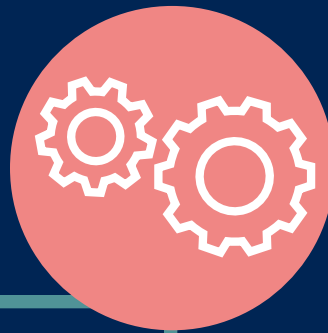


Office for Students Strategy 2022 to 2025




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Executive summary

Our mission

We aim to ensure that every student, whatever their background, has a fulfilling experience of higher education that enriches their lives and careers.

Our objectives

Participation

All students, from all backgrounds, with the ability and desire to undertake higher education, are supported to access, succeed in, and progress from higher education.

Experience

All students, from all backgrounds, receive a high quality academic experience, and their interests are protected while they study or in the event of provider, campus or course closure.

Outcomes

All students, from all backgrounds, can progress into employment, further study, and lead fulfilling lives, in which their qualifications hold their value over time.

Value for money

All students, from all backgrounds, receive value for money.

Our approach

We will deliver the strategy through our regulatory approach

- The regulatory baseline is a set of regulatory expectations that represent the minimum performance to which students and taxpayers are entitled.
- We regulate by reference to our regulatory baseline: taking action to ensure providers' compliance, and incentivising and influencing providers to go beyond our minimum expectations. During this strategic period, our work will be strongly focused on ensuring that providers are meeting these expectations.
- Much of the provision in the English higher education sector is exemplary; our focus as a regulator will be on addressing cases that fall short.

Our focus

Our two areas of focus for this strategy are quality and standards and equality of opportunity.

The goals that we seek to achieve during the period of this strategy fall into the categories of quality and standards, equality of opportunity, and enabling regulation.



Our eleven goals



- Students receive a high quality academic experience that improves their knowledge and skills, with increasing numbers receiving excellent provision.
- Students are rigorously assessed, and the qualifications they are awarded are credible and comparable to those granted previously.
- Providers secure free speech within the law for students, staff and visiting speakers.
- Graduates contribute to local and national prosperity, and the government's 'levelling up' agenda.



- Students' access, success and progression are not limited by their background, location or characteristics.
- 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.
- Providers act to prevent harassment and sexual misconduct and respond effectively if incidents do occur.
- Providers encourage and support an environment conducive to the good mental health and wellbeing that students need to succeed in their higher education.

