

Our response to the Office for Students ‘Consultation OfS strategy for 2025 to 2030’

Universities UK (UUK) is the collective voice of 141 universities in England, Scotland, Wales, and Northern Ireland. Its mission is to create the conditions for UK universities to be the best in the world, maximising their positive impact locally, nationally, and globally. Universities UK acts on behalf of universities, represented by their heads of institution.

Question 1 – Do you have any comments to make on the OfS’s proposed strategy for 2025 to 2030 or the priorities set out within it?

Context

1. At the start of 2025, the higher education sector faces significant financial challenges. As [analysis from the OfS in November 2024](#) signalled, without mitigating action up to 72% of providers could face a deficit in 2025-26. While recent Government announcements on tuition fees will help in the short-term, this has been offset by an increase in national insurance contributions and does not reverse the long-term decline in the unit of resource for teaching. Without a more sustainable funding system universities will be required to make difficult decisions and prioritise their activities. We also expect to see more partnership, collaboration, and transformation across the sector in delivering cost savings through new models and ways of working. At UUK, this includes work which will be overseen by the [Taskforce on Efficiency and Transformation in Higher Education](#). The OfS strategy needs to develop its strategy in recognition of this environment. This means being mindful of the impact of its regulation on providers’ ability to innovate and transform, managing its own costs and efficiencies, and focusing its expectations where regulation is most needed. We situate our response in this context.

2. We also understand that further announcements from Government on higher education funding and reform should be expected this year. While the regulator should be independent of Government and the strategy provide stability irrespective of political developments, the strategy will still need to respond to and be relevant in a future higher education environment. Developments in the Lifelong Learning Entitlement (LLE), the registration status of franchised providers, and priorities on access and participation will all have an impact. There are also aspects of the strategy which remain subject to legislative changes, including the freedom of speech complaints scheme and consumer protection powers. We recommend the OfS considers the strategy as interim until such changes, and in the meantime focuses on those areas where the regulatory powers already exist.
3. We welcome the opportunity to comment on OfS' proposed strategy for 2025-30, and hope that consultation responses will be meaningfully engaged with by OfS, in the spirit of the OfS' work to improve its engagement and relationship with the sector. The key points of our response are:
 - a. We welcome the fact that the strategy recognises the significant financial challenges facing the sector, but our view is that this also needs to be reflected in the detail of the strategy, including consideration of what the OfS could stop doing.
 - b. Placing students more firmly at the heart of the strategy is a welcome development. However, the broadly-framed 'wider student interest' risks evolving over time which could lead to a steady expansion of regulatory burden. We agree that equality of opportunity should run through everything the regulator does, and our view is that equality of opportunity should be included as a lead priority rather than 'student interest'.
 - c. We maintain that new regulatory powers and requirements should only be introduced where the public benefits are clear and costs justified. We recommend the OfS adopts a transparent consultative cost-benefit methodology to review current and proposed regulation and takes stock of its current regulatory reach. We welcome OfS's commitment to reducing reliance on formal regulatory levers and working with the sector and relevant networks to share good practice in areas which may sit beyond its primary role, but the starting point must be the work already happening across the sector. The OfS must consider where it can add value to these activities by getting more

involved or alternatively, where its interventions may stifle innovation and transformation.

- d. If the strategy is to be successful, the OfS cannot dial back on the work it has been doing to build trust, and we would like to see this being more prominent in the strategy.
- e. We welcome the opportunity to revisit current arrangements and develop an integrated approach to quality with an increased focus on qualitative assessments of on-course experience and enhancement. We strongly support the OfS' commitment to consider realignment with the European Standards and Guidelines (ESG).
- f. The combination of objectives, goals, activities, and 'I statements' makes it unclear how the OfS will measure progress on its strategy. Including a strategic objective focused on the OfS as an organisation may be one way in which this can be addressed by increasing the focus on how the strategy will be delivered and monitored.
- g. We would like to see more of a focus on how regulation can enable and support the higher education sector's contribution to economic growth and its wider public benefits.

