

Minutes of the OfS board meeting – 8 October 2025

Present members:	Professor Edward Peck (Chair) Dr Arif Ahmed (Director for Freedom of Speech and Academic Freedom) Katja Hall Verity Hancock Susan Lapworth (Chief Executive) Jane McCall Caleb Stevens Neil Swift Simon Wilde Andrew Wilson
Attendees:	Patrick Curry (Director, Higher Education Oversight, Department for Education) Clare Roberts, PA Consulting (observer) (excluding item 13)
Apologies:	John Blake (Director for Fair Access and Participation) Simon Levine
Officers:	Will Dent, Head of Financial Sustainability (item 12) Josh Fleming, Director of Strategy and Delivery David Heron, Head of Governance Katherine Jacob, Corporate Governance Senior Officer 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, colleagues, the Department for Education (DfE) representative, and the observer from PA Consulting.
2. Apologies had been received from Simon Levine and John Blake.

Item 2. Minutes of the last meeting

3. The minutes of the board meeting on 17 July 2025 were approved with no amendments.

Item 3. Chair's report

4. The appointment process for four new ordinary members of the board has been launched. The process has been designed to attract a diverse range of applicants.

5. We will assess board effectiveness in 2025-26 through PA Consulting's work on board development. We will also undertake an external board effectiveness review in 2026-27 following recruitment of new members.
6. Members were reminded of the behaviours to which they had committed at the board development workshop in September.

Item 4. Chief executive's report

7. The chief executive highlighted several points from her report:
 - a. Applications for registration, degree awarding powers and university title re-opened in August as planned. The new initial conditions of registration are now in force, and set the requirements for registration at a robust level to protect the interests of students and taxpayers. The government is consulting on registration of subcontractual delivery partners, and if it is decided that they are required to register, the new initial conditions will apply.
 - b. The new statutory free speech duties came into force on 1 August. Our guidance has been broadly welcomed by providers.
 - c. The new condition of registration requiring providers to meet requirements relating to harassment and/or sexual misconduct also came fully into force on 1 August. The evidence gathered in our sexual misconduct survey about prevalence rates is sobering, and it is therefore positive that we are implementing regulation to tackle this serious issue.
 - d. Our consultation on proposals for a more integrated approach to regulating quality is open until 11 December. This proposes a range of measures to enable us to drive improvement across the full range of provider performance. **Exempt from publication.**
 - e. The secretary of state has announced the reintroduction of maintenance grants for disadvantaged students on priority courses, which will be paid for by a levy on international student fees. We are discussing with DfE whether the OfS would have a role in collecting the levy.
 - f. We anticipate that the post-16 skills white paper will be published soon. Following its publication, we intend to publish our 2025-30 strategy.
8. The following additional comments were made:
 - a. Accountable officers at all registered providers were invited to apply to join the new OfS Provider Panel. Applications received represent the diversity of the sector.
 - b. **Exempt from publication.**

Item 5. OfS operating environment

9. The paper provided an overview of recent political, sector and student developments that shape the OfS's operating environment. The following points were highlighted:

- a. The measures proposed in the Renters' Rights Bill would significantly affect students in privately-rented accommodation.
- b. The Employment Rights Bill would be likely to have cost implications for higher education providers.
- c. The Public Office (Accountability) Bill would introduce a legal duty of candour for public bodies and individuals requiring honesty and transparency during formal proceedings including inquests, inquiries and investigations. Exempt from publication.
- d. Exempt from publication.

10. The following comments were made:

- a. The student heartbeats survey activity is currently used internally, and we are considering how to further refine the questions asked to students. Once this redevelopment is completed, we will consider whether publication would be useful for students, providers and others.
- b. While it is right for the OfS to focus on students who do not have a positive experience of higher education, the board welcomed the evidence that the majority (82 per cent) of students do.

Item 6. Strategy and associated key performance measures (KPMs)

- 11. Following the strategy workshop in September, the strategy, roadmap and KPMs have been refined. The Student Interest Board (SIB) had also discussed the KPMs at its recent meeting.
- 12. The board had no comments on the refined strategy and associated roadmap and endorsed them for final decision-making.