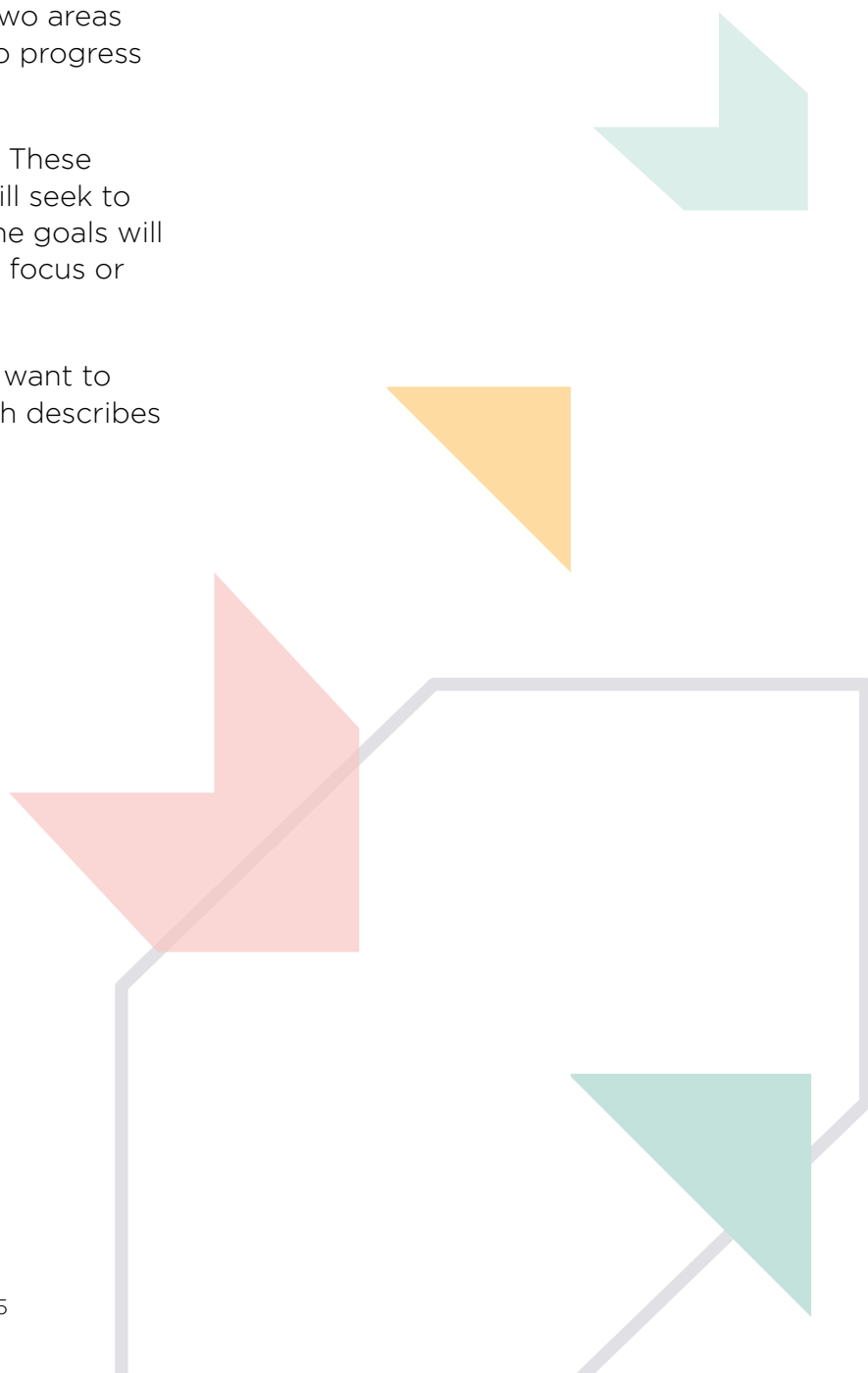


- Providers are financially viable and sustainable and have effective governance arrangements.
- Students receive the academic experience they were promised by their provider and their interests as consumers are protected before, during and after their studies.
- The OfS minimises the regulatory burden it places on providers, while ensuring action is effective in meeting its goals and regulatory objectives.

¹ We are currently consulting on our approach to the regulation of quality and standards and the content of this document is not intended to pre-judge decisions that will be made as a result of that consultation process.

Structure of this strategy

1. In this strategy, we set out our overall mission and our primary regulatory objectives. These are the long-term aims we seek to achieve as an organisation.
2. We then set out our regulatory approach. This is our approach to performing our functions and delivering the strategy, consistent with the regulatory framework.
3. We specify two areas of higher education that we will focus on over the next strategic period: 'quality and standards' and 'equality of opportunity'. We believe our focus on these two areas will be the most effective way to progress our mission.
4. Finally, we set out our goals. These are the specific outcomes we will seek to achieve during 2022 to 2025. The goals will either advance our two areas of focus or they will facilitate our work.
5. The goals describe what we want to achieve; the regulatory approach describes how we will achieve it.



What is the Office for Students?

6. The Office for Students (OfS) is the independent regulator of higher education in England. We regulate in the interests of students and prospective students from all backgrounds, whether they are:

- undergraduates, postgraduates or studying at other levels of higher education²
- UK-based or international
- studying full-time or part-time
- based on campus, learning at a distance, or anything in between.

Our mission

7. We aim to ensure that every student, whatever their background, has a fulfilling experience of higher education that enriches their lives and careers.