The strategy

- 4. The priorities set out in the public bodies review of the OfS and on which the proposed strategy is based align with many of the priorities identified by UUK in the recommendations in our 2024 blueprint for change. We are also pleased that the strategy acknowledges the public interest in sustaining higher education's contribution to the UK's economic, social, and cultural success. Again, this framing mirrors UUK's blueprint where we argued for regulation to adopt a much broader outlook on the sector's context and to understand and consider its role in driving growth locally, regionally, and nationally.
- 5. Given the context above, we support the OfS's decision to place financial sustainability and sector resilience as central to its work over the next five years. As set out in the House of Lords Industry and Regulators Committee report, the independent public bodies review led by Sir David Behan, and UUK's own commissioned analysis, this is arguably the biggest issue facing the sector at this time. If secured, it is also the basis on which quality and student interest can be best protected. However, as this consultation response sets

out below, we are not convinced the financial reality is sufficiently reflected in the detail of the proposed strategy and in OfS's planned activity. It needs to prioritise its work, be reasonable in its expectations, and minimise any additional regulatory costs.

6. We agree that quality is paramount to the regulator's work and that equality of opportunity must run through everything the regulator does. However, we worry that not placing equality of opportunity as a distinct strategic goal equal to quality risks diminishing the perceived importance of this commitment. We would suggest including equality of opportunity as lead priority reflecting the OfS's regulatory responsibilities in this area, and its extensive work to date. This framing should be used to focus the currently wide-ranging priority around 'wider student interest' which risks becoming expansive.
7. We do not underestimate the importance of regulation being informed by the people it regulates on behalf of. At UUK, we have recommended empowering the OfS student panel to play a greater role in identifying emerging issues, defining students' interests and exploring good practice across the sector. We have also recommended the establishment of a provider panel. We therefore welcome OfS' intention to deepen their understanding of students' perspectives and the intention to create a student interest board as a formal committee of the OfS board. It is good to see the OfS responding to historical criticism that it has not always reflected the student interest as well as it could. However, it must be mindful in this work and in its strategy not to expand its scope beyond what regulation can and should cover.
8. Between November 2024 and January 2025, UUK held a series of workshops with senior leaders and representatives from students' unions to explore what constitutes the student interest, and how this relates to regulation. The following five key themes emerged as being central to the student interest:
 - Quality of teaching and learning
 - Employability and future opportunities
 - Conditions of learning to enable students to have the time, support, space, and financial security to study effectively.
 - Safety and belonging on campus
 - Transparency to know what to expect from a course and the wider student experience.
9. A further reflection from all workshops, however, was that 'the student' is not a single entity, and that different students have different motivations, needs,

and priorities for their university experiences. Attendees also reflected that universities working with students directly are often much better placed to develop services and support to meet their specific needs, particularly where these needs relate to wider economic and social conditions. 'Regulating in the student interest' needs to include consideration of how the OfS can play an enabling role in allowing the sector to act proactively rather than seeking to intervene in all these areas. If not, there is a risk of mission creep and duplication of effort.

10. On page 15, for example, the document refers to accommodation and cost of living being student concerns. While these are undoubtedly important and will factor in a student's perception of value for money, neither are wholly within a providers' control nor things which, we believe, that should be subject to regulation. To its credit, the OfS acknowledges that these issues need 'to be considered in the context of constrained finances and wider pressures on public services'. It also commits to reducing reliance on formal regulatory levers and working with the sector and relevant networks to share good practice in areas which may sit beyond its primary role. However, the starting point must be the ongoing work already happening across the sector. The OfS must consider where it can add value to these activities by getting more involved or alternatively, where its interventions may stifle innovation and transformation.
11. We have concerns that the proposed strategy looks set to promote an expanded regulator without paying enough attention to what the OfS could stop doing, deprioritise, or reduce activity on. There is no mention of any activity that the OfS will stop doing (apart from pausing its statutory function in progressing DAP applications). Recent calls from the Chancellor of the Exchequer for regulation across sectors to do what it can to reduce burden and enable growth are also relevant to the OfS.
12. For example, the strategy not only indicates an increased focus on financial sustainability but also that the OfS is seeking further consumer protection powers. It will also acquire new power under the Higher Education (Freedom of Speech) Act. The OfS is also proposing more oversight of governance and management, new work on a variety of student interest issues, and increased regulation of franchised provision. The strategy should spell out more clearly what it most important. For our members, this is financial sustainability, quality, equality of opportunity, and student protection.

