learning review is intended to support English higher education providers’ understanding of how different approaches to blended learning may relate to our regulatory requirements for quality.<sup>7</sup>
17. We commissioned a panel of academic experts to carry out fieldwork at six English higher education providers in June 2022. The panel has shared its findings with us, setting out its views of the blended learning approaches it identified and the impact of observed approaches on the academic experience of students.<sup>8</sup>
18. We have published the panel’s report alongside this OfS document. The content of the review panel’s report reflects its own views and findings. We make no general endorsement of the review panel’s report except where our report explicitly says so. The review panel’s report has been published as it contains observations and information about the approaches to blended learning across different providers and subject areas, alongside a set of recommendations for providers, which they may find helpful. It does not have the status of OfS regulatory guidance and providers should not rely on it to demonstrate compliance with our requirements.
19. This document details our views of some of the approaches identified in the review panel’s report. It sets out how the panel’s findings relate to relevant regulatory requirements. In addition, our report indicates where particular approaches would be likely to raise compliance

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<sup>5</sup> This is the OfS working definition of blended learning, as set out in: Sir Michael Barber, ‘Gravity Assist: Propelling higher education towards a brighter future’ (2021), pp 29-30. Available at: [www.officeforstudents.org.uk/publications/gravity-assist-propelling-higher-education-towards-a-brighter-future/](http://www.officeforstudents.org.uk/publications/gravity-assist-propelling-higher-education-towards-a-brighter-future/).

<sup>6</sup> For the purposes of this report, we define ‘hybrid learning’ as teaching and learning activities which involve two types of delivery at the same time. For example, where a lecture is delivered live on-campus and simultaneously live-streamed for students elsewhere. We define ‘asynchronous learning’ as learning that does not occur in the same place or at the same time for a whole cohort. Students can access resources, enabling them to learn at their own pace at a convenient time for them.

<sup>7</sup> Office for Students, ‘Securing student success: Regulatory framework for higher education in England’ (2018). Available at: [www.officeforstudents.org.uk/advice-and-guidance/regulation/the-regulatory-framework-for-higher-education-in-england/](http://www.officeforstudents.org.uk/advice-and-guidance/regulation/the-regulatory-framework-for-higher-education-in-england/).

<sup>8</sup> See [www.officeforstudents.org.uk/publications/blended-learning-and-ofs-regulation/](http://www.officeforstudents.org.uk/publications/blended-learning-and-ofs-regulation/).

concerns in relation to conditions of registration B1 and B2. We refer to examples identified by the review panel to illustrate the compliance concerns we have set out. Some of these examples are drawn directly from the panel's report, whereas other examples are taken from the wider set of case studies produced by the panel which have not been published to preserve the anonymity of the providers concerned.

20. Neither this report nor the review panel's report forms part of or supersedes our regulatory framework. Should there be any inconsistencies between the content of these documents and the regulatory framework, the regulatory framework takes precedence. This report should be interpreted as signalling to higher education providers how we could interpret the regulatory framework in relation to blended learning. However, we will always make regulatory judgements on the basis of the context and facts of an individual case, and on the basis set out in the regulatory framework.
21. The views and perspectives of students have been incorporated into the review in a variety of ways. Our student panel was consulted and advised on the development of the scope of the review. During the fieldwork phase, members of the review panel met students participating in every reviewed course to understand their experiences of different approaches to blended learning. Several members of our student panel supported the review panel during this phase, leading sessions with students and participating in interviews with staff at reviewed providers. One student panellist was subsequently appointed as an additional member of the review panel to contribute to the post-visit analysis.
22. Our expectation is that the findings of the review panel, alongside our views of areas of likely compliance and non-compliance set out in this document, will help higher education providers as they establish any long-term approach to the delivery of blended learning.

## **The diversity of views on blended learning in higher education**

23. In addition to the evidence considered by the review panel, we have received and considered a range of regulatory intelligence related to blended learning at registered providers. This includes notifications from students and their parents, and public enquiries, related to the impact of blended learning approaches on students at universities and colleges in England.<sup>9</sup> This regulatory intelligence has highlighted the considerable public interest in blended learning, and illustrates the important concerns students may have about its effects on the quality of their academic experience. The intelligence gathered and assessed also illustrates some of the benefits students have derived from being able to engage with learning in new ways.
24. This was echoed in discussions with our student panel, where panellists shared, over a series of sessions, their views on the benefits and issues relating to providers' delivery of blended learning.<sup>10</sup> OfS student polling carried out between March and April 2022 found that 79 per cent of current undergraduate or postgraduate students said that a combination of online learning

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<sup>9</sup> For more information on the role notifications play in the OfS's work, see our website here: [www.officeforstudents.org.uk/for-students/ofs-and-students/notifications/](http://www.officeforstudents.org.uk/for-students/ofs-and-students/notifications/).

<sup>10</sup> For information on the role of the OfS student panel: [www.officeforstudents.org.uk/about/who-we-are/our-student-panel/](http://www.officeforstudents.org.uk/about/who-we-are/our-student-panel/).



and face-to-face learning was working 'very well' or 'quite well' on their course.<sup>11</sup> However, 18 per cent of respondents took the view that the combination of online and face-to-face learning was working 'not very well' or 'not well at all.' That around 1 in 5 students reported dissatisfaction with blended learning approaches on their course suggests there is significant room for improvement.

25. Survey data shows clearly that a range of different students can see the potential benefits of blended learning. Jisc's 'Student digital experience insights survey 2021-22' found that 45 per cent of respondents preferred a mix of on-site and online teaching. For the first time in Jisc's annual survey, respondents were marginally more supportive of blended learning than mainly on-site (42 per cent of students preferred mainly on-site and 13 per cent mainly online), suggesting the growing significance of blended learning in the higher education sector.<sup>12</sup>
26. However, in Advance HE and the Higher Education Policy Institute's (HEPI) 'Student Academic Experience Survey' (SAES), 32 per cent of respondents said they received poor or very poor value for money or from their course in the 2021-22 academic year. The second most cited factor explaining this view (behind 'tuition fees' but ahead of the volume of in-person or online teaching) was 'teaching quality'.<sup>13</sup> Given the extent of online teaching and learning being delivered across the higher education sector at this time, this survey result may suggest that blended approaches to teaching and learning are not considered by a significant proportion of students to be of sufficiently high quality.

## The OfS's interest in blended learning

27. The conditions of registration in our regulatory framework do not require a higher education provider to deliver teaching and learning using a particular volume or ratio of face-to-face or online teaching.<sup>14</sup> Our quality conditions (some of the 'B' conditions) do, however, specify requirements for the quality of various aspects of students' academic experience, however it is delivered, that all providers must satisfy on an ongoing basis.
28. This report considers the views expressed by the review panel on matters within the scope of conditions B1 and B2 which relate to students' academic experience (B1) and resources, support and student engagement (B2). Our interest in blended learning may also relate to other requirements in the regulatory framework, such as our requirements for student and consumer

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<sup>11</sup> Polling comprised a six-minute online survey through the YouthSight panel. Data reproduced here is based on the question 'How well, if at all, has the combination of online learning and face-to-face learning worked for you on your course?'. 1,235 current undergraduates and 510 current postgraduates answered this question, totalling 1,745 respondents.

