

Minutes of the OfS board meeting – 17 July 2025

Location: 10 South Colonnade, Canary Wharf, London

Present members: Professor Edward Peck (Chair)
Dr Arif Ahmed (Director for Freedom of Speech and Academic Freedom)
John Blake (Director for Fair Access and Participation)
Martin Coleman
Elizabeth Fagan
Katja Hall
Verity Hancock
Susan Lapworth (Chief Executive)
Caleb Stevens
Neil Swift (items 1-13)

Attendee: Patrick Curry (Director, Higher Education Oversight, Department for Education)

Apologies: Simon Levine

Officers: Jean Arnold, Deputy Director of Quality
Alison Brunt, Head of Regulatory Analytics (item 11)
Amanda Charters, Chief of Staff
Matthew Craddock, Deputy Head of Legal
Josh Fleming, Director of Strategy and Delivery
David Heron, Head of Governance
Katherine Jacob, Corporate Governance Senior Officer
Lynne Mace, Head of Human Resources (item 16)
Meg Matthews, Head of Development and Effectiveness (items 7-20 excluding 16)
Sophie McIvor, Head of Communications (item 12)
Philippa Pickford, Director of Regulation
Matt Roberts, Chief Data Officer (item 11)
Nolan Smith, Director of Resources and Finance
David Smy, Deputy Director of Enabling Regulation
Dr Mike Spooner, Senior Adviser to the Chief Executive and Chair

Item 1. Chair's welcome

1. Board members and the Department for Education (DfE) representative were welcomed.
2. Apologies had been received from Simon Levine.

3. New board members are expected to be appointed, with an announcement by DfE expected over the summer.
4. The membership and the roles of the board committees will be reviewed in the autumn.
5. The board will next meet for a strategy planning event on 10 September.
6. A consultancy has been appointed to support board development activities. Members will be interviewed during the summer, and their feedback will inform the design of the September event.
7. The chair congratulated the executive for the Leeds Trinity University settlement and the new guidance on freedom of speech, which have both been well received.
8. The chair's next significant engagement will be at the Universities UK conference on 3 September. Feedback from this event will inform the board's discussions at the strategy session on 10 September.
9. Verity Hancock was congratulated for receiving an OBE for services to further education in the King's Birthday Honours.

Item 2. Minutes of the last meeting

10. The minutes of the board meeting on 9 June 2025 were approved.

Item 3. Chief executive's report

11. The chief executive updated the board on developments since the circulation of her report.

12. Exempt from publication.

13. A General Counsel has been appointed and is due to join the OfS at the end of September.
14. The chief executive had recently attended a meeting of the All-Party Parliamentary University Group. The Minister confirmed plans for publication of the white paper on post-16 education in the autumn.
15. The following additional comments were made:
 - a. Requests for variations to providers' access and participation plans as a result of financial pressures have so far been limited. We will continue to monitor requests as they come in; anecdotal evidence suggests more substantive requests may come in future. Our approach to considering requests for variations will be developed.
 - b. There has been significant engagement with providers on the freedom of speech guidance.
 - c. There is an opportunity to use communications about the new harassment and sexual misconduct condition of registration to engage students with our work more broadly.

Item 4. Quality

16. The board received a report on learning from quality assessment activity, which suggests that our assessments to date have been effective as a regulatory tool. It showed that the reports

were having a positive impact in providing transparency about our expectations and were at least to some extent influencing the sector's own discussions about academic quality and influencing providers' behaviour.

17. The board received an updated proposal for a consultation on an integrated approach to quality assessment, drawing on previous feedback from the board and significant engagement with the sector.
18. The Student Interest Board (SIB) had discussed these papers earlier. The feedback to the board was that:
 - a. The proposed quality risk factors resonated with the SIB's experience.
 - b. It will be important to provide students with effective information to support their understanding of the level of quality they are receiving, and to distinguish this from levels of general satisfaction. Students could be better supported to demand higher quality themselves, alongside action from the OfS.
 - c. The system should be designed to allow students to more easily use the outcomes when they make their choices, and students should be made more aware of it.
 - d. The SIB questioned using the Graduate Outcomes Survey as a credible measure, given declining response rates.
 - e. It will be important to proactively involve students in the design of the system, recognising the pressures on students' time and making use of different platforms.
 - f. Measuring and assessing graduate progression are important but should be approached with care, taking into account target careers, student pathways and student demographics.
 - g. Financial pressures are having an impact on the quality of provision for students, and students' higher education experience, as well as on providers. Students should be supported to navigate these challenges.
 - h. It is important to understand the root causes of attainment gaps.
 - i. AI may affect quality in a range of ways.
 - j. The government's immigration policy may affect quality in a range of ways.
19. The Quality Assessment Committee had also discussed the proposals and agreed that they strike an appropriate balance in terms of the level of assessment needed and the desired outcomes of the approach. The committee also suggested that there can be limited understanding among students of the features of high quality higher education. If the TEF is to be used by DfE for other purposes in the future, for example to determine eligibility for Lifelong Learning Entitlement, the implications should be carefully considered.
20. The board made the following comments:
 - a. The OfS should continue to work with DfE to reconcile a potential or perceived policy tension between improving access in general, including to shorter courses, and ensuring

high quality provision. Where students are admitted to courses without prior qualifications, providers need to make sure that they are well suited to the course and have the support required to succeed, without compromising academic rigour. The quality system itself may not be able to address directly the challenge of providers being motivated by financial pressures to recruit less well-prepared students, and so this may need to be addressed at a system level.