13. The OfS does not have infinite resources, as seen in its December 2024 announcement to pause registration activity until August 2025 to enable more work on financial sustainability. This decision was taken despite having already increased its registration fees by 18.5% in 2023 to fund the additional capacity it needed, in part to cover anticipated costs on the freedom of speech complaints scheme (which has not yet commenced). At a time when sector finances are constrained, any increase in OfS activity that requires increased fees will exacerbate current challenges and further reduce funding available to spend on student experience. The OfS needs to be increasingly mindful of its own capacity and where its regulation is most usefully targeted.
14. We are also concerned that reducing regulatory burden is not more prominent in the strategy. This is disappointing. ² and the recent OfS business plan commitments to review whether all of the current regulation is still necessary. Research commissioned by UUK in 2023 found that, on average, a university has a full-time equivalent (FTE) of 17.6 staff dedicated to regulatory compliance. If universities are directing a disproportionate amount of resource towards understanding and complying with regulatory requirements, there are both financial and opportunity costs that direct the attention away from students and may even exacerbate financial challenges facing institutions. We have previously stated concerns about condition B4 and its retention policy, which creates significant additional cost and burden.
15. We maintain that the OfS should only introduce new regulatory powers and requirements where the public benefits are clear, and costs justified. The strategy recognises this on page 23, but there is no follow-up discussion of how the OfS will make decisions on this. Nor does the strategy present evidence of a rationalisation of OfS's proposed activity. We recommend the OfS adopts a transparent, consultative, cost-benefit methodology to review current and proposed regulation, based on the existing Higher Education Statistics Agency (HESA) 'burden assessment methodology'. This will identify where the need for regulation is greatest and where unnecessary regulatory costs can be minimised, especially in the context of the significant financial challenges facing the sector.
16. This kind of consultation with the sector will also enable the OfS to situate any assessment of burden within a wider context and beyond the immediate costs and benefits. For example, we strongly support the explicit commitment to consider realignment with the European Standards and Guidelines (ESG) for quality assessment (page 18). This is welcome progress on an issue of importance to the sector not only in England but across the UK. We

understand the need to consider trade-offs. We recognise that more on-site visits, external review, and student involvement could increase quality assessment activity and, therefore, burden.

17. However, compliance with the ESG will restore confidence in England's quality assurance internationally, which will facilitate more partnership opportunities and student mobility between universities in the UK and many other parts of the world. For our members, this is a 'burden' that if managed carefully will not only bring more rigour to the system by introducing further internationally recognised safeguards but also have wider benefits for provider finances and student opportunities (speaking to OfS's other strategic priorities). There are also examples internationally from which we can learn, for example the Accreditation Organisation of the Netherlands and Flanders (NVAO) which successfully adopts risk-based regulation while still being ESG compliant.
18. We also note that ESG compliance is the only activity where a 'trade-off' assessment the strategy explicitly mentions one. In contrast, there is no commitment to considering the trade-offs on a quality risk register, a completely new proposal, for example.
19. The commitment to working with other regulators on data collection is welcome as one way of minimising some of the burden experienced by providers. As proposed by UUK's blueprint, this could be enhanced through working with the DfE to establish an institutional structure for regulatory coordination in higher education akin to the Digital Regulation Cooperation Forum. This would bring together relevant government departments and regulators to share intelligence and consider the cross-cutting implications of each member's activity. We would also like the OfS's new strategy to make an explicit reference to how the OfS will work with professional, statutory, and regulatory bodies (PSRBs). Some providers have reported working with as many as 140 PSRBs to assess course quality alone, and the OfS needs to be clearer on how it will work with and coordinate course-level regulation.
20. The OfS also should consider its strategy in the context of the wider UK higher education sector. While its regulatory function covers only England, if it is to have a regard for the international reputation of the higher education sector – something we proposed in our blueprint – this means understanding the importance of the 'UK' brand for higher education. It also means the OfS working constructively with its counterparts in Scotland, Northern Ireland, and Wales where there are areas of mutual interest. For example, on academic integrity and the proliferation of AI technologies.