<sup>12</sup> Jisc, 'Student digital experience insights survey 2021/22: UK higher education (HE) survey findings' (2022), pg. 12. Available at: [www.jisc.ac.uk/reports/student-digital-experience-insights-survey-2021-22-higher-education-findingshttps://repository.jisc.ac.uk/8850/1/2022-07](http://www.jisc.ac.uk/reports/student-digital-experience-insights-survey-2021-22-higher-education-findingshttps://repository.jisc.ac.uk/8850/1/2022-07) (iDFItdP024.11) DEI HE & FE Reports 2022 (HE) v1-05.pdf.

<sup>13</sup> Jonathan Neves and Alexis Brown, 'Student Academic Experience Survey 2022' (2022), pg. 14. Available at: <https://www.hepi.ac.uk/wp-content/uploads/2022/06/2022-Student-Academic-Experience-Survey.pdf>

<sup>14</sup> Office for Students, 'Securing student success: Regulatory framework for higher education in England' (2018). Available at: [www.officeforstudents.org.uk/advice-and-guidance/regulation/the-regulatory-framework-for-higher-education-in-england/](http://www.officeforstudents.org.uk/advice-and-guidance/regulation/the-regulatory-framework-for-higher-education-in-england/).

protection (the 'C' conditions). Where the review panel collected evidence that related to other conditions we have included it in this report.

29. This review's emphasis on quality is also consistent with the focus on quality in our 2022-25 strategy, which sets out our intention to take a proactive approach to regulation in this area.<sup>15</sup>

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<sup>15</sup> Office for Students, 'Office for Students Strategy 2022 to 2025' (2022). Available at: [www.officeforstudents.org.uk/publications/office-for-students-strategy-2022-to-2025/](http://www.officeforstudents.org.uk/publications/office-for-students-strategy-2022-to-2025/).

## Interpreting the review

30. The rest of this document responds to some of the themes identified by the review panel from its observations of blended learning approaches and considers the links between these and the OfS's conditions of registration B1 and B2.<sup>16</sup> For each theme we have indicated whether the approaches observed and reported by the panel would be **likely** or **unlikely** to cause us concern about a provider's compliance.
- a. Some of the approaches described below suggest that a provider may pose an increased risk of non-compliance with condition B1 and/or B2. We describe these approaches as '**likely to raise compliance concerns**'. Should we observe or otherwise become aware of these approaches, they would be likely to attract further regulatory scrutiny which could lead to investigatory and enforcement action.
  - b. By contrast, some of the approaches are described as '**unlikely to raise compliance concerns**'. These approaches would be unlikely to prompt further scrutiny, although it is important to note that the context in which a particular approach is delivered will be relevant to any compliance judgement we make.
31. The approaches discussed below are illustrative and not exhaustive. There may be many other ways in which higher education providers can deliver blended learning that is consistent with the requirements in conditions B1 and B2. This report does not specify how providers should comply with our regulatory requirements but indicates how we might view the particular approaches observed by the review panel.
32. Where this report indicates that an approach is likely or unlikely to raise compliance concerns, this is in relation to the elements of conditions B1 and B2 identified in the text. An approach we consider to be unlikely to cause compliance concerns could be judged to be non-compliant for reasons not set out in this report. An approach cited in this report as likely to cause compliance concerns could be found to be compliant in particular contexts, depending on the facts of a case.
33. We will always consider the individual context for a provider before reaching judgements about compliance. Decisions about compliance are made with reference to the requirements set out in the conditions themselves rather than based on this report. The factors that determine whether we would intervene in a specific case include those set out in paragraph 167 of the regulatory framework.<sup>17</sup>
34. The views presented below are informed by case studies produced by the review panel, based on its observations. The case studies have their own limitations, including the limited sample of providers, students and staff involved in interviews. In some cases, observations could be based on reports from a single individual.

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<sup>16</sup> For details of conditions B1 and B2, see [www.officeforstudents.org.uk/media/084f719f-5344-4717-a71b-a7ea00b9f53f/quality-and-standards-conditions.pdf](http://www.officeforstudents.org.uk/media/084f719f-5344-4717-a71b-a7ea00b9f53f/quality-and-standards-conditions.pdf).

<sup>17</sup> See paragraph 167, p.54: [www.officeforstudents.org.uk/publications/securing-student-success-regulatory-framework-for-higher-education-in-england/](http://www.officeforstudents.org.uk/publications/securing-student-success-regulatory-framework-for-higher-education-in-england/).

35. The themes are considered in the order that they were presented in the review panel's report. The order does not, therefore, imply any order of priority in terms of our monitoring or intervention activities.

## Conditions B1 and B2<sup>18</sup>

36. Condition B1 states that a high quality academic experience includes ensuring that

- B1.3.a each higher education course is up-to-date...
- B1.3.c each higher education course is coherent
- B1.3.d each higher education course is effectively delivered
- B1.3.e each higher education course, as appropriate to the subject matter of the course, requires students to develop relevant skills.

a. For the purposes of B1, 'up-to-date' means:

representative of current thinking and practices in the subject matter to which the higher education course relates, including being appropriately informed by recent:

- i. subject matter developments;
- ii. research, industrial and professional developments; and
- iii. developments in teaching and learning, including learning resources.

b. For the purposes of B1, 'coherent' means:

- i. there is an appropriate balance between breadth and depth of content;
- ii. subjects and skills are taught in an appropriate order and, where necessary, build on each other throughout the course; and
- iii. key concepts are introduced at the appropriate point in the course content.

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<sup>18</sup> This section contains excerpts from ongoing conditions of registration B1 and B2. Providers should ensure they understand the full requirements and definitions of these conditions, and the guidance that underpins them in the regulatory framework. The conditions and guidance are available at [www.officeforstudents.org.uk/publications/securing-student-success-regulatory-framework-for-higher-education-in-england/](http://www.officeforstudents.org.uk/publications/securing-student-success-regulatory-framework-for-higher-education-in-england/). Similarly, throughout this document we make references to elements of particular conditions and providers should refer to the regulatory framework for our full requirements. If there are any inconsistencies between this document and the regulatory framework, the regulatory framework takes precedence.

c. For the purposes of B1, 'effectively delivered' means:

the manner in which the higher education course is taught, supervised and assessed (both in person and remotely) including, but not limited to, ensuring:

- i. an appropriate balance between delivery methods, for example lectures, seminars, group work or practical study, as relevant to the content of the course; and
- ii. an appropriate balance between directed and independent study or research, as relevant to the level of the course.

d. For the purposes of B1, 'relevant skills' means:

- i. knowledge and understanding relevant to the subject matter and level of the higher education course; and
- ii. other skills relevant to the subject matter and level of the higher education course including, but not limited to, cognitive skills, practical skills, transferable skills and professional competences.

