

Business plan

October 2020 to March 2021

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Enquiries to info@officeforstudents.org.uk

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Foreword

2020-21 is the final year of our first, three-year strategy. We would usually publish an annual business plan in April, the first month of our working year. This year, however, was exceptional. Just as we were about to publish our plan, the pandemic struck. We responded by suspending business as usual, so that we could focus on acting flexibly and responsibly to protect the quality of teaching for students, ensure we understood the impact of the pandemic on providers' financial circumstances, and support the most vulnerable students.

Since April, we have therefore refocused our approach to the regulatory framework to prioritise core requirements whilst reducing regulatory burden for providers. In April we published new guidance on maintaining teaching quality, exams, and assessment in the context of coronavirus, and in June on student and consumer protection. We published several non-regulatory briefing notes on the impact of coronavirus on disabled students, international students and research students, and areas where students were particularly exposed, for instance in relation to accommodation or mental health. We developed a new time-limited condition of registration to support the stability and integrity of the sector, and have just completed a consultation on proposals to enable us to intervene more effectively when providers are facing extreme financial difficulty and the possibility of ceasing to deliver higher education.

Now students have largely returned to campus this autumn, we will continue to focus on these same areas. In addition, we are taking stock of how we have implemented our approach to regulation, drawing on our experience of the last two years, with a view to reviewing this before we return to a more normal regulatory environment. We will be consulting on a new approach to quality and standards that is more proportionate for providers who meet our requirements, while raising the bar for all providers and addressing poor quality at subject level.

In this revised business plan for 2020-21, we set out our plans for the remainder of the year. Notwithstanding the impact of coronavirus, we continue to be ambitious for what students, higher education, and we as the regulator, can achieve. We welcome feedback on this business plan. Despite all the challenges that coronavirus has brought, we remain committed to ensuring that every student, whatever their background, has a fulfilling experience of higher education that enriches their lives and careers.



A handwritten signature in black ink that reads "Nicola Dandridge".

Nicola Dandridge, Chief Executive, Office for Students

How this business plan works

This business plan sets out the work we intend to do to achieve the objectives and outcomes set out in our strategy for 2018-2021. Our aim is to ensure that every student, whatever their background, has a fulfilling experience of higher education that enriches their lives and careers.

However, unlike in previous years, this plan is being published half-way through the year. The urgent work we needed to carry out due to the coronavirus (COVID-19) pandemic disrupted our normal business planning cycle. We are now setting out how we intend to secure our strategic objectives, given the unforeseen issues that have arisen since the beginning of the calendar year.

We have identified priority areas of work, described below, that we will progress in the remainder of 2020-21. We have described the issues that we wish to address and outlined what we will do to tackle them. This is a flexible plan that will allow us to respond to the continuing changes in higher education resulting from the pandemic, while delivering our priorities. For example, if providers leave the higher education sector then our work will be refocused to manage these cases of 'market exit', protecting the interests of students as far as possible.

Our strategy is due for renewal next year. It will establish our long-term objectives for regulating and funding higher education for the benefit of students, the economy and society. At that point we will return to a normal business planning cycle, setting out each year the work we will carry out to achieve these objectives.

To provide feedback on this business plan, contact info@officeforstudents.org.uk.

Reintroducing regulation

What is the issue?

In response to the coronavirus pandemic, we paused some of our regulatory requirements, adapting our approach to minimise burden and to support providers as they sought to protect the interests of students. The pandemic continues to affect English higher education and our regulatory approach will continue to reflect the changing environment.

We wrote to providers in July 2020 setting out details of our plans for a phased resumption of our regulatory requirements. As we noted in that letter, we do not intend to reinstate our requirements exactly as before. Instead, we will target our work to ensure that it is increasingly risk-based with our regulation focused where it is most needed.

This revised approach will draw on our experience of the last two years and will reflect our commitment that providers that do not pose specific increased risk should have less regulatory burden now that the regulatory framework is established. We will continue to take a principles-based approach to regulation and recently published a briefing that sets out why this works given the diversity of English higher education.

What will the OfS do?

We will respond to coronavirus outbreaks at registered providers by engaging with affected providers, identifying problems with the quality of teaching and learning, and taking regulatory action where necessary.

We will publish our second annual review, setting out our view of higher education in England and our progress in regulating it, and host an event to discuss the issues.

We will publish, having consulted where necessary, revised guidance on our approach to monitoring and intervention, including the matters that providers are required to report to us ('reportable events'), how we deal with notifications from third-parties, and when we should publish our regulatory decisions.

We will relaunch our consultation on monetary penalties and confirm our plans for resuming other currently suspended consultations.

We will establish a new timeline for our consultation on harassment and sexual misconduct in higher education.

We will start a conversation with students, providers and others on our emerging regulatory approach to freedom of speech and academic freedom.

Revised approach to quality and standards

What is the issue?