21. The strategy should give greater attention to the relationship between the OfS and the providers it regulates. Recent research commissioned by the OfS shows that there have been improvements in the relationship, and we would echo these findings. The tone and clarity of OfS communications have improved and the sector has been positive about the greater visibility of the senior team and provider visits. The research, however, showed that there is still some way to go. If the strategy is to be successful, the OfS cannot dial back on the work it has been doing to build trust. This is particularly important if seeking to engage more with providers on their financial health. We would like to see this being more prominent in the strategy.
22. Allied to this, the sector needs to trust that the OfS understands the issues affecting the sector and how it will use sector expertise to inform its work. The OfS should include more in its strategy about how it will work with the sector to understand the impact of its regulation and anticipate issues, to ensure its strategy can adapt and evolve in a rapidly changing environment. The OfS should commit to running an annual provider survey to assess its regulation and identify emerging concerns. We have also previously recommended the OfS establishes a provider panel, like the student panel and with representation that reflects the diversity of the sector. Such a panel could build trust across the sector by:
 - acting as a technical reference group for testing new proposals, ahead of consultation or launch.
 - advising the board and offer provider perspectives on new and emerging issues.
 - supporting an understanding of existing practice and mechanisms within the sector, to avoid creating unnecessary requirements.
23. Many of the suggestions above speak to the need to have an additional strategic objective or priority focused on the OfS itself as a regulator. This needs to include its operation, accountability, and how it will provide value for money to students and taxpayers.
24. In the sections below, we discuss specific points raised on quality, student interest, and sector resilience.

Quality

25. We support the two primary objectives of the OfS's work on quality, namely ensuring students receive high quality education and have choice. We also

welcome the recognition on page 14 that most provision is not only good but excellent. Regulation of quality within the first objective must be risk-based and proportionate, to ensure the second objective is achievable. Student choice is reliant on there being a diverse sector comprised of autonomous institutions. We also strongly maintain that academic standards should be the responsibility of the sector to set and protect.

26. Nevertheless, we share the ambitions of both the OfS and more broadly the government that it is not just *most* but *all* courses that are high quality, so that no student is left behind. We agree that 'high quality' is not an end point but a process of continuous improvement. We welcome the opportunity to revisit current arrangements and develop an integrated approach to quality with an increased focus on qualitative assessments of on-course experience and enhancement. An increased focus on enhancement would support the sector to innovate to remain globally competitive, respond to external developments, and deliver value for money.
27. We are committed to engaging constructively with the OfS and our members throughout 2025 to work towards this shared agenda. We would encourage the OfS to ensure there are multiple opportunities for meaningful engagement and that any new approach draws on recent/ongoing independent evaluations of condition B3 and the Teaching Excellence Framework.
28. Priorities for our members for an integrated approach to quality to be:
 - a. Both ESG compliant and re-aligned to the UK Quality Code for Higher Education to support cross-UK collaboration and international transferability and recognition of qualifications and credit.
 - b. Risk-based, so that engagement with and requirements of individual providers are proportionate and targeted towards poor quality and providers have space to drive enhancement in their own context.
 - c. Less reliant on lagged metrics.
 - d. Informed by sector-led approaches and good practice.
29. Page 16 refers to 'folding in' transnational education (TNE) to the integrated approach to quality. We agree that students, wherever they study, are entitled to expect a high-quality educational experience from OfS registered providers. However, we have outstanding concerns around the appropriateness and feasibility of attempting to replicate mechanisms designed for assessing quality in England to also cover TNE students.