37. Condition B2 states that providers must take all reasonable steps to ensure:

each cohort of students registered on each higher education course receives resources and support which are sufficient for the purpose of ensuring:

- i. a high quality academic experience for those students; and
- ii. those students succeed in and beyond higher education;

a. For the purposes of B2, 'resources' includes but is not limited to:

- i. the staff team that designs and delivers a higher education course being collectively sufficient in number, appropriately qualified and deployed effectively to deliver in practice; and
- ii. physical and digital learning resources that are adequate and deployed effectively to meet the needs of the cohort of students.

b. For the purposes of B2, 'appropriately qualified' means staff have and maintain:

- i. expert knowledge of the subject they design and/or deliver
- ii. teaching qualifications or training, and teaching experience, appropriate for the content and level of the relevant higher education course; and

iii. the required knowledge and skills as to the effective delivery of their higher education course.

c. For the purposes of B2, 'physical and digital learning resources' includes, as appropriate to the content and delivery of the higher education course, but is not limited to:

- i. physical locations, for example teaching rooms, libraries, studios and laboratories;
- ii. physical and digital learning resources, for example books, computers and software;
- iii. the resources needed for digital learning and teaching, for example, hardware and software, and technical infrastructure; and
- iv. other specialist resources, for example specialist equipment, software and research tools.

d. For the purposes of B2, 'support' means:

the effective deployment of assistance, as appropriate to the content of the higher education course and the cohort of students, including but not limited to:

- i. academic support relating to the content of the higher education course;
- ii. support needed to underpin successful physical and digital learning and teaching;
- iii. support relating to understanding, avoiding and reporting academic misconduct; and
- iv. careers support,

but for the avoidance of doubt, does not include other categories of non-academic support.

# Review themes

## The blend approach: strategic, departmental, local?

38. The panel highlighted a variety of ways in which providers manage and describe their blended approach, setting different levels of autonomy for decisions about the approach at different levels within their organisational structures. The panel's view was that where decision-making is devolved to module level, the blended offer should be coherent at course level.<sup>19</sup>

### Links to OfS regulation

39. This theme links to the aspect of condition B1 that relates to whether a higher education course is 'effectively delivered' (see 36.c).

### Compliance considerations

40. We do not specify how a provider should articulate its blend of online and face-to-face learning (provided it is clear to students, see paragraphs 53-63) or how decision-making about these matters should be delegated within a provider. We would make judgements about compliance with our quality conditions based on whether a provider's approach to blended learning results in a course that is 'effectively delivered'.

41. The panel identified courses that delivered a blended academic experience that was confusing or difficult to manage for students, for example through staff not being fully aware of the simultaneous demands on students' time across multiple modules. We would be **likely to have compliance concerns** in relation to condition B1 if a lack of coordination between modules on a course meant there was not an appropriate balance between delivery methods, leading to the course not being 'effectively delivered'.

42. We would also be **likely to have compliance concerns** if teaching activities were moved online to meet a fixed blend ratio for a course, rather than using the most appropriate delivery methods for the material being taught. If decisions were not being made for sound pedagogical reasons, this could lead to concerns about whether a course is 'effectively delivered'.

### Case study examples

43. Students at one provider reported concerns with the high volume of recorded lectures with which they had to engage each week. They commented that this quantity of learning would have been unlikely to fit into a fully face-to-face timetable and that it was easy to fall behind. The blend they received was heavily influenced by module choice, and students felt that the provider had not acknowledged these challenges. The review panel took the view that there was a lack of coherence at course level. If this meant that the course was not being 'effectively delivered', we would be **likely to have compliance concerns** in relation to condition B1.

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<sup>19</sup> The use of the term 'coherent' here by the review panel should not be assumed to have the same meaning as the defined term 'coherent' in condition B1.

## Student number growth

44. The panel observed in several cases that managing increasing demand for space on campus caused by increases in student recruitment was linked to permanent shifts to online delivery for elements of a course. The panel's view was that providers should make sure that sound pedagogic principles inform their approach to blended learning rather than factors such as student number growth.

### Links to OfS regulation

45. This theme links to the aspects of condition B1 that relate to whether a higher education course is 'coherent' (see 36.a) and 'effectively delivered' (see 36.c). It also links to the aspect of condition B2 that relates to whether a cohort of students is receiving appropriate resources (see 37.a and 37.c).

### Compliance considerations

46. Where a provider's decisions about its delivery of higher education are driven principally by capacity or cost of delivery and are not based on considerations of the quality of the provision, this is likely to be relevant to a provider's compliance with a number of conditions of registration, including those relating to quality, standards and financial viability and sustainability.
47. We are **likely to have compliance concerns** in relation to condition B1 if factors such as limited physical learning resources, including in-person teaching facilities, drive decisions about how a course is delivered. If a course is re-timetabled because there is not appropriate access to the in-person teaching spaces that certain subjects or skills require and, as a consequence, that course is no longer taught in an appropriate order, this may indicate that the course is not coherent. If decisions about how teaching is delivered do not take sufficient account of sound pedagogical considerations, we may conclude that the course is not effectively delivered. Either finding would indicate that students on the course are not likely to be receiving a high quality academic experience.
48. We are **likely to have compliance concerns** in relation to condition B2 if a cohort of students appears not to receive access to appropriate physical resources sufficient for the purpose of ensuring a high quality academic experience or success in and beyond higher education. This would be particularly likely if there is evidence that the absence of physical resources is linked to pressures driven by, for example, increases in student recruitment. This is likely to raise compliance concerns because it may indicate that a provider has not taken reasonable steps to mitigate those pressures on resources (for example, by restricting student recruitment such that physical teaching resources are available at appropriate times and on an appropriate scale).

### Case study examples

49. The panel found that increased student numbers and space constraints at a provider appeared to lead to a whole day of online learning being regularly scheduled for students on its medicine course that had previously been in-person, despite the removal of government restrictions on



face-to-face teaching. Some students the panel spoke to regretted that this teaching was not delivered in-person as it had been before the coronavirus pandemic.

50. The panel also observed at a different provider that a decision to retain recorded versions of online lectures as part of its delivery of multiple courses partly related to overcrowding on a campus. The overcrowding resulted from unexpected numbers of students meeting entry tariffs in 2021 after receiving centre-assessed grades. The panel found that this contradicted assertions by other staff at the provider that decisions about the blend were driven by discipline-based academics making decisions about which blend was most appropriate in their subject context.
51. The scenarios set out in paragraphs 49 and 50 would both be **likely to raise compliance concerns with condition B1**, if evidence suggested that factors such as limitations in the availability of physical learning resources were the principal drivers for decisions to deliver aspects of a course online.
52. In addition, both scenarios would be **likely to raise compliance concerns with condition B2** if the delivery of aspects of courses online led to students not being able to access the physical facilities or resources necessary to ensure a high quality academic experience and/or success in and beyond higher education.

## Communicating the reasons for the blend to students

53. The panel observed that some providers had communicated to students the ratio of face-to-face and online learning that they could expect on their course or at a whole-provider level. It took the view that while this could enable students to understand how their blended learning was to be delivered, expressing a ratio could over-simplify blended learning by assuming that it was just about the proportion of face-to-face and online delivery. This could be unhelpful in some cases where the boundary between in-person and face-to-face learning is blurred. For example, in some cases teaching was 'dual-cast' and available both face-to-face and online at the same time. In other cases, lectures were available live and face-to-face but also recorded for future consumption.

54. The panel's view was that providers should ensure their web-based information gives applicants clear information about the approach to blended learning at course level. Similarly, registered students should be given accurate information about the blended approaches on their course and modules.

