

Chief executive's report

Board's primary role in relation to this paper:

- ☐ A. Set strategy
- ☐ B. Set risk appetite
- ☒ C. Oversee performance
- ☐ D. Understand context

Purpose

1. This paper provides an update on work undertaken and issues that have arisen since the last board meeting on 13 February 2025 to the extent that they are not covered in other board papers.

Decisions requested

2. The board is invited to note the updates contained in this paper.

Paper publication

3. To be published externally along with the board papers with appropriate exemptions.

For further information, please contact Susan Lapworth, Chief Executive.

Quality and standards

Our strategic goal is:

Students receive a high quality academic experience that improves their knowledge and skills, with increasing numbers receiving excellent provision.

Quality case work

4. On 11 February 2025 we published a case report on our quality investigation relating to business and management courses at the University of Bolton (now the University of Greater Manchester).¹ This set out our decision about compliance and regulatory action based on our published quality assessment report. We found that the university had breached condition B2 (resources, support and student engagement). The university now has an action plan designed to address our concerns, and this will be subject to enhanced monitoring. We will remove the enhanced monitoring when we are satisfied risks to students have been resolved or may consider further regulatory action.

Integrated quality system

5. Following the board meeting in February 2025 we have continued to develop an integrated approach to quality, including engaging with sector and student groups. We plan to bring proposals to the board in July, ahead of consulting in the autumn.

Our strategic goal is:

Students are rigorously assessed, and the qualifications they are awarded are credible and comparable to those granted previously.

Credibility of awards investigations

6. Exempt from publication.

Apprenticeship end-point assessments

7. We have completed 49 provider visits and signed off 44 reports. Year two activity is underway with 13 assessments in progress. We are currently updating our published guidance and planning assessments for year three.

Our strategic goal is:

¹ See: <https://www.officeforstudents.org.uk/publications/regulatory-case-report-for-the-university-of-bolton-finding-of-a-breach-of-condition-b2/>

Providers secure free speech within the law for students, staff and visiting speakers.

Implementation of the Higher Education (Freedom of Speech) Act 2023

8. The main duties on providers and constituent institutions will commence on 1 August 2025. Following last year's consultation, we have updated guidance on the duties to secure freedom of speech and to maintain a code of practice. We expect to publish this as Regulatory advice 24 later this month. The draft guidance will be considered by the board as a separate item during this meeting.
9. The Secretary of State wrote to us on 1 May to confirm that she had commenced a provision of the Act removing the requirement for the OfS to retain 'academic freedom' as one of its public interest governance principles. She asked through statutory guidance that we do not remove this governance principle until we have in place a new free speech condition of registration. This approach is consistent with our current intentions.
10. We have engaged broadly with the sector to emphasise the alignment between the new free speech duties and condition E6 (relating to harassment and sexual misconduct), which also comes fully into force on 1 August.

Free speech investigation

11. We have imposed penalties of £585,000 on the University of Sussex after our investigation found the university's governing documents failed to uphold freedom of speech and academic freedom, as well as failings in the university's management and governance processes. Details were published in a [case report](#) on our website.²
12. The university is seeking to challenge our decisions through judicial review and the monetary penalty through an appeal to the first tier tribunal.

² See: <https://www.officeforstudents.org.uk/publications/regulatory-case-report-for-university-of-sussex/>

Equality of opportunity

Our strategic goal is:

Students' access, success and progression are not limited by their background, location or characteristics.

Access and participation plans

13. We have completed the assessment of new access and participation plans for 2025-26. As of 2 June, we have assessed and approved 189 plans. The assessment of six plans has been paused due to reprioritisation of registration cases. Two providers withdrew plans after submission.
14. We have issued guidance and submission deadlines for around 42 providers submitting plans this year to take effect for 2026-27 onwards.
15. We have published final fee summaries for providers in the Approved (fee cap) category for 2025-26.³

Uni Connect

16. £20 million funding for the Uni Connect programme has been confirmed for 2025-26 as part of the OfS strategic priorities grant (SPG). In 2024-25 the funding of £20 million allowed the providers in the programme to continue to work collaboratively supporting the most disadvantaged school students to access higher education through attainment raising activity and higher education outreach. 2025-26 will be a transition year in anticipation of the establishment of a renewed regional collaborative access programme to be launched in August 2026-27 (assuming this is confirmed as a priority for the SPG following the government's spending review).

Disability

17. On 1 May we held the fourth meeting of the Disability in Higher Education Advisory Panel. We presented findings from our student insight exploration into the experiences of disabled students in relation to reasonable adjustments, as well as findings from provider workshops we facilitated on the same topic. The Panel provided advice about an Insight Brief we plan to publish in the autumn which will highlight issues affecting disabled students.