Our regulatory objectives

8. Our mission translates into our four primary regulatory objectives, and our work is designed to mitigate the risk that these objectives are not met:

- Participation:** All students, from all backgrounds, with the ability and desire to undertake higher education, are supported to access, succeed in, and progress from higher education.
- Experience:** All students, from all backgrounds, receive a high quality academic experience, and their interests are protected while they study or in the event of provider, campus or course closure.
- Outcomes:** All students, from all backgrounds, can progress into employment, further study, and lead fulfilling lives, in which their qualifications hold their value over time.

- Value for money:** All students, from all backgrounds, receive value for money.

9. These objectives have relevance beyond students: the wider public has an interest given the importance of higher education to our economy, culture and society.

Our regulatory approach

10. Our approach is based on a set of minimum expectations that we refer to as the 'regulatory baseline'.

What is the 'regulatory baseline'?

The regulatory baseline is a set of regulatory expectations that represent the minimum performance to which students and taxpayers are entitled.

The baseline is predominantly expressed through our conditions of registration and all providers are required to satisfy these. We also use statements of expectation and other tools to express this minimum level of performance from providers to which students and taxpayers are entitled.

11. We regulate by reference to our regulatory baseline: taking action to ensure providers' compliance, and incentivising and influencing providers to go beyond our minimum expectations, for instance in relation to access and participation and the Teaching Excellence and Student Outcomes Framework (TEF). Much of the provision in the English higher education sector is exemplary; our focus as a regulator will be on addressing cases that fall short.

12. During this strategic period, our work will be strongly focused on ensuring that

² When studying at higher education providers.

providers are meeting these expectations. Performance that falls below our regulatory baseline fails students, who contribute through their time, effort and fees. It fails taxpayers, who support a significant investment of public funds through grants and subsidised loans. It also fails to deliver the objectives set out in our regulatory framework.

13. We use a range of regulatory approaches to secure compliance with the baseline: setting clear expectations through our conditions of registration; taking proportionate enforcement action where the baseline is breached; and intervening where a provider is at risk of dropping below it. We also communicate information and use influence to incentivise compliance with the baseline.

14. Where it is proportionate to do so, we regulate to ensure that providers cannot continue to access student loan funding, grant funding, and degree awarding powers, if their performance falls below this baseline.

15. In regulating providers against this baseline, we use a risk-based and proportionate approach. This means that we prioritise and act according to the risk posed to students and taxpayers, and that our interventions are proportionate to that regulatory risk. This approach enables us to minimise burden on providers where possible: providers that represent low risk to students and taxpayers will experience lower regulatory burden.

16. Above the baseline, we believe that autonomous providers making their own decisions is the best way to ensure the sector can flourish and innovate. We do not prescribe how universities and colleges should operate beyond our regulatory baseline, and most of our activity will be designed to ensure that providers meet these expectations.

17. We will, however, influence and incentivise providers to perform beyond our minimum requirements over this strategic

period. Student choice has a significant role in shaping the sector to respond to students' needs and goals: effective information, advice and guidance plays an important role in driving high quality outcomes. We will therefore take steps to ensure that students and their advisers have access to relevant and targeted information to inform their choices about whether, what and where to study.

18. We will also use other methods. For instance, in using our funding powers to incentivise certain outcomes or through mechanisms such as the TEF.

19. We believe the best way to deliver our regulatory objectives is to employ a broad range of regulatory tools. These are set out in the Higher Education and Research Act 2017 (HERA) and described in more detail in the regulatory framework. They include:

- Setting regulatory standards and monitoring whether these are satisfied in practice
- Taking enforcement action where requirements expressed in a condition of registration are breached, using powers such as monetary penalties, suspension, deregistration
- Imposing additional monitoring requirements or specific ongoing conditions of registration so we can better understand and mitigate specific risks
- Publishing information about providers' performance and our regulatory interventions to incentivise compliance
- Publishing information and advice to support students to make the right higher education choices for them, the economy and society
- Communicating expectations to influence provider behaviour
- Sharing evidence and information to highlight effective and innovative practice

- Distributing funding in line with government priorities and to support our own strategic priorities.