## Links to OfS regulation

55. The information given to prospective and registered students about their course, including marketing and web-based information, is covered by regulatory requirements relating to consumer and student protection. While consumer protection matters were not the focus of this review, we consider it appropriate to expand on this point further given its importance to students.
56. Condition C1 requires a registered provider to demonstrate that in developing and implementing its policies, procedures and terms and conditions, it has given due regard to

relevant guidance about how to comply with consumer protection law. For the purposes of the condition, 'relevant guidance' means the Competition and Markets Authority's (CMA) publication 'UK higher education providers – advice on consumer protection law'. The CMA guidance states the following:

'The [Consumer Protection Regulations] make it unlawful to mislead students by failing to give them the information they need to make an informed decision, such as about what and where to study. This is called material information. Material information does not necessarily include all of the information that might potentially be of interest to a student but is the information the student needs to make an informed decision...'<sup>20</sup>

57. The CMA guidance then specifies that the type of course-related information that is material information under the Consumer Protection Regulations is likely to include the following:

'...Information about the composition of the course and how it will be delivered, and the balance between the various elements, such as the number and type of contact hours that students can expect (for example lectures, seminars, work placements, feedback on assignments), the expected workload of students (for example the expected self-study time), and details about the general level of experience or status of the staff involved in delivering the different elements of the course;...

...location of study or possible locations, which should also include the likely or possible location of any work placement to be undertaken (where known);'

58. In addition to the consumer protection issues referred to in paragraphs 56 and 57, this theme links to the aspect of condition B1 that relates to whether a higher education course is 'effectively delivered' (see 36.c).

## Compliance considerations

59. Providers should consider whether their marketing and recruitment information is clear and provides sufficient detail about how courses will be delivered.

60. If a provider cannot show that it has given due regard to relevant guidance about how to comply with consumer protection law in developing and publishing information for prospective students about a course, or there is otherwise evidence that suggests it is not complying with consumer protection law, we are **likely to have compliance concerns** in relation to condition C1. Providers are always required to comply with consumer protection law.

61. We are **likely to have compliance concerns** in relation to condition B1 if a provider does not communicate to current or prospective students information about the extent to which a course will be delivered through a blended approach. This might suggest that the design, delivery or management of that course is weak. This in turn would be likely to raise compliance concerns

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<sup>20</sup> Competition and Markets Authority, 'Higher education: consumer law advice for providers' (2015). Available at: [www.gov.uk/government/publications/higher-education-consumer-law-advice-for-providers](http://www.gov.uk/government/publications/higher-education-consumer-law-advice-for-providers).

because it would indicate an increased likelihood that the course would not be considered effectively delivered.

### Case study examples

62. The panel found one course at a provider that offered students a choice between a face-to-face or blended approach to course delivery. Where a provider has decided to offer a course in this way and ensured students are provided with the material information necessary to enable an informed choice, this would be **unlikely to raise compliance concerns** with condition C1.
63. Such an approach, in itself, is also **unlikely to raise compliance concerns** with relevant elements of condition B1 because it does not raise concerns about the design, delivery or management of the course, giving no reason to suppose that the choice offered to students means that the course would not be effectively delivered.

### On-campus teaching and learning

64. Students reported to the panel that they had difficulty finding facilities on campus where they could engage appropriately with digitally delivered teaching and other digital learning resources. The panel expressed particular concern about this issue when there was not a coherent approach to timetabling of blended learning courses. Its view was that providers should consider how students engage with online elements of their course while they are physically on campus.

### Links to OfS regulation

65. This theme links to the aspect of condition B2 that relates to whether a cohort of students receives sufficient resources (see 37.a), including ‘physical and digital learning resources’ as appropriate to the content and delivery of the higher education course (see 37.c).

### Compliance considerations

66. Where a course is delivered through a blended approach with a significant quantity of digitally delivered teaching, or requiring the use of digital learning resources, the cohort of students on that course is unlikely to have a high quality academic experience if students are not able to access and engage effectively with digital learning.
67. Such resources as described in paragraph 64 are likely to fit within the definition of ‘physical and digital learning resources’ in condition B2. We have specified in the guidance that underpins condition B2 that having consistent access to an appropriate place to study is an example of digital learning resources for the purposes of that condition.<sup>21</sup> Such facilities also clearly correspond to the ‘physical locations’ element of the definition of physical and digital learning resources.

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<sup>21</sup> Office for Students, ‘Quality and standards conditions’ (2022). Available at: [www.officeforstudents.org.uk/publications/securing-student-success-regulatory-framework-for-higher-education-in-england/](http://www.officeforstudents.org.uk/publications/securing-student-success-regulatory-framework-for-higher-education-in-england/).

68. We are **likely to have compliance concerns** in relation to condition B2 if a provider requires students to spend a significant proportion of their time engaging with digital learning, without ensuring access to appropriate physical spaces to allow them to do so.

### Case study examples

69. At one provider, students (citing overcrowding on campus) reported struggling to find space to study or to join online lectures. Some students felt that this issue was compounded by an increasing quantity of online lectures. One student suggested that a traditional campus-based teaching calendar would not be able to accommodate the number of lectures that were produced.

70. We would be **likely to have compliance concerns** in relation to condition B2, if, because of a lack of suitable facilities on campus, a cohort of students could not participate in online learning or study at appropriate times relevant to the delivery of their course.

### Learning resource issues

71. The panel described a number of ways in which providers had provided additional support for students to access blended learning. These included laptop loan schemes, bursaries to purchase equipment, digital skills training and access to learning technologists. Sometimes, students were unaware of these resources, but this may have been because the students interviewed did not have the need to access them.

### Links to OfS regulation

72. This theme links to the aspect of condition B2 that relates to whether each cohort of students receives 'physical and digital learning resources' as appropriate to the content and delivery of their higher education course (see 37.c). It also links to the aspect of condition B2 that relates to whether students receive sufficient academic 'support' (37.d).

### Compliance considerations

73. As discussed above in the section on 'On-campus teaching and learning', students are unlikely to receive a high quality academic experience on a blended learning course if they cannot appropriately access digital learning resources.

74. The definition of 'physical and digital learning resources' in condition B2 includes 'iii. The resources needed for digital learning and teaching, for example, hardware and software, and technical infrastructure'. Similarly, 'support' includes 'ii. support needed to underpin successful physical and digital learning and teaching'.

75. Consequently, we are **likely to have compliance concerns** in relation to condition B2 if students do not have access to sufficient hardware and infrastructure to access digital content as part of a blended course. We would also be **likely to have compliance concerns** in relation to condition B2 if students do not receive sufficient support to develop the skills to engage with digital learning effectively and therefore do not receive a high quality academic experience.

## Case study examples

76. Provision of laptop loans or bursaries may be one of many appropriate ways to provide students with access to digital content. However, the existence of such schemes on their own may not be sufficient to satisfy the requirements of condition B2 if, for example, relevant students are not aware of them. Providing access to learning technologists and digital skills training are likely to be appropriate ways of providing 'support' to students on blended courses.
77. We would take these examples of practice into consideration as part of any assessment of a provider's compliance with condition B2. Providers should satisfy themselves that they have taken all reasonable steps to provide sufficient 'physical and digital learning resources' and 'support' to ensure each cohort of students' high quality experience on blended courses.

