

Request for delegated authority to decide to change the name of the scheme referenced in condition B6

Summary

1. Under the OfS's scheme of delegation¹ (paragraph 1(b)(i), Part 1), any final decision to make changes to the regulatory framework which add, remove or vary more than two initial conditions of registration and two ongoing conditions of registration in any given calendar year is a matter reserved to the OfS board, unless the board decides to make changes or exceptions.
2. As the above threshold for changes to conditions of registration has already been reached, any further changes to conditions of registration in the current calendar year are a matter reserved to the OfS board.
3. One potential decision arising from the Teaching Excellence Framework (TEF) consultation (that ran between 20 January 2022 to 17 March 2022) would require an important consequential change to the drafting of condition B6. The TEF consultation proposed that the rating scheme for TEF (ratings scheme) 'should be named the Teaching Excellence Framework'. The current wording of condition B6 requires providers to participate in the 'Teaching Excellence and Student Outcomes Framework'². Subject to decision, a change to delete the words 'and Student Outcomes' would be required to ensure that a provider is required to participate in a new ratings scheme with a new name and therefore for condition B6 to remain enforceable for the new ratings scheme.
4. Other changes to the regulatory framework relating to the TEF will potentially arise from decisions made following the TEF consultation but these changes are not matters reserved for the board according to the scheme of delegation (paragraph 2(a), Part 1).

Recommendation

5. The board is invited to agree to delegate the decision for any change to the regulatory framework in respect of any revisions to the name of the rating scheme referenced in condition B6 to the chief executive or Director of Quality.
6. The chief executive or Director of Quality will then make a decision on this matter, along with decisions on any other changes to the regulatory framework resulting from the consultation, which are not reserved for the board.

¹ <https://www.officeforstudents.org.uk/media/61967279-3461-4576-adda-44febab76f86/scheme-of-delegation-22-september-2020.pdf>

² <https://www.officeforstudents.org.uk/media/a32be394-72ba-4975-bd7e-5a9b5d8c0ece/regulatoryframework.pdf>