20. Most of these tools can be used to ensure providers' compliance with the baseline, and to incentivise providers to go beyond these minimum expectations.

21. The effectiveness of this strategy depends on our ability to engage with and listen to students, providers, and other groups such as employers. We will maintain our student panel and enhance its contribution to our work. We will engage with students and students' unions, enabling their views to shape the future of higher education. Similarly, we will continue to engage with the providers we regulate to understand their views and perspectives.

22. We will also focus on our engagement and collaboration with those organisations where we share regulatory interests, including:

- the Institute for Apprenticeships and Technical Education (IfATE) and Ofsted on the regulation of degree apprenticeships and higher technical qualifications
- relevant professional, statutory and regulatory bodies (PSRBs) for certain types of courses
- the Education and Skills Funding Agency (ESFA) on regulation of further education colleges.

23. We will seek to engage closely with our many stakeholders - such as UKRI, with which we share many common objectives including the wellbeing of postgraduate research students. Throughout the new strategy we will also continue to work closely with our counterparts in Scotland, Wales and Northern Ireland, to ensure close and effective liaison on areas of common interest.

24. Ultimately, we consider this approach to be the best way to meet our objectives and succeed in our mission - creating a

sector in which all students with the ability and desire to undertake higher education can access, succeed in and progress from higher education. This approach means students are increasingly able to trust that the provider at which they choose to study has met our minimum requirements - including for quality, its commitment to advancing equality of opportunity, and protecting their rights as consumers. They can also have confidence that we are influencing providers to go beyond this regulatory baseline and to offer exceptional higher education.



Our areas of focus for 2022 to 2025



25. The two areas that we will focus on from 2022 to 2025 are quality and standards, and equality of opportunity. These underpin our four primary regulatory objectives which reflect the duties and powers set out in sections 29-37 and 23-28 of HERA. They are closely connected and mutually reinforcing: improving equality of opportunity without ensuring quality and standards will not lead to positive student outcomes and, likewise, ensuring quality and standards without improving equality of opportunity means that students who could benefit will not.

26. These areas of focus are important in their own right, and they have only become more so in the context of the coronavirus pandemic. In response to the pandemic, we paused some of our reporting requirements as higher education providers adapted to the novel and fast-moving environment. As we transition out of the current stage of the pandemic over the next strategic period, we know that quality and standards will be of utmost importance to students. Many have faced significant disruption to their education during the pandemic, while new opportunities have emerged from the substantial change that came with it.

Meanwhile, gaps in opportunity have for the most part remained or widened during the last two years, and longer-term effects are still unclear, increasing the imperative to focus on this area.

27. These areas of focus have shaped this strategy and will continue to guide us as new issues and opportunities emerge – inevitable given the highly uncertain external environment. The more closely an issue relates to quality and standards or equality of opportunity, the more likely we are to consider regulatory activity either to secure compliance with the baseline or to incentivise performance above it.

28. In addition to these two areas of focus, a third area – enabling regulation – encompasses our underpinning regulation that enables quality and standards, equality of opportunity, and areas of our work that are necessary for the higher education system to operate effectively. These areas directly support our ability to deliver regulation that protects the interests of students and taxpayers.

Our goals for 2022 to 2025

29. The goals that we seek to achieve during the period of this strategy fall into the categories of quality and standards, equality of opportunity, and enabling regulation.

30. We recognise that these goals can only be achieved working through the higher education providers we regulate. As the regulator, our role is to incentivise and influence providers and other actors in the sector to bring about the changes needed to achieve these goals.



Quality and standards³

- Students receive a high quality academic experience that improves their knowledge and skills, with increasing numbers receiving excellent provision.
- Students are rigorously assessed, and the qualifications they are awarded are credible and comparable to those granted previously.
- Providers secure free speech within the law for students, staff and visiting speakers.
- Graduates contribute to local and national prosperity, and the government's 'levelling up' agenda.