Improving access and participation for black, Asian and minority ethnic groups in postgraduate research

18. In late 2024 we published the year two independent evaluation report of our joint funding programme with Research England (RE) to improve access and participation for black, Asian and minority ethnic students in postgraduate research.⁴ The evaluation found evidence of positive progress by projects and also identified several issues including some project leads reporting concern that senior leaders lacked understanding or commitment to initiatives.

³ See: <https://www.officeforstudents.org.uk/publications/fee-information-for-new-entrants-in-2025-26/>

⁴ See: <https://www.officeforstudents.org.uk/publications/improving-access-and-participation-for-minority-ethnic-groups-in-pgr-year-2-evaluation/>

19. We wrote jointly with Research England to vice chancellors of funded projects on 3 April to remind them of their commitment to change as part of the funded projects.

Our strategic goal is:

Prospective students can choose from a diverse range of courses and providers at any stage of their life, with a wide range of flexible and innovative opportunities.

Registration

20. We have continued to progress registration cases that were not paused in the autumn. There are now 13 remaining cases. Since the board last met we have registered six providers and taken a final decision to refuse registration to Educational Training Centre on the basis that it did not submit information required as part of its registration application.
21. We currently have 10 quality and standards assessments in progress for registration. Since February we have finalised two reports, making a total of 14 finalised reports, nine of which are now published following registration decisions.
22. On 13 March we published an update confirming our intention to resume registration from August 2025 with paused assessments being our priority.⁵ In parallel we are progressing work to complete our consultation on revised initial conditions and to respond to the outcomes of DfE's consultation proposing changes to registration requirements for providers delivering in subcontractual partnerships. In early June, we intend to contact the providers that have had assessments paused to advise them about the information they need to submit to allow for assessment to resume promptly in August.

Degree awarding powers (DAPs)

23. We have continued work on 13 full assessments, notwithstanding the pause for DAPs cases since the autumn. Since February we have made final authorisation decisions for 11 cases. Five of these authorisations relate to providers where we are extending their time-limited powers. We have now completed a total of 21 assessments, with nine reports published.

Our strategic goal is:

Providers act to prevent harassment and sexual misconduct and respond effectively if incidents do occur.

Regulating harassment and sexual misconduct

24. In the lead up to the full requirements of condition E6 coming into effect on 1 August, we have been seeking to understand how providers are preparing for the new regulation. This has

⁵ See: <https://www.officeforstudents.org.uk/news-blog-and-events/press-and-media/ofs-to-resume-assessments-for-new-registration-degree-awarding-powers-and-university-title-applications-in-august-2025/>

included engaging with sector representative bodies, presenting at sector events and participating in webinars, through which we have reached more than 300 attendees.

25. The sexual misconduct pilot survey fieldwork closed on 30 April. We currently expect to publish aggregate data from the 2025 survey at sector level, with breakdowns for different student characteristics. If data quality is sufficient, we will also consider publishing aggregate data at lower levels (for example, provider type or by geographical area). We intend to publish the data in September. Where data quality is sufficient and student anonymity can be assured, we plan to share with providers their own 2025 pilot data.

Our strategic goal is:

Providers encourage and support an environment conducive to the good mental health and wellbeing that students need to succeed in their higher education.

Student mental health

26. Our grant funding for the Student Minds led University Mental Health Charter acceleration project ended on 31 March. 13 universities joined the programme for 2024-25, which represents a 94 per cent retention rate and 18 per cent increase in membership from 2023-24. The programme has seen good engagement from members with 92 universities engaging with events and materials. Low or non-engaged universities have been identified and targeted by Student Minds. In May 2025, Student Minds announced that a further two universities had achieved a University Mental Health Charter Award.⁶

Enabling regulation

Our strategic goal is:

Providers are financially viable and sustainable and have effective governance arrangements.

Consultation on revised initial conditions of registration

27. In February, we published a consultation on revisions to the initial conditions of registration relating to student protection and effective governance, and the requirements for a registration application.⁷
28. During March and April we ran a series of briefing sessions, including individual briefings for sector representative groups and the Office of the Independent Adjudicator. We also held two

⁶ See <https://hub.studentminds.org.uk/two-additional-universities-achieve-a-university-mental-health-charter-award/>

⁷ See: <https://www.officeforstudents.org.uk/publications/consultation-on-reforms-to-ofs-registration-requirements/>

well-attended consultation feedback sessions with approximately 50 representatives from registered and unregistered providers at each.

29. The consultation closed on 23 April and we have had around 60 written responses. These are now being analysed, along with the feedback gathered at the feedback events. A detailed analysis of consultation responses will be brought to the July board meeting.