30. The operating context for universities, Jisc/HESA, and the OfS has changed significantly since the proposals to expand the student record to include TNE students were first consulted on. Overhauling the way data on over 500,000 students is collected and reported will generate significant costs and potential disruption to income generating partnership activities for universities at a time when they are working to address serious financial challenges. The capacity of Jisc/HESA to provide the necessary infrastructure, support, and guidance to enable such a transition is also in question following the Independent Review of Data Futures. This found that most of Data Futures' intended outcomes have not been achieved in the eight years since the programme began. Additionally, the OfS and the other funders and regulators intend to take forward in-year student data collection while a major review of the HESA Staff record is ongoing, aiming to implement changes for the 2026/27 academic year. The cumulative burden placed upon data teams across the sector by these multiple, overlapping projects are likely to exacerbate the issues reflected in the Data Futures Review – of staff moving into other roles, leaving the sector, experiencing long term sickness absence, or retiring early as a result of their experiences.
31. The OfS's intention to monitor TNE student outcomes using the proposed collected data will also require a substantial additional resource within the regulator at a time when existing capacity is already under strain. In the 2022-23 academic year UK TNE provision was reported in 228 different countries and territories, each with their own socio-economic, cultural, regulatory and educational contexts. A one-size-fits-all approach, or imposing standards rooted in an English context would be reductive and inappropriate. Data upon which to benchmark continuation, completion, and other student outcomes for each model of TNE delivery will also not be accessible in most of these country contexts. The design of a system sophisticated enough to appropriately and accurately monitor, assess, and review the complexity of the new data, communication and consultation with the sector on this proposed system, and then the implementation of the system will all require the creation and ongoing resourcing of a large new team within OfS.
32. We are supportive of the principle of collecting more and better data on UK TNE provision and have engaged constructively with the OfS and HESA throughout the process of the review of the Aggregate Offshore Record. Improved TNE data collection has the potential to unlock insights and benefits for universities and their students. In the light of recent developments, it is less clear that a data-based approach to assessing quality of TNE provision is possible while adhering to the principle of minimising regulatory burden for providers that do not represent significant regulatory risk. We would welcome an indefinite pause of the planned expansion of the student record to include TNE students to avoid severe disruption to the sector at this critical juncture

while these outstanding concerns are addressed. This will also allow for the exploration of alternative approaches that might better fulfil the OfS's regulatory duty to TNE students. These might include: a more manageable expansion of TNE data collection (potentially in line with the AOR expansion for Scottish and Northern Irish providers); greater emphasis on TNE management and governance structures as a component of UK-based review and engagement activity; greater emphasis on and usage of the existing reportable events and third party notification mechanisms; and the continued expansion of the OfS's global engagement activity to build connections with overseas governments and regulators to better respond to potential areas of concern as they emerge.

33. The sector, student body, and society are rapidly changing. Quality assurance arrangements need to keep pace, so they remain relevant and effective, focused on the things that matter to students and employers as well as academic disciplines. We are pleased to note the commitment to needing to give providers more confidence to innovate with new technologies. We would encourage the OfS to consider how it can be an enabler of innovation and transformation more broadly, not only with technology but with wider pedagogical approaches. Transformation is going to become increasingly important as universities look to navigate financial challenges. Universities need to know they will not be unduly penalised for taking risks and diversifying their approach. This will provide confidence that universities can engage with sector-led work to share learnings from testing new approaches, leading to greater efficiencies and sourcing of solutions to problems.
34. The suggestion to create a Quality Risk Register needs much greater elaboration and consideration. The Equality of Opportunity Risk Register, upon which it is to be based, is a recent addition to OfS's regulation and so it is yet to be fully evaluated for its impact and operation. The Equality of Opportunity Risk Register was also subject to significant consultation with providers before its introduction. We do not agree with the OfS introducing an additional requirement here until the effectiveness and value-add of a risk register method has been assessed. If, after this, the OfS wants to introduce the risk register it should also be subject to a similar level of consultation. Instead, they should place greater focus on regulating with reference to individual providers' risk profiles. For example, reducing reporting requirements of providers with a consistent record of being 'low risk'. If and where sector-wide issues are emerging, the OfS should also look to use existing sector structures and networks, including the Quality Council for UK Higher Education.