## Equality, diversity and the needs of different students

78. The panel has said that providers that fail to consider the resource and support needs of students from different groups and with different characteristics present a risk to the quality of their learning experience, particularly for disabled students. The panel's view was that providers should work with students to understand their learning needs, particularly the needs of disabled students, to improve the accessibility of blended courses.

## Links to OfS regulation

79. This theme links to the aspect of condition B2 that relates to whether a cohort of students receives resources and support which are sufficient for the purpose of ensuring a high quality academic experience for those students; and those students succeed in and beyond higher education (see paragraph 37).

## Compliance considerations

80. The use of the term 'cohort of students' in the requirement of condition B2 places a particular emphasis on the needs of the group as a whole, and on the steps that may be considered reasonable to ensure that the group's needs are met.
81. We agree with the review panel that providers must actively consider the particular resource and support needs of a cohort of students to ensure students have a high quality academic experience and achieve success. A provider that has failed to consider this properly and take all reasonable steps is **likely to cause compliance concerns** in relation to condition B2.
82. Our expectation is that the number and nature of the steps that need to be taken (to ensure sufficient resources and support) are likely to be more significant when the academic needs of a cohort are greater. A cohort of students that has a range of academic needs will likely result in a provider needing to take more, or more substantial, steps to ensure sufficient resources and support are available to students.
83. Academic needs may be linked to some students' protected characteristics or socio-economic backgrounds. For example, we have previously specified in the guidance that underpins condition B2 that academic support includes mentor support that disabled students may require

to support their learning.<sup>22</sup> Similarly, a provider responding to a cohort of students who have caring responsibilities, by making high quality digital learning resources available to them, could be an appropriate means of supporting their particular academic needs.

84. Condition B2 requires a provider to take all reasonable steps to ensure sufficient resources and support for each cohort of students. In addition to our regulatory requirements, all providers must meet their legal obligations to make reasonable adjustments for a disabled student. For the purpose of condition B2, any reasonable adjustments made to the delivery of a course for an individual student should not have a detrimental effect on the academic experience of the whole cohort.

### Case study examples

85. The panel observed on one course that students are offered a choice at the start of their course between fully online and blended delivery, with provision made for students to change pathway mid-course. In this instance, the panel's view was that when a course did not require specialist spaces or equipment, this approach would work well for a wide range of students' needs. In contrast, the panel found that students on other courses reported poor experiences of live lectures being dual-cast, as well as staff commenting that they found hybrid delivery – where some students study in-person and others online at the same time – did not work well in their teaching contexts.
86. The two scenarios in paragraph 85 illustrate how adjusting the delivery approach for a course can have a different effect in different contexts. If a provider decided that making available online or blended delivery was not appropriate for a particular course, for example because of the extent or nature of student participation and engagement required by the subject matter of the course, this by itself would be **unlikely to raise compliance concerns** in relation to condition B2. This could be the case even where the preferences of individual students could have been more fully met by offering a choice of delivery methods.

### Online lectures

87. The panel's report discusses the use of online lectures and identifies a variety of approaches, including pre-recorded lectures, on-campus lectures which are also recorded to view later, and hybrid lectures which are delivered on-campus and online simultaneously.
88. The panel's discussion of this theme is wide-ranging and includes its views of the benefits and challenges of online lectures. The next three themes discussed (guest speakers, up-to-date resources, and quality of online lectures) have been drawn from the panel's wider discussion of online lectures as they are relevant to conditions B1 and B2.

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<sup>22</sup> Office for Students, 'Quality and standards conditions' (2022). Available at: [www.officeforstudents.org.uk/publications/securing-student-success-regulatory-framework-for-higher-education-in-england/](https://www.officeforstudents.org.uk/publications/securing-student-success-regulatory-framework-for-higher-education-in-england/).

## Guest speakers

89. The review panel noted that the pivot to blended learning had provided opportunities to improve courses because relevant industry speakers were able to join students in online sessions. Students reported that they valued this increased access to relevant and prestigious speakers from around the world.

## Links to OfS regulation

90. This theme links to the aspects of condition B1 that relate to whether a higher education course is 'up-to-date' (see 36.a) and requires students to develop 'relevant skills' (see 36.d).

## Compliance considerations

91. We may consider a guest speaker programme, delivered using digital technology, to be relevant to condition B1 where we consider it forms part of a course. This may mean that a course is more likely to be 'up-to-date' or delivering other 'relevant skills', because guest speakers can contribute course content which incorporates recent developments in a subject area, research, or professional and industrial practice. However, this may not, on its own, compensate for other elements of a course that are not up-to-date.
92. We are unlikely to consider the absence of an external speaker programme, by itself, as indicating an increased likelihood that a course is not up-to-date or delivering other relevant skills, as these requirements could be met through other means.

## Case study examples

93. A course lead for a performing arts course described how the option of delivering guest speaker sessions online, originally made necessary by pandemic restrictions, had allowed the programme to expand. The reduced time commitment and need for travel had made it easier to book guests for online Q&A and careers sessions and, as a result, students had access to relevant figures from industry to discuss career development. The course lead reported that student engagement with this programme was high.
94. This example reflected an improvement to the course that was valued by students. However, it is unlikely that we would consider this series of Q&A sessions on its own as evidence that a course is up-to-date or delivering relevant skills. If the guest lectures were clearly part of a course, they would be taken into account as part of our assessment of the course as a whole.

## Up-to-date resources

95. The review panel took the view that the reuse of lecture recordings from previous years should not be assumed to be a sign of low quality teaching, because in many cases content will remain relevant across years. However, the panel's view was that teaching staff should ensure that any reused assets remain up-to-date. As well as including out-of-date course content, reused lecture recordings may include inaccurate deadlines or administrative information from previous years, which can cause confusion and detract from students' learning experience.

## Links to OfS regulation

96. This theme is linked to the aspect of condition B1 that relates to whether each higher education course is up-to-date (see paragraph 36.a). The theme is also linked to the aspect of condition B2 that relates to whether each cohort of students receives sufficient resources (see 37.a), including 'physical and digital learning resources' as appropriate to the content and delivery of the higher education course (see 37.c).

## Compliance considerations

97. The re-use of lecture recordings, particularly for core course content that remains similar year-on-year, would, in itself, be **unlikely to cause compliance concerns**. This is because re-using high quality lecture recordings from previous years could support improvements in the academic experience, as the time of teaching staff may be freed up for other beneficial engagement with students.

98. However, there is a risk that lecture recordings are not up-to-date when they are re-used, for example, because they can include course content that no longer reflects the curriculum design. The re-use of lecture recordings would be **likely to raise compliance concerns** in relation to condition B1 if the re-used lectures are not up-to-date, which could be because they are not appropriately informed by subject matter developments, research, industrial and professional developments, or developments in teaching and learning.

99. The re-use of lecture recordings may also result in students being provided with lectures which include incorrect administrative information, such as previous years' course deadlines or timetables. This can create confusion for students and impede their learning. The re-use of lecture recordings would be **likely to raise compliance concerns** in relation to condition B2 if the extent of incorrect and confusing administrative information they contained meant that they could not be considered adequate and deployed effectively to meet the needs of students.

