

Office for
Students



OfS

Invitation to express an interest in becoming the designated data body

Expressions of interest must be submitted by noon on **11 March 2022**.

Reference OfS 2022.13

Enquiries to dfa@officeforstudents.org.uk

Publication date 17 February 2022

The Office for Students is the independent regulator for higher education in England. We aim to ensure that every student, whatever their background, has a fulfilling experience of higher education that enriches their lives and careers.

Our four regulatory objectives

All students, from all backgrounds, and with the ability and desire to undertake higher education:

- are supported to access, succeed in, and progress from, higher education
- receive a high quality academic experience, and their interests are protected while they study or in the event of provider, campus or course closure
- are able to progress into employment or further study, and their qualifications hold their value over time
- receive value for money.

Introduction

1. This document invites expressions of interest to become the designated data body (DDB) for higher education in England under the Higher Education and Research Act 2017 (HERA). We are inviting these expressions should the current designated data body – the Higher Education Statistics Agency (HESA) – decide to merge with Jisc.
2. The invitation is open to any organisation interested in performing the information function set out in sections 64 and 65 of HERA. To express an interest, please respond by email to dfa@officeforstudents.org.uk no later than **noon on 11 March 2022**.
3. We expect to publish in full all responses to the invitation. Once these have been received, we also expect to consult on the suitability of those bodies which have put themselves forward.

Background

4. Data is critical to the operation of the Office for Students' (OfS) regulatory approach. It is therefore important that the OfS continues to have access to high quality data, which is currently collected by the designated data body.
5. HESA is the current designated data body under HERA, having been designated by the secretary of state on 1 April 2018. It has, however, announced that it is exploring a merger with Jisc.¹ If HESA were to merge into Jisc, there would no longer be a designated data body because HESA as a body would no longer exist, and it is not possible to transfer designation between bodies.
6. An effective designated data body is desirable and, given the need for continuity in data, it is prudent to begin the process that would be necessary to appoint a new body in advance of HESA relinquishing its current status. We are therefore inviting expressions of interest in becoming the designated data body should HESA merge with Jisc. If it happens, we expect the merger to take place in autumn 2022 and for any new body to take up the role from this date.
7. This invitation is the first stage in the process to decide whether a new body should be designated. The full process is set out in paragraphs 1 to 4, schedule 6 of HERA. We currently intend to consult in spring 2022, as set out in schedule 6 of HERA, following receipt of expressions of interest.
8. HESA has not yet issued a notice under paragraph 5(3)(b), schedule 6 of HERA consenting to the removal of its designation. If no such notice is received and HESA does not merge with Jisc, we are unlikely to progress with the process for deciding whether to designate a new body.
9. This expression of interest relates solely to the role of the designated data body in England and does not relate to similar activities which HESA currently conducts for the devolved administrations.

¹ See www.hesa.ac.uk/news/17-02-2022/hesa-and-jisc-explore-merger and www.jisc.ac.uk/news/hesa-and-jisc-confirm-merger-exploration-17-feb-2022. For more information about Jisc, see their website at www.jisc.ac.uk.

Requirements for an expression of interest

10. We are not prescriptive about the format in which bodies express their interest. However, any expression of interest must include sufficient information to allow the OfS to determine whether the body satisfies all the conditions set out in paragraph 4, schedule 6 of HERA, and reproduced in annex A. In particular, a body expressing an interest in the role will need to demonstrate that it could start to operate as the designated data body in autumn 2022.
11. Expressions of interest should also demonstrate:
 - a. An understanding of the role of the designated data body, including how it will ensure the timeliness and quality of the data needed to support our functions and how it will respond to changes in requirements under sections 64 and 65 of HERA.
 - b. An understanding of the regulatory landscape in England, and the OfS's regulatory framework in particular.
 - c. How it will ensure that in performing its functions the burdens placed on providers are proportionate and the fees charged under section 67 of HERA are appropriate and represent value for money.
 - d. How it will comply with data protection legislation, including its approach to information security.
 - e. How it will comply with the code of practice for statistics² in performing its functions.
 - f. How conflicts between the role of the designated data body and any other activities of the body will be identified and managed, including how it will ensure that data collected in its role as designated body is only used to perform those functions.
12. As part of any future consultation under paragraph 1, schedule 6 of HERA we would expect to publish in full any expressions of interest that are received.
13. We have recently consulted on the approach to the collection of student data through the Data Futures programme. We would expect any new designated data body to take forward the outcomes of that consultation. To that end, the OfS has ensured that the intellectual property in the Data Futures collection model and the HESA Data Platform that is currently being developed to support Data Futures can be used royalty free by any future designated data body.
14. We recognise that currently most of the data collection and dissemination activity conducted by the designated data body is retrospective, following the end of the academic year on 31 July. We expect to put transitional arrangements in place to allow HESA or Jisc to complete activities for the collection of student, staff and business and community interaction data for the 2021-22 academic year and to complete the Graduate Outcomes survey for the 2020-21 cohort. Any new designated data body would therefore first collect data for the 2022-23 academic year other than for Graduate Outcomes, covering leavers in the 2021-22 academic year.

² We would expect the designated data body to be designated as a producer of official statistics under the Statistics and Registration Services Act 2007.

Annex A: Conditions A to D of paragraph 4 to schedule 6 of HERA

A body is suitable to be designated under this Schedule if the body satisfies conditions A to D.

Condition A is that the body is capable of performing the duties of the relevant body under sections 64(1) and 65(1) in an effective manner.

Condition B is that—

- (a) the persons who determine the strategic priorities of the body represent a broad range of registered higher education providers,
- (b) the body commands the confidence of registered higher education providers, and
- (c) the body exercises its functions independent of any particular higher education provider.

Condition C is that the body consents to being designated under this Schedule.

Condition D is that the body is a body corporate and is not—

- (a) a servant or agent of the Crown, or
- (b) a body to which the Secretary of State appoints members.



© The Office for Students copyright 2022

This publication is available under the Open Government Licence 3.0 except where it indicates that the copyright for images or text is owned elsewhere.

www.nationalarchives.gov.uk/doc/open-government-licence/version/3/