13. Exempt from publication.

- 14. Board members were asked to provide any further specific feedback on the KPMs to the Director of Strategy and Delivery by 18 October 2025.
- 15. The board agreed that final decisions about approval of the strategy, roadmap and KPMs should be taken by the chair, deputy chair, and chief executive.
- 16. The board discussed the proposed student 'I statements'. They have received positive feedback from students and mission groups, but they had also generated some confusion in relation to how they will be used. We have focused on refining the student 'I statements' (rather than the provider, taxpayer and employer 'I statements').

17. Exempt from publication.

- 18. The board agreed that the student 'I statements' should be adopted as material to support the strategy, and that the OfS should work with sector bodies in adopting and using them.

Item 7. OfS governance changes

Changes to board committees

19. The board received a paper setting out proposals for reforms to the board's main committees.
20. The chair confirmed that he would occasionally attend meetings of each of the committees, except for meetings of the Risk and Audit Committee, in accordance with good governance practice.
21. The board approved the proposed reforms to the committees.

Amendments to the scheme of delegation

22. Amendments to the scheme of delegation to support the revised governance structures and to enable greater efficiency and effectiveness were proposed to the board.
23. It was confirmed that the chair and the chief executive would continue to be able to convene committees on specific matters.
24. It was noted that the board is able to request information about any issues on which it requires additional information or oversight.
25. It was noted that the Risk and Audit Committee, the People Committee, and the Quality Assessment Committee will continue to provide regular reports to the board. It was also noted that internal audit provides a level of assurance over the operation of internal controls, and this could include assurance over the way that the scheme of delegation is working in practice.
26. The board discussed minor drafting amendments for consideration, e.g. in relation to the board being updated regularly about decisions taken under the scheme that may be considered particularly contentious.
27. The board agreed to adopt the revised scheme subject to minor amendments (as per the previous paragraph) to be agreed by the chair, and for the chair to agree a date on which the revised scheme would take effect. The final version will be shared with the board at its next meeting.
28. The board agreed to delegate authority to the Director of Regulation for any decisions in relation to the matters set out in the OfS's current consultation on new requirements for the oversight of subcontractual arrangements in English higher education.¹ This delegation includes any decisions to introduce new general ongoing conditions of registration where such decisions would otherwise be reserved to the board.

¹ Consultation on new requirements for the oversight of subcontractual arrangements in English higher education - Office for Students.

Item 8. Development of approach to the regulation of governance in higher education providers

29. The board received a paper setting out the OfS's current view of governance in the higher education sector and our plans to develop policy in this area.
30. There is increasing consensus that there are mixed standards of governance across providers, and that standards must improve, because poor governance is in places creating risks to students and to public funding. We have been tackling these challenges by strengthening our regulation of governance at the point of registration; using our enforcement tools and increasing our communications on this issue, and we have seen the sector start to respond.
31. The board welcomed the work done so far and encouraged the executive team to be proactive in this area, and to work at pace in collaboration with the sector where appropriate. We should frame our work in the context of our strategy and goals.
32. The following comments were made about the key management and governance themes:
- a. The SIB had commented that expectations of providers could be written from the perspective of students, making clear how students experiences are directly affected by poor governance. The SIB also reflected that change processes in providers can have a negative impact on current students.
 - b. Exempt from publication.
 - c. This area of work is a good opportunity to start using our new strategic attitudes of 'Collaborative' and 'Ambitious'.
 - d. Exempt from publication.
33. The following comments were made about the risks facing the sector:
- a. The sector has tended (on aggregate) to be slow to respond to areas of emerging risk.
 - b. When the OfS writes to chairs of providers' governing bodies about these areas of risk, we should explain the context for the letter and take the opportunity to make our expectations for chairs and boards clear.

34. Exempt from publication.

Item 9. Report from the Risk and Audit Committee

35. The committee met on 25 September. The committee had discussed:
- a. A deep dive into the new freedom of speech duty. RAC members had noted the quality of the OfS's published guidance and the work in this area.
 - b. The cyber security report, including lessons learned from recent cyber-attacks on other organisations, particularly in relation to risk in third party supply chains.

- c. An update on student data collection, including the annual collection and the transition to in-year data collection.
- d. Risk management. Exempt from publication.
- e. Exempt from publication.
- f. Internal audits. Exempt from publication.