35. We are supportive of continuous improvement in widening participation and initiatives to raise attainment in schools. Financial constraints may limit how far universities can go in working with prospective students, and for this reason we have recommended government extend the National Tutoring Programme to enlist (and fund) university students to provide targeted tutoring support for disadvantaged pupils in the school system. Without this or equivalent funding, the OfS will need to be realistic in its expectations. Although not explicitly highlighted in the strategy, a key aspect of the OfS's work has been its commitment to national outreach initiatives. The OfS have a unique role in supporting the Uni Connect programme, which is addressing participation cold spots, and resourcing TASO which is enhancing the sector's evaluation. Continued investment in these will be important to expanding opportunity.

Student interest

36. We agree on the need for the sector as a whole and individual providers to be as clear as possible with students on what they can expect from higher education, what is expected of them, and what their rights are. The strategy calls for a model student contract. We are committed to working with the OfS in this area but recommend first reviewing current student contracts and recent National Trading Standards cases to find good practice and identify any common gaps. The OfS needs to take a proportionate approach. For those providers who have good contracts and information already in place, there should be no requirement to update these to fit a prescribed template.
37. We also need to avoid a situation in which a student contract expands beyond the fundamental offer of a university and what a student can reasonably expect. It should not become a vessel through which additional regulation is imposed on the sector in areas that move beyond the OfS's core remit.

Sector resilience

38. The OfS's need for up-to-date financial data is valid in the context of its latest analysis of the sector's financial health. However, this must be balanced against a provider's financial risk profile and be done in a way that minimises additional burden.
39. We are supportive of the OfS's intention to address contingency planning for market exit and work with providers to ensure any plans that need to be developed are credible and deliverable, recognising the serious and far-reaching impact that any disorderly exit would have. We would welcome

opportunities to engage with the OfS as their thinking develops, including any updates to the current requirements for student protection plans.

40. The strategy places significant emphasis on the role of governance and management. As set out in the UUK blueprint, we recognise that universities must ensure their governing bodies take appropriate steps to assure external stakeholders that their institution is both sustainable and well governed. We have been engaging with the Committee of University Chairs on their review of the Higher Education Code of Governance to ensure that it remains fit for purpose in the future, with an emphasis on financial management. If the sector can demonstrate that this is happening, this should allow the OfS to take a more risk-based approach and not become overly prescriptive in how governance should happen and be monitored. Similar action has also been taken in respect of franchised provision, where UUK – working with GuildHE and CUC – has developed further tools for governance and management.
41. The sector is not complacent, and we accept the need for providers to manage their own institutions well. However, despite recognising the wider context of financial challenges earlier in the strategy document, we question the OfS's approach in which it places almost all the responsibility on the providers and their governing bodies, which seems disproportionate. Despite facing a significant deterioration in income as a result of policy decisions (changing immigration rules and freezing fee income) universities in UUK's membership have demonstrated their ability to grip financial challenges and rapidly reduce their cost base. This largely points to a strong track record of robust financial management. It would be wrong to generally characterise the financial challenges facing the sector as the result of poor management or governance failures. As above, we therefore recommend the OfS considers more of its own role as a regulator in influencing the sector's evolution and sustainability. Moreover, with research suggesting 45% of universities say that regulation takes up a significant or major proportion of governing body time, the OfS needs to consider what a reasonable expectation is. We suggest that OfS takes stock of the regulatory burden currently imposed by its regulation as part of the development of its new strategy.

Question 2 – Do you have any comments about any unintended consequences of the proposed strategy or the priorities set out within it, for example for particular types of provider, particular types of student, or for individuals on the basis of their protected characteristics?