Equality of opportunity

- Students' access, success and progression are not limited by their background, location or characteristics.
- 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.
- Providers act to prevent harassment and sexual misconduct and respond effectively if incidents do occur.⁴
- Providers encourage and support an environment conducive to the good mental health and wellbeing that students need to succeed in their higher education.



Enabling regulation

- Providers are financially viable and sustainable and have effective governance arrangements.
- Students receive the academic experience they were promised by their provider and their interests as consumers are protected before, during and after their studies.
- The OfS minimises the regulatory burden it places on providers, while ensuring action is effective in meeting its goals and regulatory objectives.

³ We have recently consulted on our approach to the regulation of quality and standards and the content of this document is not intended to pre-judge decisions that will be made as a result of that consultation process.

⁴ Our definitions of harassment and sexual misconduct are given in our statement of expectations for preventing and addressing harassment and sexual misconduct affecting students in higher education. See <https://www.officeforstudents.org.uk/advice-and-guidance/student-wellbeing-and-protection/prevent-and-address-harassment-and-sexual-misconduct/statement-of-expectations/>.

How we will adapt as an organisation to deliver this strategy

31. To achieve our goals and deliver this strategy, we will continue to develop the knowledge and skills of our staff and equip them with the right tools and technology. We will also continue our work to address equality, diversity and inclusion within our organisation.

32. We will improve the efficiency and effectiveness of our systems and processes. We aim to deliver our goals while also providing value for money to the taxpayers and providers that fund our work. We will support staff to engage with students effectively and embed their views across our strategic activities. Our work will be informed by evidence of what works and we will evaluate our impact to support future improvements.



How we will deliver our strategy

33. Each year, we will set out our intended activity in an annual business plan. All our goals will take multiple years and a variety of tools to deliver. Below we set out the major activity we expect to carry out over the strategic period.⁵ This strategy will likely cover a period of significant change for the sector, including policy reform by government. These plans may be subject to change, and in executing them we will retain the ability to adapt as the external environment continues to shift.



Quality and standards

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

- a. Subject to the outcomes of our recent consultations, we plan to take a more robust approach to quality. We are introducing revised quality conditions that provide greater clarity about the minimum requirements that providers must meet.
- b. We will use the data and regulatory intelligence we hold to identify courses and providers that may not satisfy our regulatory requirements for quality. We expect this proactive approach to result in an increase in our investigative and enforcement activity from the first year of the strategy, with courses that do not meet our requirements being improved or closed.
- c. We will ensure that all providers satisfy our minimum requirements for student outcomes. Subject to the outcome of our recent consultation, we will identify priorities for enforcement activity and, where appropriate, we will investigate compliance concerns and use the full range of our powers to take action. We also plan to publish annual data that shows the outcomes delivered by each provider.
- d. We will report on our regulatory activity for individual providers and on wider themes relevant to all providers' compliance.
- e. We will consider using small-scale regulatory 'sandboxes'⁶ for providers wishing to experiment in course design and delivery in a way that continues to satisfy our requirements.
- f. We will also drive improvement in the quality of undergraduate courses beyond our regulatory baseline by implementing the next iteration of the TEF scheme. Subject to the outcomes of our recent consultation, our initial focus will be on implementing the scheme; following implementation we will focus on increasing the influence of TEF ratings, to strengthen incentives for improvement across all providers.
- g. Towards the end of the strategic period, we will focus on promoting and improving comparable information about quality for the benefit of prospective students, which we expect will in turn further incentivise providers to improve as they seek to attract students.

⁵ These plans may be subject to change. Each goal represents a priority for the organisation and the goals listed below are not listed in order of importance.

⁶ Here and throughout the strategy, regulatory 'sandboxes' refer to trials where the OfS would enable providers to test innovative new approaches.