- b. We have published insights from our work to date, and these are informing our design of the future system. These insights will be further communicated during the consultation.
- c. Many quality issues are direct or indirect manifestations of poor provider governance, and there must be incentives for governing bodies to fulfil their functions properly. The proposed new system does not currently include assessment of governance because the priority is on quality and achieving timely outcomes to replace current TEF ratings. In the longer term, regulation of governance – and other aspects of provider activity – should be brought closer together with regulation of quality. The board requested that a paper on reforming the regulation of provider governance is brought to a future meeting.
- d. Data on students' qualifications on entry should be scrutinised in the round with other data to ensure understanding of the scale and impact of any issues.
- e. Institutional autonomy should be balanced against proper scrutiny of appropriate admissions standards to guard against students being misled or set up to fail. The responsibility of the OfS to protect the interests of students as consumers should have greater weight here.
- f. There should be robust regulatory consequences for performance below the requirements set in conditions of registration as well as consequences for providers with Bronze TEF and Requires Improvement ratings. Relying on a provider's concern for its reputation to stimulate improvement will not always be sufficient and the OfS will need to act to address poor provision.
- g. The pace and sequencing of implementation need to be carefully considered as current TEF ratings will become increasingly outdated. The intention is to assess providers with Bronze and Requires Improvement ratings, and to assess others earlier where the data suggests declining performance. This phased approach should be made clear in the consultation, as there will be broader consequences and providers that are assessed in a later phase should not be unduly affected.
- h. TEF branding and communication should be strengthened so that students primarily refer to TEF as a marker of quality rather than providers' marketing. It was agreed that the executive might want to consider the naming in finalising the consultation as it was suggested that the framework does not primarily or only relate to teaching and may not have a sufficiently high brand recognition with students.
- i. The proposal for a separate judgement on a provider's approach to continuous improvement may not add value. While providers must be held to account, the system should primarily focus on outputs and outcomes.

- j. It was confirmed that DfE is considering linking policy interventions to the new system, and this may be included in the white paper on post-16 education.
- k. Students should be engaged in developing the new approach.
- l. The document should be clear about the trade-off between any increase in regulatory burden and the benefits of changes. Attaching greater regulatory consequences to ratings could drive improvement and engagement, but this needs to be balanced against the costs for regulated entities and potentially increased costs for the OfS.
- m. We should be assertive in our communications that we are seeking to strengthen regulation of poor provision.

Item 5. Consultation on changes to registration requirements

- 21. The board received a paper setting out our proposed response and proposed final decisions following our consultation on changes to registration requirements. Our approach aims to strike an appropriate balance between making the registration process robust while improving efficiency of the process for well-prepared providers delivering high quality higher education.
- 22. The following comments were made:
 - a. There is separate work being undertaken to look at potentially disapplying certain conditions for further education colleges where they overlap with requirements imposed by other bodies. This is subject to further consultation but would reduce duplication of regulation and associated burden for further education colleges.
 - b. The consultation response rate was as expected given the nature of the consultation. As the consultation related to registration requirements, we had not expected the majority of registered providers to respond.
 - c. Although students do not describe themselves as consumers, when they explain the protections they expect, it is clear that they want to be treated fairly and that the consumer rights covered by the proposed condition are of significant importance to them. Since students' investment in their higher education is significant, their legal rights as consumers must be taken seriously by providers.
 - d. We should consider retaining the 18 month registration resubmission restriction (following a refused registration application) proposed in the consultation document rather than reducing this. The board asked the executive to consider carefully the balance of factors before making a decision.
 - e. Our proposal to strengthen registration requirements could be seen as counter to the agenda for regulators to reduce burden and stimulate economic growth. We must be clear about why robust requirements are required and why our risk appetite is appropriate to protect students' interests. The proposed requirements would involve less burden for well-prepared providers than for those that are not ready, because the documentation to evidence the criteria should already be in place.