42. Given the potential increase in regulatory burden implied by a strategy in which no current activity is set to be stopped but more activity introduced, smaller and specialist providers may be particularly at risk of having to absorb additional costs. For example, due to the dedication to individual disciplines and the high-level professional performance and technical requirements of specialist institutions, there is a higher student to staff ratio and higher cost per student associated with this provision. Meanwhile, smaller providers have fewer staffing and financial resources than their larger counterparts. They have less money to invest in large compliance teams or the latest digital tools to capture the required information. Therefore, an increased burden in demonstrating compliance could have the effect of compounding the financial challenges these parts of the sector face rather than alleviating them.
43. Providers also pay to subscribe to the OfS and their current fee structure means that smaller providers pay more per head. For example, for a provider with four hundred (HE FTE students) the cost is approximately £91.37 per student whereas a larger provider with 41,194 (HE FTE students) would pay £4.39 per student. Therefore, if there is a need to increase registration fees to meet the OfS's expanded ambitions in the strategy, this may have a more significant impact on smaller providers.
44. Page 22 states that the OfS intends to increase regulatory requirements on institutions engaged in significant partnership activity. We recognise that provision delivered by another teaching provider can generate some risks where it reduces the direct oversight of and control over delivery. We have taken seriously the findings of the National Audit Office and Public Accounts Committee, and in 2024 published a framework to support our members review their governance arrangements in franchised provision. We are continuing to engage with members on embedding the framework and will be conducting an evaluation in 2025. However, a blanket increase in regulatory requirements across all franchised providers that is not informed by risk and does not consider the providers' context may have unintended consequences. Franchised and partnership provision more generally can play an important role in reaching higher education cold spots, offering more flexible and non-

traditional forms of teaching to suit different learners, and supporting providers' journeys towards gaining degree awarding powers. The OfS needs to avoid disincentivising the good examples of this kind of partnership.

45. In December 2024, the OfS announced a pause on registration and degree awarding powers applications. However, the scale of the strategy's ambition raises the question as to whether resuming this activity in August 2025 is a realistic goal. For affected providers, the ongoing limbo creates uncertainty, and any further delay may negatively impact their business models and financial forecasts.

Question 3 – Are there aspects of the proposals you found unclear? If so, please specify which, and tell us why.

46. As set out above, we are unclear on what is meant by 'an integrated approach to quality' and how a 'quality risk register' would work. We understand it is the OfS's intention to consult with the sector on these during 2025. We would encourage early engagement in advance of formally consulting on proposals.
47. The combination of objectives, goals, activities, and 'I statements' makes it unclear how the OfS will measure progress on its strategy. As we have recommended, including a strategic objective focused on the OfS as an organisation may be one way in which they can address this by increasing the focus on how they will deliver and monitor the strategy. We also strongly encourage the OfS to be clearer in its prioritisation, identifying which of the many activities listed in the strategy will be its primary focus and what it will stop doing instead.
48. The reference to the condition on sexual misconduct and harassment references that OfS will collect prevalence data as a 'measure of the impact of the condition'. This is potentially contradictory to previous assurances from the OfS about data usage (i.e. that the OfS will not interpret lower prevalence as better compliance with the condition). The OfS could also commit to going further in setting out measures to support full compliance with the new condition, such as working with the sector to generate guidance or highlight leading practice. This should not be prescriptive but aim to generate a shared understanding such as around the extent of training needed.
49. We support the OfS's commitment to working with Skills England but how the OfS will enable providers to address skills needs is less evident in the strategy,

and what the implications will be for providers and the regulation they are subject to. It is also not clear how the OfS intends to balance the needs of employers with those of students. Skills England and the OfS must be coordinated, and the strategy could go further in setting out a proposal for this, for example, seeking a memorandum of understanding. This will be particularly important as we move closer to the introduction of the LLE. This is something which has the potential to reform fundamentally the way in which students access higher education and universities design degree programmes, and yet there is little mention of this in the strategy.

50. We are supportive of the OfS' commitment to become a prescribed whistleblowing body to bring it in line with other regulators and education bodies, but it would be helpful for the OfS to provide more information on the implications of this for providers.

Question 4 – Our previous strategies have covered periods of three years. For this strategy, we are proposing an extended strategy period of five years. Do you have comments on this proposal?

