



Approved minutes of the OfS board meeting – 13 May 2026

Present members:	Professor Edward Peck (Chair) Dr Arif Ahmed (Director for Freedom of Speech and Academic Freedom) Evelyn Asante-Mensah Kirstin Baker Josh Fleming (Chief Executive) Verity Hancock Sumita Hutchison Simon Levine Jane McCall Professor Chris Millward (Director for Fair Access and Participation) Dr Julia Mundy Richard Stables Caleb Stevens Neil Swift Simon Wilde Andrew Wilson
Attendees:	Patrick Curry (Director, Higher Education Oversight, Department for Education) (items 1-19) Ashley Harshak, PA Consulting (observer) (items 1-13)
Apologies:	None
Officers:	Jean Arnold, Director of Quality and Access David Heron, Head of Governance Katherine Jacob, Corporate Governance Senior Officer Sophie McIvor, Director of Strategy and Delivery Philippa Pickford, Director of Regulation Nolan Smith, Director of Resources and Finance Sarah Stoney, General Counsel

Item 1. Chair's welcome

1. The chair welcomed board members, OfS officers, the Department for Education (DfE) representative, and the observer from PA Consulting.
2. No apologies were received.
3. The board's attention was drawn to two papers shared for information:
 - a. An update on financial performance in the higher education sector, in advance of the annual report on financial performance to be published on 14 May 2026.

- b. A paper setting out proposed changes to our Prevent monitoring approach.

Item 2. Minutes of the last meeting

- 4. The minutes of the board meetings on 11 February 2026 and 16 April 2026 were approved with no amendments.

Item 3. Chair's report

- 5. The chair updated the board about the judgment received in the University of Sussex judicial review.
 - a. The revised OfS scheme of delegation, which came into force on 24 November 2025, allows the chair and chief executive, acting collectively or individually, to establish a committee for the purposes of taking any type of decision or exercising any functions of the OfS other than matters reserved to the board. A committee had been established to determine the next steps following the judicial review judgment. The committee had considered the judgment, and its potential implications, and had made the decision not to appeal.
 - b. Exempt from publication.
 - c. Exempt from publication.
 - d. Exempt from publication.
 - e. The board will discuss the lessons learned from the case at its board planning session in July. The board agreed that this experience should be used as an opportunity to continue to build improved relationships with the sector. We should continue to monitor our KPMs in this area closely.

6. Exempt from publication.

7. Exempt from publication.

Item 4. Chief executive's report

- 8. The report provided an update on achievements, issues and activities since the last meeting of the board.
- 9. The OfS scheme of delegation includes a provision that the board will be informed at each meeting of any decisions taken under the scheme of delegation that the chief executive considers particularly contentious (including because of material risks to the continuity of study for students, public controversy, or a legal challenge against the OfS). Exempt from publication.
- 10. Exempt from publication.

Item 5. Operating environment

11. The paper provided an overview of recent political, sector and student developments that shape the OfS's operating environment.
12. Since the paper was circulated, local elections had taken place. We will monitor the impact of the results on the wider discourse around higher education.
13. The House of Commons Education Committee published its report 'Higher Education and Funding: Threat of Insolvency and International Students' on 12 May. The report warns about the lack of student protection in the event of insolvency of a higher education provider. The National Audit Office has recently started an audit into financial sustainability in universities, the scope of which covers whether OfS can identify and mitigate the likelihood of disorderly provider closure, and whether DfE and OfS are equipped to mitigate the impact of provider failure, to protect students and minimise taxpayer exposure.
14. We are launching a research project in collaboration with Advance HE to explore providers' responses to use of artificial intelligence, following input from the Provider Panel on this topic at its February meeting. **Exempt from publication.**

Item 6. Development of approach to the regulation of governance in higher education providers

15. The board received a paper setting out progress in our approach to regulating governance in higher education. **Exempt from publication.**
16. **Exempt from publication.**
17. The Student Interest Board had considered the paper at its meeting on 13 May. **Exempt from publication.**
18. The Provider Panel had considered the paper at its meeting on 12 May. **Exempt from publication.**

Item 7. OfS operational funding

19. The board received a paper setting out the OfS's current funding position, the framework within which it operates as an arm's length body of DfE, and options for moving towards a more sustainable long term funding model.
20. **Exempt from publication.**
21. **Exempt from publication.**
22. **Exempt from publication.**
23. **Exempt from publication.**

Item 8. Report from the Risk and Audit Committee

24. The board noted the report of the March meeting of the committee.
25. The committee had advised that the board's risk appetite and tolerance is made explicit in board papers.
26. The board was asked to request any additional advice from the committee that would be useful to assure itself of the effectiveness of the OfS's risk management and internal controls. This will be explored in the board development session in July, and through a board effectiveness review later in 2026.

Item 9. Risk report

27. The board received a report on the status of the OfS strategic risks.

28. Exempt from publication.

29. Exempt from publication.

30. Exempt from publication.

31. Exempt from publication.

Item 10. Progress report on delivery of attitudes, strategic goals, KPIs, and finance update

32. The board received the first progress report on the OfS strategy 2025-30.

33. Exempt from publication.

34. Exempt from publication.

35. The board agreed the proposed changes to KPM 7 (accuracy of institutions' forecasts).

Item 11. OfS business plan 2026-27

36. The board reviewed the approved business plan for 2026-27, and the possible prioritisation in the event of unexpected issues emerging.

37. Exempt from publication.

Item 12. Triennial review of the designated data body

38. The board received the final report of the triennial review of Jisc as the designated data body.

39. Exempt from publication.

40. Exempt from publication.

Item 13. Stakeholder survey findings

41. The findings of the stakeholder survey conducted earlier this year were shared with the board in advance of publication.

42. The board's attention was drawn to the extremely positive finding that a high number of respondents (43 per cent) had agreed that the OfS's regulation had prompted them to improve the quality of their provision. 96 per cent of respondents had agreed that higher education should be regulated.

43. Communications will focus on what we can learn from the findings, and how we will improve our tone of voice, clarity of communications, and collaborative ways of working.

44. A detailed conversation about the findings will take place at the board's planning session in July, as part of a wider discussion on lessons learned from the Sussex case. The findings will also be discussed by the Public Affairs Committee.

45. The board raised some questions about the response rate to the survey. The Provider Panel had also expressed that the response rate could be higher.

Item 14. Market exit cases

46. The board received an update on market exit risk across the sector. Exempt from publication.

47. Exempt from publication.

48. Exempt from publication.

Item 15. Report from the Provider Panel

49. The board noted the report of the February 2026 meeting.

50. Exempt from publication.

51. Exempt from publication.

52. The board noted that it is encouraging that members of the panel are supportive of regulation of the sector, and of the OfS being vocal about emerging issues.

Item 16. Report from the Quality Assessment Committee

53. The board noted the report of the November 2025 and January 2026 committee meetings.

Item 17. Report from the People Committee

54. The board noted the report of the February 2026 committee meeting.

Item 18. Revision to the OfS scheme of delegation

55. The board received a proposal to revise the OfS scheme of delegation to ensure legal and operational clarity when the joint chief executives begin their role on 15 June 2026, and to enable other named roles to refer to more than one person.
56. The board approved the revisions to the scheme of delegation, to take effect on and from 20 May 2026.

Item 19. Annual plan for board business

57. The board noted the annual plan for board business.

Item 20. Restricted item

Paras 58-64 exempt from publication.

Any other business

65. No other business was brought to the attention of the board.
66. The next in person board meeting will be on 15 July 2026. There will be planning meetings on the afternoon of 14 July and the morning of 15 July.