Financial sustainability

30. On 8 May we published our latest annual report on the financial sustainability of providers in England.⁸ The report shows a forecast decline in financial performance across the sector for the third consecutive year. This contrasts with universities' own forecasts last year, which projected an improvement in financial performance from 2024-25 onwards. 43 percent of providers included in the analysis are forecasting a deficit for 2024-25.
31. We collected interim financial data from 221 providers to monitor how core financial performance and cash projections for the current year, 2024-25, have developed since the last data submission. This short, sharp collection has been extremely valuable, and we engaged closely with finance directors to ensure it could make a useful contribution to our monitoring activity and had minimal burden for providers. The in-year changes we can see are mixed, with both favourable and adverse changes – this has allowed re-prioritisation of our engagements with individual providers. The qualitative contextual data provided as part of this return provides valuable information about the actions providers are taking to address any in-year changes.
32. We are concluding wave one of our deep dive financial reviews. These reviews look at financial risk management arrangements and risk mitigation plans for individual providers where we want a more detailed understanding of the financial picture. Overall, these reviews have been extremely valuable and have highlighted the transformations being undertaken by providers, and opportunities to go further and to make improvements to financial management. In most cases they have supported more detailed monitoring and engagement with a provider, allowing quicker decisions about student protection where this is needed. Many of the providers that have participated have found an independent expert review helpful in sharing best practice and highlighting opportunities for improvement.

Protecting public funding

33. We continue to progress case work relating to protecting public funding – a separate paper on the board's agenda provides a detailed account of this work.
34. Exempt from publication.

Governance

35. On 29 April we published a blog summarising the feedback we had heard from a series of roundtables on effective governance with chairs of providers' governing bodies.⁹ Discussions were wide-ranging and surfaced a variety of views about how chairs and their governing bodies manage risk, change and continuous improvement and ensure their governance structures

⁸ See: <https://www.officeforstudents.org.uk/news-blog-and-events/press-and-media/ofsf-analysis-finds-continued-pressure-on-university-finances/>

⁹ See: <https://www.officeforstudents.org.uk/news-blog-and-events/blog/effective-governance-in-conversation-with-chairs/>

work for their providers. We also set out plans to engage further on governance issues before launching a call for evidence to support future work to update our regulatory requirements.

Our strategic goal is:

Students receive the academic experience they were promised by their provider and their interests as consumers are protected before, during and after their studies.

National Trading Standards cases

36. We published a case report on 29 April, which explained changes made by London School of Science and Technology to its student contract in response to advice from NTS following a referral from the OfS.¹⁰ These changes addressed concerns about potentially unfair contract terms and improved the clarity of information provided to students.

Our strategic goal is:

The OfS minimises the regulatory burden it places on providers, while ensuring action is effective in meeting its goals and regulatory objectives.

Changes to data collections

37. We have been working closely with Jisc, the DfE and the devolved administrations to plan a phased implementation of in-year collection of student data.¹¹ Having considered feedback from the sector and the lessons highlighted in the independent PwC report on Data Futures, we announced a revised approach to collection of data about transnational education and award-only students on 10 April.¹² The statement confirmed that we will collect data using an expanded Aggregate Offshore Record and pause the implementation of individualised records for TNE students until further notice. The change will help us build a clearer picture of TNE provision while reducing burden for providers. It will also allow providers, as well as Jisc and the OfS, to focus on the implementation of student in-year data collection.

¹⁰ See: <https://www.officeforstudents.org.uk/news-blog-and-events/press-and-media/trading-standards-referral-leads-to-changed-terms-in-student-contract-at-higher-education-provider/>

¹¹ See: <https://www.officeforstudents.org.uk/news-blog-and-events/press-and-media/independent-review-of-data-futures-programme-published/>

¹² See: <https://www.officeforstudents.org.uk/news-blog-and-events/press-and-media/changes-to-transnational-education-and-partnership-data-collection/>

Efficient and effective OfS

38. On 22 May, we announced the appointment of members of our new Student Interest Board.¹³ The board replaces the OfS student panel, and comprises a mix of students, staff and officers from students' unions, and staff from providers who work on student issues. The Student Interest Board met for the first time in May and will provide insight directly to the board and the wider OfS.
39. In line with the recommendation of the OfS Public Bodies Review, we are finalising the scope for an independent board effectiveness review to commence in the coming months. As a result, we have not run our normal annual board effectiveness survey. There is an expectation in Managing Public Money that public bodies carry out an annual review of board effectiveness. To provide assurance about the board's performance, and to support the finalisation of the corporate governance statement in the 2024-25 annual report and accounts (ARA), we propose to include the following statement in the ARA:
- "Board members are clear about the board's role and objectives and consider that they are provided with the information necessary to carry out their responsibilities effectively, including making complex judgements on organisational strategy and performance."
40. The board is asked to confirm that it is content for this statement to be included in the ARA for the 2024-25 financial year.

¹³ See: <https://www.officeforstudents.org.uk/news-blog-and-events/press-and-media/ofs-announces-the-members-of-its-new-student-interest-board/>