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

- a. We will use the data and regulatory intelligence we hold to identify courses and providers that may not satisfy our regulatory requirements in relation to the rigour of their assessment and awarding practices. We expect this proactive approach to result in an increase in our investigative and enforcement activity from the first year of the strategy. We will address practices that do not meet our requirements to ensure public confidence in higher education qualifications.
- b. We will continue to consider the extent to which increases in degree classifications over time can be explained. We will focus investigatory and enforcement activity on cases where significant increases cannot be explained by our data analysis or other evidence.
- c. We will report on our regulatory activity for individual providers and on wider themes relevant to all providers' compliance. We will consider using small-scale regulatory 'sandboxes' for providers wishing to experiment in assessment and awarding practices in a way that continues to satisfy our requirements.

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

- a. We will continue to be clear that all providers must secure academic freedom and free speech within the law, and that this requires them to take positive actions. In doing so they

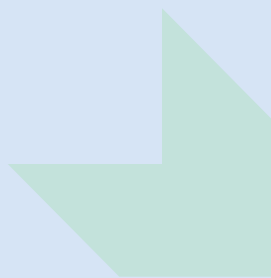
must give due regard to other legal obligations, such as the public sector equality duty, but these should not prevent action to secure free speech.

- b. We will respond to individual cases where a provider has failed to take steps to secure academic freedom and free speech, including where a provider's approach has the effect of inhibiting the expression of minority, unpopular or controversial views. We will report our regulatory activity for individual providers to ensure that all providers understand what is expected of them.
- c. We will undertake any necessary investigatory and enforcement activity using our existing powers. Subject to parliament's decisions, and any relevant legislation introduced, we will implement new policies and we expect this to include consultation during this strategic period. We expect our investigatory and enforcement activity to increase as any new powers are implemented.
- d. We will engage with students to help them to understand what free speech within the law means in the context of their higher education experience.

Graduates contribute to local and national prosperity, and the government's 'levelling up' agenda.

- a. Our regulation of quality will ensure that courses require students to develop the skills they need for success beyond higher education and that all providers satisfy our minimum requirements for progression of their students to professional employment or postgraduate study.

- b. Our approach to TEF assessments will incentivise providers to deliver courses that support progression of students to professional employment or postgraduate study beyond our minimum requirements.
- c. Our regulation of access and participation plans will ensure that providers take steps to address inequalities in relation to progression to professional employment or postgraduate study, for any student due to their background, location or characteristics.
- d. We will work with others across government to design, deliver and evaluate programmes to address current and anticipated skills shortages for business and public services locally and nationally.





Equality of opportunity

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

- a. Our access and participation regime will focus on equality of opportunity and good student outcomes, and will continue to be integrated with our regulation of quality and standards.
- b. We will keep our approach to access and participation plans under review, including our national targets. When monitoring plans, we will increasingly focus our activity on those providers that represent most risk and will take enforcement action to ensure all providers are taking all reasonable steps to deliver the commitments in their plans.
- c. We will encourage an increased focus on higher education providers seeking opportunities to work in partnership with schools.
- d. Our regulation of quality will ensure that students from all backgrounds have the resources and support they need to succeed in and beyond higher education, and that all providers satisfy our minimum requirements for student outcomes.
- e. Beyond the requirements we place on individual providers, we will continue to support the sector to make progress on access and participation, using funding, information and evidence. Where evidence about 'what works' to improve access and participation is lacking, we will seek to generate and disseminate new evidence and make our existing resources more accessible

to a wider audience, helping providers to tailor support for particular groups of students.

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.

- a. We will ensure that our approach to the registration of new providers facilitates entry for those with high quality courses and innovative approaches.
- b. We will continue to encourage diversity of provision through our funding streams.
- c. We will consider using small-scale, regulatory 'sandboxes' for providers wishing to experiment in innovative and flexible approaches in a way that continues to satisfy our requirements.
- d. During the latter half of the strategic period, we will seek to proactively increase the diversity of provision available to students. We will explore using information to stimulate demand and competition, and funding to stimulate supply.
- e. We will explore ways to facilitate new entry to the sector through our approach to registration and degree awarding powers, including looking at the resources available to prospective providers and considering whether new categories of registration would be helpful. We will also consider whether we should intervene in the validation system to increase the availability of high quality courses across England.