## Case study examples

100. A number of providers had provider- or course-level policies about the ownership, storage and reuse of lecture recordings. The panel's view was that, where such policies were absent, students experienced variable and inconsistent approaches to lecture recordings, and what they received depended on the decisions of individual teaching staff.

101. We do not require providers to adopt particular policies or procedures regarding lecture capture, storage and reuse. Providers should ensure that, where lecture recordings are re-



used, they remain up-to-date and do not contain inaccurate administrative information such that they are no longer adequate and deployed effectively to meet the cohort's needs.

## Quality of online lectures

102. The review panel heard from students about instances where online lectures were poorly produced. Students cited examples of issues including:

- content on whiteboards being out of shot
- sound quality being poor
- sessions being overly long.

103. The panel's view was that the impact of poor quality teaching was the same whether it was delivered online or in-person, and emphasised that the increased use of online lectures was highlighting the importance of well-produced online lectures as part of a high quality academic experience.

## Links to OfS regulation

104. The theme is linked to the aspect of condition B2 that relates to whether each cohort of students receives sufficient resources (see 37.a), including 'physical and digital learning resources' as appropriate to the content and delivery of the higher education course (see 37.c).

## Compliance considerations

105. Poorly produced online lectures can affect students' academic experience. They may lead to students missing important course content or administrative information relating to their course, particularly where audio or video are poorly recorded. They may also make it difficult for students to interact fully with teaching sessions, especially those that are unduly long.
106. Poorly produced online lecture recordings would be **likely to raise compliance concerns** in relation to condition B2 if students were receiving resources that were not adequate or not deployed effectively to meet students' academic needs.

## Case study examples

107. At two providers, students reported that they missed course content because information written on whiteboards was not visible in lecture recordings, and teaching sessions were so long that they struggled to interact fully for the session's duration. At one of these providers, students reported that audio was poor and that they were unable to hear parts of the session.
108. At one provider, students stated that when lectures were broadcast live (rather than pre-recorded), there were frequent technical issues which meant they missed content and found it difficult to interact with these lectures.
109. These examples would be **likely to cause compliance concerns** in relation to condition B2, as they indicate that a provider is providing poor quality resources which are not meeting the needs of the cohort of students.

## Teaching staff's digital skills

110. The review panel took the view that the low quality of some of the online teaching materials identified during its fieldwork suggests that, in some instances, teaching staff did not have sufficient digital skills to deliver blended learning effectively.

111. It also took the view that in many cases there had been significant efforts by teaching staff to upskill in digital teaching, both individually and led by teaching and learning enhancement teams or digital champions.

### Links to OfS regulation

112. This theme links to the aspect of condition B2 that relates to whether each cohort of students receive sufficient resources (see 37.a). Resources includes a staff team that is 'appropriately qualified' (see 37.b).

### Compliance considerations

113. As the panel has highlighted, a lack of digital skills among staff can lead to poor quality online teaching, which may be connected with a number of themes discussed elsewhere in this report, for example, in the sections on 'quality of online lectures' and 'feedback on learning progress in online settings'.

114. Failure of a provider to ensure a staff team has appropriate digital skills may give rise to compliance concerns. For courses employing blended learning approaches, proficiency in the digital tools used is a necessary skill for teaching staff to be able to deliver a course effectively. We may therefore consider that staff lacking digital skills are not appropriately qualified. We would be **likely to have compliance concerns** in relation to condition B2 if a provider is not taking all reasonable steps to ensure its staff team was appropriately qualified, with sufficient digital skills to effectively deliver courses employing blended learning approaches.

### Case study examples

115. One provider had employed and offered training to a significant number of students to provide digital support to students and staff. Staff at this provider spoke positively of the impact this approach had on their digital skills.

116. On a performing arts course, the panel described digital developments in the creative arts sector (such as headphone theatre and livestream theatre) which had been integrated into a course, with dedicated technical teams to support teaching staff's ability to teach up-to-date digital approaches.

117. If a provider were taking these approaches to upskill staff and those approaches were effective in practice, we would be **unlikely to have compliance concerns** with condition B2 in relation to staff's digital skills, as we would be likely to consider that the provider had taken some steps to ensure its staff team was appropriately qualified.

## Feedback on learning progress in online settings

118. Some students told the panel that they did not feel they had access to timely or sufficiently helpful feedback and academic assistance when learning and teaching took place online. Students reported not feeling able to ask for support in online sessions, while staff and students stated it was difficult to create dialogue and participation during online teaching, for example, using virtual classrooms. Some students said that seeking feedback by email outside online teaching sessions could be a slow process, with the 'learning moment' passing before a student gained the information they needed. This lack of feedback was linked to students reporting difficulty understanding aspects of the curriculum taught solely or predominantly online.

119. Students also said that when lectures were online, they could not see whether other students were struggling with the same content, as would be possible during in-person lectures. The panel's view was that these examples suggested a lack of informal feedback which could be compensated by additional structured feedback for students.

### Links to OfS regulation

120. This theme links to the aspect of condition B1 that relates to whether each higher education course is 'effectively delivered' (see 36.c). It also links to the aspect of condition B2 that relates to whether each cohort of students receives sufficient support (see 37.d).

### Compliance considerations

121. Students reported that, in some instances, online teaching was connected with limited dialogue with, and reduced small-scale feedback from, teaching staff. Both students and staff reported that there are certain elements of courses which require dialogue and small-scale feedback to be effectively delivered (see paragraph 124 below for an example). We would be **likely to have compliance concerns** in relation to condition B1 if delivery methods did not facilitate feedback for students appropriate to the content of a course.
122. Students reported that issues with the timeliness and quality of feedback during online teaching could make it more difficult to fully engage with their course and understand course content. Condition B2 requires a provider to take steps to ensure that students receive support to facilitate a high quality academic experience. We would **be likely to have compliance concerns** in relation to condition B2 if a provider were not offering timely and effective support appropriate to a course and if students were struggling to interact fully with physical or digital learning and teaching as a result.
123. We take the view that providing appropriate feedback and support is certainly possible in an online teaching environment. Providers should consider how they can provide students with appropriate feedback and support so that they receive a high quality academic experience both in-person and online. The case study example in paragraph 125 below illustrates how one provider has been able to improve feedback and support for students when adopting blended learning approaches.

## Case study examples

124. Students at one provider said that online delivery caused issues with timely and effective feedback on the mathematical elements of their course. They said that chat functions on video calls did not enable students to write or annotate complex formulas, and that email responses to queries were too slow to be helpful. We would be **likely to have compliance concerns** in relation to condition B1 in this instance, as delivery methods may not be appropriate for the course content, causing students to miss appropriate feedback, which suggests that the provider may not be delivering the course effectively.
125. Students at one provider said that during the coronavirus pandemic, teaching staff increased contact through email and set up informal virtual meetings to discuss student work-related concerns, and that this practice had now become common. Students reported that this had improved communication and helped them resolve issues quickly and effectively. This illustrates one way in which teaching staff can create new routes or improve current routes for providing feedback to students, as part of online learning and teaching. We would be **unlikely to have compliance concerns** in relation to condition B1 if a provider had taken steps such as this to ensure students receive sufficient support to facilitate effective learning and teaching.