51. We support the proposal to extend the strategy period to five years. This will provide greater certainty to the sector. In order for a five year strategy to be viable, our view is that this strategy must align with less frequent guidance letters from government than seen historically to allow the strategy to be acted upon. However, the OfS should reflect on the strategy annually to understand if and where external factors might require a shift in emphasis or approach. The annual business plans published by the OfS are a helpful and transparent method for informing the sector of priorities and changes, and we would support the OfS's plans to continue publishing these. Building on our recommendation above, working with a provider panel and undertaking a provider survey annually will also help inform this, alongside the planned increased engagement with students.

Question 5a – Do you think our proposed 'I statements' appropriately and clearly describe the impact that delivery of our strategic objectives should have on our key stakeholders?

52. The 'I Statements' provide a useful articulation of the kind of regulator the OfS wants to be and how it wants its impact to be felt. However, in a strategy

which already has strategic priorities, goals, and activities, and which will be underpinned by annual business plans and KPMs, we would welcome greater clarity on how it will use the 'I statements' in tracking performance vis-à-vis other measures. Some of the statements are also more easily measured, for instance those that closely map onto questions in the National Student Survey, than others. For example, the taxpayer statement 'I am proud of England's higher education sector', are much harder for a regulator with limited resources to effectively monitor. This is also an outcome that is much harder for a single regulator to isolate its own impact on. Rather than using these statements as part of the strategy, we think a version of them might be more appropriate as a list of principles for communication to students distilling the strategy and what the OfS considers its role to be.

53. If the OfS remains committed to using the 'I statements', we think the OfS should introduce a further category of statements on what success would look and feel like to the OfS. Part of this will be the impact on students, providers, taxpayers, and employers, but other aspects of successful delivery will relate to its own operation.

Question 5b – Do you think that the strategic objectives distilled in our proposed 'I statements' are the right ones? Do you propose any additional 'I statements'?

54. Notwithstanding our scepticism as to whether the 'I statements' add value to the strategy, if retained, there are several changes we think should be made. These include additions but also edits and removals.
55. For students we recommend:
- a. Separating 'I am fairly and effectively assessed' from 'I am confident that prospective employers will recognise the value of the qualification that I achieve', which refer to two related but distinct issues. The latter should include the addition 'and that (where relevant) it meets requirements of professional accreditation'. This addition is something a provider should be required to meet, if it is promised to the student, whereas employer perspectives are influenced by many factors and potential biases.
 - b. Adding 'and career aspirations' to 'My course is well organised and delivered, enabling me to acquire knowledge and develop skills

relevant to my subject area'. Students consistently report employability and career goals as important to them, and while there are limitations to the use of narrowly defined 'good outcomes', we do think there needs to be a reference to career aspirations.

- c. Removing 'my hopes and expectations when I chose it are being met' from 'I'm getting what I was promised when I signed up for my course'. The latter is objective and can be tracked, the former is subjective.
- d. Changing 'power' for 'authority' in 'I am treated fairly by my institution and my views are listened to and acted on appropriately by those in positions of power'.

56. For institutions we recommend:

- a. Adding 'I receive timely and clear responses from the OfS when I submit and/or request information.'
- b. Separating 'I understand the OfS's regulatory priorities and requirements' from 'I am confident its regulatory approach is driven by the interests of students and informed by the expertise in the higher education sector'. These are two distinct ideas and the first is particularly important for burden. The risk of sector 'gold plating' could be minimised if the OfS made clear to providers what is required of them.

57. For taxpayers, we recommend:

- a. Removing 'I am proud of England's higher education sector'. This example relates to something far harder for the OfS and providers to influence on their own when it is subjective judgement from a hugely diverse population, comprised of many individuals who may have no direct or conscious interaction with higher education.

58. If the OfS were to introduce 'I statements' for itself as an organisation, we would recommend the following:

- a. I understand and regulate in accordance with the concerns and priorities of students and the sector.
- b. I understand the context I am working in, and this understanding is reflected in the way I regulate and prioritise.