Item 10. Risk report

- 36. The board received a report on the current strategic risks. Exempt from publication.
- 37. As requested at the last board meeting, an update on internal audits was provided for information.
- 38. A revised risk management policy was presented for approval. The policy reflects the new strategic risks and that high impact corporate risks will now be escalated to RAC and the board. The board approved the revised policy.

Item 11. Oversight of the designated data body

- 39. The board received a paper outlining the OfS's mechanisms for overseeing the designated data body (DDB), including the upcoming triennial review.
- 40. The board received the draft OfS statement of expectations of the DDB, and the draft DDB statement of expectations of the OfS. The Risk and Audit Committee had reviewed the statements and recommended them to the board for approval, as a useful way to provide clarity about the relationship with the DDB.
- 41. The following comments were made:
 - a. The transition to in-year data collection is in the interests of the statutory bodies and the sector, as more timely data will be valuable and will support the development of more timely indicators.
 - b. Exempt from publication.
 - c. Exempt from publication.
- 42. Exempt from publication.
- 43. Exempt from publication.
- 44. Exempt from publication.
- 45. The board welcomed the plans for the triennial review and advised that the review should consider the feedback of providers on Jisc.
- 46. The board agreed the OfS statement of expectations of the DDB, and approved the agreement of the DDB statement of expectations of the OfS.

Item 12. Financial sustainability

47. The board was provided with an update on projected student recruitment levels for English higher education providers for autumn 2025. Overall, recruitment is stronger than our modelling suggested, but weaker than the sector's forecasts. There has been an increase in both UK and international students, with growth varying for different types of provider.
48. The following comments were made:
- a. The gap between providers' forecasts and outturn is narrowing, and some providers that under-forecast are nonetheless within their planning parameters.
 - b. There is evidence that the increased realism and improved forecasting is related to our interventions.
 - c. A limitation of the data is that it does not show whether providers have already done significant work to reduce their expenditure, or whether they are about to.
 - d. In general, we are only seeing early exploration of greater use of shared services in the sector.
 - e. Some providers are focusing on shorter term savings, whereas others are taking a longer term approach to reviewing their business model.
 - f. The sector is watching the progress of the merger between the universities of Kent and Greenwich with interest, and this may lead to other mergers. The OfS does not facilitate partnerships between providers but works closely with DfE on emerging cases.
 - g. Research intensive institutions have revised their offer-making practices and recruited students who may otherwise have joined teaching intensive providers. This is an indication of agility in a competitive market, but there are consequences elsewhere in the sector.
 - h. Some of the weaknesses in providers' governance noted earlier in the meeting crystallises here as a weakness in planning for different scenarios.
 - i. Exempt from publication.
49. We plan to publish data and analysis in November 2025 as an update to the May financial sustainability report.

Item 13. Market exit cases

50. The board received an update on market exit risk across the sector. Exempt from publication.
51. Exempt from publication.
52. Exempt from publication.
53. Exempt from publication.
54. Exempt from publication.

Item 14. OfS performance and efficiency

OfS efficiency

55. The board reviewed the OfS's approach to efficiency. Exempt from publication.
56. Exempt from publication.
57. Exempt from publication.
58. The board approved the metrics by which the efficiency programme will be monitored.

OfS performance, resources and finance

59. The board reviewed the performance, resources and finance report. The following points were highlighted:
- a. Reopening for registration, degree awarding powers and university title applications has been a significant undertaking.
 - b. The data transformation programme is expected to unlock significant efficiencies over time.
 - c. It was confirmed that the aim is to break even on the OfS's operating budget by the end of the financial year.
60. The following comments were made:
- a. The positive variance at this point in the year was noted. This is primarily due to the profile of recruitment to new roles.
 - b. Exempt from publication.
 - c. It will be important for the People Committee to be assured that the right resources are in the right place for delivery of the strategy.
61. The board noted that in the future, elements of this report will be scrutinised by the relevant committees.

Item 15. Report from the Provider Risk Committee

62. The board noted the report of the July committee meeting.

Item 16. Report from the Quality Assessment Committee

63. The board noted the report of the July committee meeting.

Item 17. Annual plan for board business

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

AOB

65. There was no other business.

66. The next meeting will be held on 10 December, and will include a pre-meeting.