## Attendance and engagement

126. Students and staff reported low attendance and engagement across providers and subject areas, especially for on-campus teaching. The panel identified a difference between attendance ('Is the student present?') and engagement ('Is the student actively participating?'). It also identified a lasting impact of the coronavirus pandemic on attendance and engagement, such as the potential for coronavirus infections to cause short-term decreases in attendance.

127. The panel's view was that low attendance and engagement affects whole cohorts because, as students and staff reported, it can mean that learning and teaching sessions are less collaborative and effective.<sup>23</sup>

128. The review panel also took the view that low attendance and engagement has implications for individual students, as attendance and engagement are associated with improved continuation and attainment.

## Links to OfS regulation

129. This theme links to the aspect of condition B1 that relates to whether a course is 'effectively delivered' (see 36.c). It also relates to the aspect of condition B2 that related to whether students receive appropriate support (see 37.d).

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<sup>23</sup> Please note that the review panel use the term 'engagement' to discuss the manner and extent to which students take part actively in their courses. This is different to the OfS's definition of 'engagement' for the purposes of condition B2, which relate to the provision of opportunities for students to contribute to the development of their academic experience and course. In discussion of this theme, 'engagement' refers to the panel's use of the term.

## Compliance considerations

130. We do not currently set specific quantitative requirements for students' attendance or engagement with their course, although we note that the Student Loans Company has expectations in this area. However, we agree with the panel that low attendance and engagement may be cause for compliance concerns in relation to conditions B1 and B2. It is important to distinguish between occasional short-term attendance issues (for example due to student illness) and broader issues which are likely to affect students' academic experience and cause compliance concerns.
131. Low attendance and engagement may be an indication that a course is not effectively delivered, meaning that it does not contain an appropriate balance between delivery methods or between directed and independent work. Students who do not attend or engage are likely to be missing learning. We would be **likely to have compliance concerns** in relation to condition B1 if we see low attendance and engagement and judge this to suggest ineffective design and delivery of a course.
132. Many prospective and current students have had a challenging academic experience due to the coronavirus pandemic. Staff and students reported that this has led to a skills deficit, with more students struggling to participate effectively in the face-to-face elements of their course. Condition B2 requires a provider to take steps to ensure students receive sufficient support which is appropriate to their academic needs. Following the pandemic many students may, for example, need support engaging with face-to-face teaching. We would be **likely to have compliance concerns** in relation to condition B2 if a provider were not taking steps to offer appropriate support to students to facilitate successful learning, informed by consideration of a cohort's academic needs.

## Case study examples

133. The panel found one course for which students reported attendance rates below 50 per cent for in-person elements of the course, and that many students had left the course. One student on this course said:

'About February, March, a lot of the students became disinterested. And they lost their motivation to actually do the proper work. Maybe 10-15 students at a time within those tutorials, which from a student body which was [a much larger number], that's not exactly enough.<sup>24</sup> ... Whether it was the fact that the university struggled at the beginning of the year or whether it was just some stress post-pandemic, we don't know [...] The motivation wasn't just within this course.'

134. This particular course was providing a significant amount of online teaching. Students said that this had led to an increased emphasis on theory-based learning as opposed to the practical elements which took place in laboratories, and that this had resulted in less interaction with academic staff.

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<sup>24</sup> We have removed the number from quotation to protect the anonymity of the student.

'And another problem with online learning as such is that once you get down into more difficult calculations or equations, sometimes you need the lecture[r] to be there with you to actually guide you through.'

135. This case study suggests that decisions about the delivery method for a course can be linked to low attendance and non-continuation. We would **be likely to have compliance concerns** in relation to condition B1 in this case as low attendance and increased non-continuation suggest that a course is not effectively designed and delivered. In this case, we would be likely to consider that the course was not effectively delivered because of an inappropriate balance between delivery methods and between directed and independent study. However, there are other factors that could indicate that a course is not effectively delivered in the manner which it is taught, supervised and assessed.
136. In addition, this example raises questions about whether students are adequately supported by their provider. A sustained period of low attendance on this course should have signalled to the provider that the academic needs of students may not have been adequately met. We would be **likely to have compliance concerns** in relation to condition B2 as it appears this provider did not take all the steps it could and should have taken after a pattern of low attendance emerged, to ensure students received sufficient resources and support as relevant to their academic needs which would ensure their success in and beyond higher education.

## Structuring independent study

137. The panel described that an increase in online learning and teaching may lead to 'content overload' on some courses, with students reporting that they receive more content online than they could properly manage while studying a reasonable number of hours per week. A frequently mentioned factor was that online lectures were often longer than they would be in a timetabled slot on campus.

138. Students reported challenges in keeping up with course content and managing their individual timetables, especially on days with both on-campus and online sessions. The panel observed that this could be exacerbated where approaches in different modules were not sufficiently planned. Students reported that teaching staff were often unaware of the volume of asynchronous learning being set simultaneously in other modules. There may be links between this theme and the 'on-campus teaching and learning' and 'student number growth' themes explored earlier in this report, if for example issues with accessing online content on-campus relate to the provision of appropriate facilities or overcrowding on campuses.

139. The panel's view was that providers should consider ways to develop students' independent learning skills, to allow them to participate more effectively in learning and teaching and to manage their own timetables.

## Links to OfS regulation

140. This theme links to the aspect of condition B1 that relates to whether each higher education course is 'effectively delivered' (see 36.c). It also links to the aspect of condition B2 that relates to whether each cohort of students receives sufficient support (see 37.d).

## Compliance considerations

141. The panel identified situations where the volume of recorded lectures and other digital learning resources students were receiving was too high for them to engage effectively. This was exacerbated where the overall plan for learning and teaching was not joined up across modules. Where this is the case, it suggests that there is an inappropriate balance on a course between delivery methods or directed and independent study, and therefore that the course may not be effectively delivered. We would be **likely to have compliance concerns** in relation to condition B1 if a large volume of learning content negatively affects students' ability to participate fully in their course.
142. Students reported that they struggled to manage their timetables, often not knowing how long to spend on tasks or how to prioritise work. Students often missed course content as a result. Although students need to manage their timetable on any higher education course, doing this on blended learning courses can be more challenging because of the range of delivery approaches and the need to balance on-campus and independent work. Providers should be able to remedy these issues by offering students appropriate support to help them manage their workload more effectively. We would be **likely to have compliance concerns** in relation to condition B2 if a provider did not take steps to support students with timetable management challenges.

## Case study examples

143. As discussed in the case study example in paragraph 43 above, students at one provider reported that the volume of pre-recorded online lectures assigned to them each week made it challenging to complete all their assigned work. As a result, students frequently did not watch online lectures or watched them at increased speed. This example suggests an ineffective balance of independent and directed study, meaning the course may not be effectively delivered, and this may mean we are **likely to have compliance concerns** in relation to condition B1.
144. At one provider, for each module there was a dedicated space on the virtual learning environment (VLE) which provided a breakdown of each week's content, the online resources available to students, and the delivery approach for different elements of learning and teaching. Students reported that the information shared on the VLE made it easier for them to plan and manage their own timetables. Increasing communication on course structure, as in this example, is one of a number of steps that providers may take to support students. In this instance we would be **likely to have compliance concerns** in relation to condition B2 if a provider is not taking steps to meet students' academic needs and providing support in this way.