Item 6. Lifelong Learning Entitlement (LLE)

23. The board received an update on the LLE, including on government announcements made in mid-July.
24. The following comments were made:
- a. DfE's proposal relates to the first year of the programme only, and quality assessment for modular provision will need to be developed at a later stage.
 - b. Providers will not be obliged to offer modular provision, and a steady take up is initially anticipated.
 - c. Providing effective short form sub-degree education is seen as an important part of the higher education sector in future. DfE wants to create stronger incentives for this to flourish.
 - d. It is hoped that further education colleges will offer modular provision and that this will expand and diversify the overall provision of courses. There are mechanisms in place for managing risk in further education, including an effective insolvency regime.
 - e. Completion rates on modules will begin to feed into other processes such as the quality system over time.
 - f. It is possible that some providers will not meet DfE's eligibility requirements.
 - g. There are risks relating to pressures on OfS regulatory resource if short course provision increases quickly. We should continue to work closely with DfE on meeting policy intentions and mitigating risks.

Item 7. Risk report and review of OfS strategic risks

25. The board received a report on the current strategic risks and a proposal for a new set of strategic risks.
26. Exempt from publication.
27. Exempt from publication.
28. The board agreed the new strategic risks, including risk tolerance and appetite levels.

Item 8. Report from the Risk and Audit Committee (RAC)

29. A report of the June committee meeting and the RAC annual report and opinion were shared with the board. As well as discussing the proposed strategic risks, at its meeting the committee had:
- a. Exempt from publication.
 - b. Discussed cyber security arrangements in detail, and had particularly focused on learning from the recent cyber-attacks in the retail sector. Exempt from publication.

- c. Recommended the Annual report and accounts to the OfS accounting officer to sign. It was noted that the process had gone smoothly this year and the OfS and NAO teams were thanked for their hard work.
- d. Agreed the plans for internal audit over the coming year.

Item 11. Development of in-year student data collection

- 30. The board received a detailed update on progress towards the in-year collection of student data.
- 31. An update was also given on the annual student collection. The status is more positive than at this time last year, with fewer providers flagged as at high risk of being unable to return fit for purpose student data. There has been significant focus on reducing the burden of the annual return, with Jisc making demonstrable progress in removing unnecessary quality rules.
- 32. The following comments were made:
 - a. Exempt from publication.
 - b. RAC is assured that annual data collection is on track, but is less confident than it reported at the previous board meeting in Jisc's ability to deliver in-year data collection to agreed timescales.
 - c. The OfS's technical capability has increased, and this has allowed us to identify actions to reduce data burden. Delivering in-year data will require the OfS to facilitate change within Jisc and within providers.
 - d. The board asked RAC to closely monitor the deliverables and dependencies, so that it can confidently report to the board.

Item 9. Market exit cases

- 33. The board received an update on market exit risk across the sector. The sector continues to face significant financial challenges with an increasing number of providers experiencing financial risk. As with last year, student recruitment this autumn will make a material difference to risk at a number of providers. Exempt from publication. If tuition fees for UK students rise in line with inflation for the rest of the Parliament, there would be a positive impact which could make a meaningful improvement in some providers' financial positions. However, this would not in itself resolve financial risk for all providers.
- 34. Exempt from publication.
- 35. Exempt from publication.

Item 14. Report from the Provider Risk Committee

- 36. A report of the June committee meeting was noted by the board. The committee had discussed Project Pine.
- 37. No other matters were drawn to the attention of the board.

Item 10. OfS performance

10.1 OfS performance, resources and finance report

38. The board received the report.

10.2 Efficiency strategy

39. Exempt from publication.

40. Exempt from publication.

41. Exempt from publication.

10.3 Publication of external business plan

42. The board reviewed a communications plan for the 2025-26 business plan and proposed some minor wording changes. It agreed that the externally facing version of the plan should be published in July.

Item 11. Development of in-year student data collection

43. This item was taken earlier in the meeting.

Item 12. Working with the higher education sector

44. The board received a report on our relationship building with the higher education sector over the past 18 months and our priorities for the year ahead.

45. It was agreed that recruitment for a Provider Panel would be launched at the Universities UK conference in early September with the Panel operating by the new year.

46. Communications should emphasise that a Provider Panel will allow broader and more effective representation from the sector than having one or two members from the sector on the OfS board.

Item 13. OfS people update

13.1 Update on OfS people strategy

47. The board received an update on progress in delivering the OfS people strategy.

48. Exempt from publication.

13.2 Equality data 2024-25

49. The board received the equality data for 2024-25, which will be published in line with the Public Sector Equality Duty.

50. The rate of declaration of characteristics is similar to last year, and we continue to encourage staff to declare.

13.3 Pay remit 2025-26

51. Exempt from publication.

52. Exempt from publication.

Item 14. Report from the Provider Risk Committee

53. This item was taken earlier in the meeting.

Item 15. Report from the Quality Assessment Committee

54. A report of the May committee meeting was noted by the board. Feedback related to the integrated quality proposals had been taken earlier in the meeting. No other matters were drawn to the attention of the board.

Item 16. Restricted Report from the Remuneration and Nominations Committee

55. This item was taken at the end of the meeting.

Items 17-20. Context papers and forward plan for board business

56. The board received the political, student and sector context papers and the forward plan for board business.

AOB

57. There was no other business.

Item 16. Restricted Report from the Remuneration and Nominations Committee

58. This item has a separate restricted minute.