

24 June 2026

Dear [Chair]

When I wrote to you last November, I indicated that I would like to do so regularly if not frequently. So, six months – and around twenty provider visits – later, it seems timely to write to you again now.

Meeting chairs is a key component of my visits. I recognise the key role that you play in the oversight of your individual institutions and collectively of the sector. I view chairs and their boards as a major feature in the regulatory landscape.

In this context, the OfS welcomes the publication of the Committee of University Chairs' (CUC's) updated Code of Governance.¹ It sends a strong signal about the priority that institutions place on effective governance and reflects a clear commitment to strengthening practice through sector-led action.

I want to acknowledge the significant work undertaken by the team that developed the code under the leadership of Iain Cornish, Nicola de Longh, and James Dunphy. I am aware of the significant engagement from providers, sector bodies, and other stakeholders with the creation of the new Code, as well as the input from colleagues from the OfS. We were pleased to contribute, not least because it gave us the opportunity to demonstrate our collaborative approach, exemplifying one of the attitudes at the heart of our new strategy.

The next step is for us all to play our parts in ensuring that the Code enhances standards of governance. This is a crucial moment where we can come together across higher education to deliver outstanding governance that makes the most of the resources we have at our disposal.

¹ See: <https://www.universitychairs.ac.uk/2026/06/17/published-new-cuc-code-of-higher-education-governance/>.

I am sure those of you who are chairs of CUC members will be reviewing your policies and procedures against the recommendations of the CUC Code to give yourselves confidence in your compliance.

For those of you who are not members of the CUC, I suggest that you examine the relevance of the Code carefully for your organisation and perhaps discuss it with your own representative bodies which participated in its formulation. While some aspects of it may not be applicable to you, the overarching principles may well generate important prompts that enable you to continue to develop and improve your own governance.

I know that a range of sector bodies are undertaking their own work to support good governance in the sector; for example, Advance HE's development of guidance and training resources and AHUA's work on organisational efficiency benchmarking. I am aware IHE will be updating its own governance code soon, which we hope will be another opportunity to continue to improve governance in the sector, especially for providers whose legal form would not be best suited to the CUC's Code.

The OfS has its role in this process. Our task now is to set out clear regulatory expectations about governance, building as we said we would on the Code produced by the CUC. Let me say a little more about where we go from here.

We intend to consult formally on our ongoing conditions of registration on effective governance early next year. Before we do, colleagues will be talking to sector bodies, senior leaders within providers, and students about our potential approach to help shape our proposals. Together, chairs bring a vast amount of experience and expertise, from both private and public organisations, on the regulation of governance. With this in mind, I am sharing the questions we are asking ourselves (which are a work in progress) as we develop our formal consultation proposals:

- How can we incentivise governance arrangements that drive the right outcomes in practice?
- What is the role of our Public Interest Governance Principles?² How do they support the right behaviours?
- The OfS currently sets expectations for the role of the accountable officer for providers on our register and also a wider group of individuals at registration. Given the CUC's focus on key individual members of the executive and board team, what can the OfS do to ensure our expectations for a wider range of individuals are clear?
- How can we build on existing sector best practice, while reflecting the diversity of the sector and our role as a regulator?

Throughout our policy development we will continue to focus closely on promoting the student interest and protecting public funding. If we identify further activity or questions to support this, we

² See: www.officeforstudents.org.uk/publications/regulatory-framework-for-higher-education-in-england/annex-b-public-interest-governance-principles/.

will integrate them into our thinking. Please do contact me directly if you have immediate observations.

I received positive responses to my last letter, setting out the risks we saw emerging across the sector which many of you have told me you are using to structure conversations with your boards.³ As a result, I am planning to write to you again with an update on emerging risks in the autumn.

In the meantime, I would remind you that we recently published our latest analysis of the sector's financial sustainability.⁴ I draw your attention to the sector trend for forecasts that repeatedly assume surpluses from 2026/27 onwards. There is still a danger that some providers are signing off over-optimistic student number forecasts that may mask the need for significant changes to their size and shape over the next few years. Governing bodies are responsible for ensuring that forecasts are realistic, that assumptions are appropriately challenged, and that they are implementing structural changes to safeguard performance if or when anticipated growth does not materialise. Effective board oversight of financial risk and guarding against rose-tinted forecasting are always important but are critical in the current context.

Finally, I want to draw your attention to our sexual misconduct survey results, published on 8 May.⁵ We will run a further survey linked to the National Student Survey (NSS) in 2027. We intend to publish institution-level data from the 2025 and 2027 surveys together, to support transparency and strengthen the evidence base across the sector. Alongside our first publication in September 2025, we shared with your institution your own survey data, subject to data quality and confidentiality, which I trust you have reviewed. You may want to seek assurance that your organisation is using these data to inform effective action as part of your work to make a significant and credible difference in protecting students from harassment and sexual misconduct, a key requirement of regulatory condition E6.

Thank you for your continuing commitment to improving governance in the sector. I look forward to continuing the conversation with you both individually and as a group.

Yours sincerely,

Professor Edward Peck
Chair

³ See: www.officeforstudents.org.uk/publications/emerging-governance-risks/.

⁴ See: www.officeforstudents.org.uk/news-blog-and-events/press-and-media/ofs-warns-against-persistent-over-optimism-as-analysis-finds-institutions-under-continued-financial-pressure/.

⁵ See: www.officeforstudents.org.uk/publications/sexual-misconduct-survey-2025-analysis-of-student-groups-and-study-contexts/.