## Digital learning support for students

145. The panel took the view that providers did not clearly identify the digital skills that students would require during their course, with some students struggling with certain digital elements of their course, such as using the full functionality of the VLE. Although many providers did offer some digital learning support, student awareness and uptake of support was mixed. The panel's view was that students would benefit from specific support to manage the blend for their course, which could address digital and in-person skills gaps as well as timetable management.

146. The panel's discussion of this issue connects with emerging evidence that support for digital skills learning may not be meeting students' needs in all providers. For example, Jisc's 'Student digital experience insights survey 2020-21' found that only 50 per cent of students received guidance about the digital skills needed for their course, while 35 per cent considered the overall support received for effective online learning as average or worse.<sup>25</sup>

### Links to OfS regulation

147. This theme is linked to the aspect of condition B2 that relates to whether each cohort of students receives sufficient support (see 37.d).

### Compliance considerations

148. Where students lack appropriate digital skills, they may not be able to access or participate effectively in elements of their course. Digital skills gaps can be general, with students lacking proficiency in standard digital tools, or course specific, with students lacking proficiency in specialist digital tools that are necessary for their course content or the blended learning approaches being taken on their course. Providers should be aware of the digital skills gaps in each cohort of students. They should consider what support may be appropriate to facilitate effective student participation in digital learning and teaching. We would be **unlikely to have compliance concerns** in relation to this aspect of condition B2 if a provider took steps to offer appropriate support to ensure students have the digital skills relevant to their course, and this support was effective in practice.

### Case study examples

149. The panel described a variety of approaches taken by providers to offer effective support to students, facilitating the development of digital skills. These are examples of the type of support providers may consider which would help ensure students have appropriate digital skills to participate effectively in digital learning:

- a. Employing and training students to offer digital teaching and learning support to students and staff.

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<sup>25</sup> Jisc, 'Student digital insights survey 2021/22: UK higher education (HE) survey findings' (2022), pg. 16. Available at: [www.jisc.ac.uk/reports/student-digital-experience-insights-survey-2020-21-uk-higher-education-findings](http://www.jisc.ac.uk/reports/student-digital-experience-insights-survey-2020-21-uk-higher-education-findings).



- b. Offering step-by-step written guides on how to use online resources and ensuring access to learning technologists where individual support is required.
- c. Making strategic choices about the online platforms used. A course at one provider did not use the provider's institution-wide VLE. Instead, it used alternative online platforms which were more appropriate to that course and its students.

150. We would be **unlikely to have compliance concerns** in relation to condition B2 if providers, as in these examples, were considering students' digital skills needs and offering appropriate support to develop their students' digital skills that was effective in practice.

## Being part of a blended community

151. The panel observed that students generally expressed more negative sentiments about the sense of community on their course compared with the staff who were also interviewed. The panel identified significant evidence that students experienced isolation when delivery was fully online. Students spoke of a longer-term impact on their sense of academic community because they had fewer opportunities to meet other students during periods of national lockdown, which in turn had reduced the amount and quality of peer-to-peer interaction.

152. The panel's view was that peer learning supports individual learning, and being part of an academic community was connected to students' wider academic experience and could also affect the support required to ensure a high quality academic experience.

153. The panel's view was that providers should work with students to develop community-building opportunities within all aspects of courses.

## Links to OfS regulation

154. This theme links to the aspect of condition B1 that relates to whether each higher education course is effectively delivered (see 36.c).

## Compliance considerations

155. We have set out in the guidance underpinning condition B1 that a course that is predominantly taught through large-scale lectures without providing opportunities for small group teaching would be **likely to raise compliance concerns**.<sup>26</sup> In relation to postgraduate research students, our view is that failing to provide opportunities for structured engagement with other researchers would also **be likely to cause compliance concerns**.

156. We would also take the view that a course delivered using blended approaches that does not foster collaborative learning among students would be **likely to raise compliance concerns** in relation to whether it is effectively delivered.

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<sup>26</sup> Office for Students, 'Quality and standards conditions' (2022). Available at: [www.officeforstudents.org.uk/publications/securing-student-success-regulatory-framework-for-higher-education-in-england/](http://www.officeforstudents.org.uk/publications/securing-student-success-regulatory-framework-for-higher-education-in-england/).

## Case study examples

157. At one provider, the review panel identified a lack of alignment between students' and the provider's view of the sense of academic community experienced by students. While course leads emphasised how the use of online communication software such as Microsoft Teams encouraged students and staff to interact in new ways, students reported feeling that they were not engaged with courses or each other, with multiple reports of peers having left their course. One student at this provider remarked:

'There's no way to build connections within your own school year or within your own group. That's one of the biggest issues we had with [online learning].'

158. The approach set out in the case study above would be **likely to raise compliance concerns** in relation to condition B1 as the lack of engagement between students on a course and the link to non-continuation suggests that the course may not be 'effectively delivered'.

## Graduate attributes

159. The review panel described instances where curricula had been rapidly updated to reflect changes to industry practices that had been accelerated by the coronavirus pandemic. It also identified examples where students had concerns that the emergency pivot to online learning had deprived them of opportunities to develop skills through networking and placements, which those students considered important for their employability.

## Links to OfS regulation

160. This theme links to the aspect of condition B1 that relates to whether a higher education course is 'up-to-date' (see 36.a) and requires students to develop 'relevant skills' (see 36.d).

## Compliance considerations

161. Blended learning approaches can create new opportunities to develop students' skills and knowledge. These skills may reflect developments in professional competences and skills requirements in relevant industries, such as new digital skills. We would be **likely to have compliance concerns** if a course does not appropriately reflect changing expectations of digital skills in relevant disciplines or industries such that a course was no longer up-to-date. This could also mean that the course did not require students to develop relevant skills, in a manner appropriate to the subject matter and level of the course.

162. Similarly, we would expect that a course that moves from a fully face-to-face to a blended approach, would be **likely to raise a compliance concerns** if it did not require students to develop practical skills in a manner appropriate to the subject matter and level of the course.

## Case study examples

163. The review panel reported an example of a course which had rapidly integrated various forms of digital performance into its blended curriculum in response to changes in the performing arts industry, such as 'headphone-' or 'Zoom-theatre'. The course content clearly

included practical skills and professional competences that reflected recent developments in how industry professionals collaborated remotely. This approach, in the absence of other concerns, would be **unlikely to raise compliance concerns** about whether the course was up-to-date or delivering these skills.

164. The panel identified a cohort of students who were concerned that they had not experienced sufficient practical teaching as part of a blended learning approach. They considered this had put them at a disadvantage in terms of practical skills required for future employment. In addition, another graduate said that this blended course had not provided them with specific digital skills that roles in a related industry required. The situation these students described to the panel would be **likely to cause compliance concerns** in relation to condition B1 as it may indicate that this course does not reflect up-to-date industrial and professional developments.

## Next steps

165. We expect higher education providers to consider this report and its implications for their approaches to learning and teaching. We would expect a provider to change its approach where appropriate to ensure it is compliant with our regulatory requirements.
166. We will evaluate the extent to which our blended learning review has supported understanding of the OfS's requirements and influenced how providers approach the delivery of blended learning. We will be carrying out evaluation activities over the next year and, as a first step, we invite staff working in providers who have read and engaged with the review to complete our survey.



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