As noted above, our immediate focus is on monitoring the effects that coronavirus response measures are having on the quality of teaching and learning in higher education. However, we are also looking at our longer term approach. Now that most higher education providers are registered, we are turning our attention to the way we regulate quality and standards for students at those providers.

We want to make sure that all students receive a high quality education, successful outcomes, and a qualification that holds its value. Our approach means that we set a minimum baseline requirement for quality, which includes a minimum level for student outcomes. Our intention in doing so is to be clear that all students are entitled to the same minimum level of quality. We do not accept that students from underrepresented groups, or with protected characteristics, should be expected to accept lower quality, including weaker outcomes, than other students.

We have had time to learn from the approach we took during the initial registration period and now want to go further in tackling poor quality provision, raising the baseline for student outcomes, and tackling poor performance in different subject areas. We plan to consult on proposals designed to ensure that our approach to regulation maintains and strengthens the English higher education sector and its international reputation. It is important that students, from the UK and beyond, can have confidence in the quality of the courses offered by English higher education providers and that they are worth the price paid for them.

At the same time, we want to ensure that regulatory burden falls on those providers that represent the greatest risk to students, while those that do not represent significant risk are subject to minimal burden.

What will the OfS do?

We will consult on our approach to the regulation of quality and standards, setting out proposals for:

- Improving the clarity of the minimum baseline requirements that apply to all providers
- Raising the bar for all providers and addressing poor quality at subject level
- Bringing new sector-recognised standards into the regulatory framework to ensure that we can take regulatory action where these standards are not met
- Expressing our requirements in a way that works for providers seeking registration that do not have a track record of delivering higher education
- Aligning our policy approach and use of data with other regulatory requirements, including the Teaching Excellence and Student Outcomes Framework (TEF)

- Monitoring compliance with the quality and standards conditions, and investigating any concerns
- Using enforcement powers where there is or has been a breach of quality and standards conditions, and escalating enforcement action where such a breach is serious or is not remedied.

We will launch an initial consultation on our overall approach to regulating quality and standards. Once we have considered the responses to this initial stage, we will consult further on the methods and details of implementing a proposed approach.

We will also consult on our approach to the TEF once the government has published its response to Dame Shirley Pearce's review.

Keeping access and participation on track

What is the issue?

Access and participation plans set out how higher education providers will improve equality of opportunity for underrepresented groups to access, succeed in and progress from higher education. Before the pandemic struck, we agreed plans with most providers for a five-year period from 2020-21.

There is evidence that the pandemic has particularly affected the groups of students supported through access and participation plans. We know that it has also prevented some of the access and participation activity, at all stages of the student lifecycle, that providers have committed to deliver.

Since March 2020 we have required providers to meet the financial commitments to students set out in access and participation plans, but allowed greater flexibility in delivering other aspects of plans. Providers were able to shift their resources from activity that could not be delivered under lockdown to supporting the immediate imperatives of the most vulnerable students, focusing on student hardship and mental health. We made clear that we would monitor the decisions made by providers to ensure that they had reached reasonable judgements.

We have also worked with Uni Connect partnerships and the Transforming Access and Student Outcomes (TASO) 'what works' centre to ensure the continuation of outreach and evaluation activities online throughout this period.

We believe that the impact of the pandemic on the most disadvantaged students and communities makes it more important than ever for universities and colleges to get their plans back on track and to continue to make progress towards the targets agreed for the period until 2025.

What will the OfS do?

We will issue guidance for providers to report to us next year on their activity during 2019-20, the progress they have made towards the expectations in their 2020-21 plans, and the impact the pandemic has had on these plans.

We will publish an update to the access and participation dashboard so that providers can use the latest insights on equality gaps across the student lifecycle when they submit their reports.

We will agree with providers any changes needed to the future delivery of plans – such as wider financial and technological support for students, or partnerships between higher and further education institutions that meet local demand for re-training – with the aim of keeping plans on track to meet their targets.

We will consult on changes to funding of the Uni Connect partnerships and to the student premium so that these target the students who will need most support to access and succeed in higher education during the coming years.

We will evaluate our access and participation regulation, our Uni Connect partnerships and our Challenge Competition funding to understand their impact, to share findings and to inform our future approach.

We will explore options for supporting care-experienced students, aiming for a common offer of finance, accommodation and support for these students across universities and colleges.

Delivering higher level skills to support recovery

What is the issue?

The economic downturn resulting from the pandemic has created a challenging environment for graduates entering the job market. Alongside this, more students want to work in healthcare, and the NHS People Plan has established ambitious goals for expanding the training of health professionals.

The skills that students develop in higher education, and the world-class research base that relies on their talents, will be critical in helping the economy and public services to recover. If we are to deliver these skills, opportunities must be available to students from all parts of the country and all backgrounds, and to older adults as well as young people.

We want students to gain the skills they need to succeed in future employment or further study. We also want to make sure that the pipeline of graduate talent meets the needs of employers today and tomorrow.