- f. We will work with government to ensure our regulatory approach is appropriate in the context of lifelong loan entitlement.⁷

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

- a. We will take action to address and prevent harassment and sexual misconduct. We will collect evidence on the actions that providers are taking in response to our statement of expectations⁸ on harassment and sexual misconduct, and we will carry out qualitative and quantitative research to build our evidence base on the nature and prevalence of harassment and sexual misconduct among students.
- b. Based on the evidence gathered and other evidence available to us, we will develop an approach that is most likely to drive the change needed in this area. We expect this to focus on the use of our convening powers, influence, and the publication of case studies and other information to demonstrate how providers could effectively respond to complex cases of harassment and sexual misconduct.
- c. We expect to use our investigatory and enforcement powers to underpin our approach where this is necessary and will re-examine the enforcement approaches that may be appropriate as we respond to individual cases.

- d. In pursuing this goal, we will place particular emphasis on our use of student engagement to make sure we are taking the most effective course of action.

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

- a. We will evaluate the progress of interventions on student mental health, focusing on supporting providers to innovate, improve and tailor their practice. We will consider whether providers are responding effectively and addressing student mental health as a strategic priority.
- b. We will explore opportunities to work with partner organisations in the higher education and mental health sectors and in government, to enable providers to support the good mental health and wellbeing of their students.

⁷ The 'lifelong loan entitlement' (LLE) is a government policy proposal to provide individuals with a loan entitlement to the equivalent of four years' worth of post-18 education to use over their lifetime. See <https://www.gov.uk/government/consultations/lifelong-loan-entitlement>.

⁸ See www.officeforstudents.org.uk/advice-and-guidance/student-wellbeing-and-protection/prevent-and-address-harassment-and-sexual-misconduct/statement-of-expectations/.



Enabling regulation

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

- a. We will consult on changes to our conditions of registration related to management and governance so that we can identify and address issues in providers more effectively before they register with the OfS and on an ongoing basis.
- b. We will use the regulatory intelligence we hold, including financial and market information, to identify providers where governance arrangements may come under pressure. We expect this proactive approach to result in the diagnosis of any weaknesses in governance that need to be addressed by a provider before any financial pressure builds.
- c. We will continue to monitor the financial viability and sustainability of providers to ensure we identify any provider likely to face financial difficulties and can intervene if necessary to protect the interests of students.

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

- a. In the first half of this strategic period, we will consult on an updated approach to protecting the interests of students as consumers. This will involve revisiting the requirements we currently impose through the C conditions and developing proposals to replace these with more focused requirements that set the student protection norms for the higher education sector. We

expect this to include proposals for the information providers should give to students choosing what and where to study, fair contractual terms, and complaint-handling arrangements.

- b. In pursuing this goal, we will place particular emphasis on our use of student engagement to understand the main issues for students in terms of consumer protection.

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

- a. We will become increasingly risk-based in the way we monitor compliance with conditions of registration and take enforcement action. We will continue to test whether the reporting requirements in place for all providers are appropriate for those that we consider present the least regulatory risk.
- b. In reviewing our approach to access and participation plans, we will focus in particular on opportunities to reduce burden.
- c. By the end of the strategic period, we will have varied the regulatory requirements we place on individual providers according to the risks they pose. We expect this to involve increasing requirements for providers where we judge risk to be highest.
- d. We will maintain our dialogue with providers about the impact of our regulation, testing that the benefits to students and taxpayers continue to outweigh the burden to providers. We will also challenge providers to take purposeful steps to dismantle internal bureaucracy that has accreted over time and is not needed to comply with our regulatory requirements.



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