What will the OfS do?

We will work with government to distribute additional funding for the increase in students entering science, technology, engineering and mathematics (STEM), medicine, nursing, and allied health professional courses in 2020.

We will fund, with Research England, projects to improve access and participation for Black, Asian, and ethnic minority learners at postgraduate research level.

We will work with Health Education England to support the government's ambition to expand the number of trained nurses.

We will work with the DfE to improve the approach to regulating and funding higher technical education.

We will publish an analysis of flexible higher education participation for mature learners – who they are, what they do, and how we could increase their participation in higher education.

We will fund 1,000 taught postgraduate scholarships to enable graduates from other subject areas to re-train for Artificial Intelligence and digital professions.

We will develop our approach to supporting higher level skills to support the government's strategy for economic recovery.

Funding higher education

What is the issue?

Funding is a vital part of our regulatory work. Our funding for providers supports teaching and learning activities, playing a crucial role in ensuring that high quality, cost-effective higher education across the country is available to students.

What will the OfS do?

We will continue to distribute government funding for higher education to eligible providers to promote government priorities and support teaching where costs are particularly high or where students require additional support.

We will continue to run funding competitions, allowing providers to bid for strategic funding to address priority issues, such as mental health, and deliver practical results for their students.

We will review the way in which we provide grants to support world-leading specialist institutions and, where necessary, consult on any proposed changes.

We will also launch a consultation on changes to our overarching approach to funding, ensuring this supports our regulatory objectives.

Managing market exit

What is the issue?

When we consider that a registered provider is at increased risk of leaving the higher education sector, we call this a case of 'market exit'. They are a routine part of the way the sector operates but may be more likely than normal because of the coronavirus pandemic.

Clearly, this is a risk to students. The consequences of a 'disorderly' exit of a provider – where it is not clear whether students can finish their studies, transfer to another provider, gain an award, or receive compensation – would be very disruptive for students. At this stage it is not clear whether there will be any market exit cases over the next few months. However, we must be ready to act on behalf of students if their provider does need to leave the sector.

What will the OfS do?

We will engage with providers and monitor financial data so we know if market exit cases become likely and, if so, when they are likely to happen.

We will, following our recent consultation, consider introducing a new ongoing condition of registration to allow us to intervene rapidly in cases of likely market exit and publish guidance for providers.

We will refine the operational arrangements we need to intervene in cases of likely market exit.

We will manage any individual market exit cases to ensure that students' interests are protected as far as is possible, and the measures being taken to protect students are clear and well-communicated.

Maintaining effective regulation

What is the issue?

Reviewing and evaluating our work is an ongoing part of our work. Over the next few months, we plan to review our approach in several key areas. We will begin work on the triennial reviews of the two bodies designated to carry out quality and standards assessment functions (Quality Assurance Agency) and to compile and publish higher education data (Higher Education Statistics Agency).

Proportionate regulatory burden is a necessary consequence of an effectively regulated sector. We will take action to minimise the burden our regulation places on providers wherever we can, provided this is consistent with protecting the interests of students.

Many of our regulatory functions are supported by the collection and use of high quality data. We must ensure that we have access to the data we need to perform our functions, and that we publish this data where possible, reflecting our commitment to the code of practice for statistics.

Finally, we have open cases related to several providers in complex circumstances. We plan to complete these, freeing resources to address other priorities.

What will the OfS do?

We will communicate with students and providers through our Insight publications and online events.

We will work with our newly convened student panel so that the student voice informs our work, focusing on the effect that the pandemic is having on students.

We will improve the functionality of the Discover Uni website to ensure it is a valued source of information for students.

We will carry out the scheduled triennial reviews of our designated quality body and designated data body.

We will, where appropriate, implement regulatory impact assessments that estimate the burden placed on providers by changes in our regulation and ensure that the burden is justified by the likely benefits.

We will review the aims and consequences of the National Student Survey.

We will, working with UKRI and partners in the devolved nations, review the burden and effectiveness of the Transparent Approach to Costing (TRAC) process.

We will review the proportionality and efficiency of termly data collections from providers, as proposed under the Data Futures initiative.

We will make decisions in relation to applications from providers for registration and degree awarding powers.

Maintaining effective operations

What is the issue?

To be an efficient and effective regulator, the OfS must be a well-managed and appropriately structured organisation. We need to support and develop our staff, and provide them with the right technology and systems, to enable them to deliver our objectives.

As an organisation that is funded by the sector it regulates, we must continually improve and demonstrate the value for money of the OfS.

What will the OfS do?

We will take action, according to our internal strategy, to meet our aspirations for equality, diversity and inclusion within the OfS.

We will ensure our staff have the right opportunities for learning and development.

We will ensure we have the right infrastructure, tools and support for efficient and effective data collection from providers.

We will specify the measures we will use to assess our operational efficiency and publish an OfS value for money report.



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