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Understanding the burden of regulation

Assessing the regulatory burden of ongoing registration with the Office for Students for universities in England

Contents

Executive summary

Universities UK (UUK) commissioned Moorhouse Consulting to undertake research to gain a greater understanding of the regulatory burden faced by UUK members in England. This report sets out key findings from the consultation; comparisons with other regulated sectors; and recommendations for how regulatory burden can be better managed and the approach to regulation improved.

Context

The issue of regulatory burden has been a focus of discussion across the sector; it was a key topic discussed at the House of Lords' Industry and Regulators Committee's inquiry into the work of the Office for Students (OfS) which opened in March 2023. The OfS has acknowledged the sector's concerns about regulatory burden and has set out its ongoing commitment to address it including through its annual report, their new strategy to 2025 and their Key Performance Measures.

Findings

The research was conducted through a combination of desk-based research, surveys and interviews. 62 UUK members in England were engaged overall. The findings are summarised below and focused on five key themes:

1. **Regulation in principle.** Respondents agree that regulation is necessary and highlighted positive elements of the regulatory approach. However, concerns were raised about some conditions where perceived cost outweighed benefit.

2. **Aligned and effective delivery of regulation.** Respondents felt there was a lack of clarity on regulatory timelines, a lack of alignment between OfS and other higher education regulators and aspects of ineffective delivery of regulation.

3. **Resource and opportunity cost.** Respondents highlighted there was significant resource required to understand and meet regulatory requirements as well as opportunity costs of the regulatory burden.

4. **Risk-based and nuanced regulation.** There was a desire amongst respondents for a risk-based approach to regulation, which they felt was currently lacking. There were also concerns about a one-size-fits all approach to regulation which was perceived not to recognise the sector's diversity.

5. **Sector-regulator relationship.** There was a perceived absence of a constructive working relationship between OfS and the sector and respondents raised a lack of meaningful consultation from OfS.

Using the data provided, we estimate that on average, a university has an FTE of 17.6 dedicated to regulatory compliance, although this does vary depending on size of university. We estimate that this would be 128 FTE at Executive level, 638 FTE at Manager/Director Level and 1,289 at Officer/Coordinator level dedicated solely to regulatory compliance across all 116 UUK members in England. Universities typically do not have dedicated regulatory teams; this resource is incorporated as part of existing roles. Of those that responded, 45% of universities say that regulation takes up a significant or major proportion of governing body time. On average, 41% of universities felt that the costs of regulation outweighed the benefits with 34% saying the costs and benefits were balanced.

A condition-by-condition analysis follows the key findings, setting out the key activities, estimated level of resource for the past academic year (2022/23), by role level, and commentary on where the regulatory burden is expected to fall in subsequent years. The data suggests that Executive level and Manager/Director level FTE remain fairly consistent across all conditions, with variation at Officer/Coordinator level, with compliance with Condition F requiring more FTE than others.

The research has also drawn on experiences across a range of different regulated sectors. Key insights from other sectors included that regulatory burden is also a challenge in other sectors, with size of organisation determining level of burden. Further insights included that other sectors appear to have more dedicated resource for regulatory compliance compared with the HE sector and that other sectors demonstrate examples of a constructive relationship between the regulator and the organisations they regulate.

Recommendations

The report concludes with five key recommendations to reduce regulatory burden in HE. These are:

1. **Initiate a relationship reset between the regulator and the sector.** A reset should review the approach to communications between the OfS and the sector. This will reduce the burden by the sector having greater clarity on regulatory expectations and a mechanism for seeking clarifications.

2. **Establish a consistent approach to burden impact assessments.** This should include adopting a consistent approach to assessing the burden of proposed changes, ensuring that this is taken into consideration alongside the potential benefits of proposals and mitigation actions considered.

3. **Set and communicate a clearer operational plan for regulatory delivery.** This plan should include regulatory milestones and consultation timelines to provide universities with greater clarity of what is required of them and when. This will enable them to proactively plan the resources to meet the requirements.

4. **Address the perceived lack of a risk-based approach to regulation.** This requires further investigation to determine whether how the regulatory requirements are risk-based is not well understood by the sector or if the current approach does not adhere to the principles of being risk-based.

5. **Ensure the regulator has the capacity and expertise to regulate effectively.** The OfS should take steps to reassure the sector, by demonstrating its capacity and expertise to regulate effectively. Where gaps in capacity and expertise are identified, steps should be taken to address these.

Limitations

The findings are primarily based upon self-reported evidence from UUK members, who volunteered to provide data, and in ways calculated by their teams. The balanced nature of the findings and recommendations are limited since OfS was not engaged directly in this research. The research has not involved financial benchmarking to quantify the cost of the regulatory burden on UUK members.

Introduction and context

Universities UK (UUK) commissioned Moorhouse Consulting to undertake research to gain a greater understanding of the regulatory burden faced by universities in England. This report sets out key findings from the consultation, comparisons with other regulated sectors and recommendations for how the regulatory burden can be better managed and the approach to regulation can be improved.

The Office for Students (OfS) was established under the Higher Education and Research Act (HERA) 2017. The creation of the new regulator and the establishment of a new regulatory framework inevitably involved start-up costs and associated burden for providers. Now established, attention has turned to the longer-term sustainability of the OfS' regulatory approach for higher education (HE) providers in England. The burden experienced by registered providers has become central to these discussions and is explicit within the OfS' own strategy for 2022-25.

Effective regulation

The National Audit Office (NAO) has published guidance which sets out principles of effective regulation aimed at policymakers, regulators, other regulatory bodies (such as inspectorates and ombudsman services), Parliament and other stakeholders. In the guidance, it sets out that effective regulation can lead to more efficient delivery from organisations, including reduced prices for consumers, improved quality or better environmental standards. The guidance references the Legislative and Regulatory Reform Act 2006 which states that good regulation should be "transparent, accountable, proportionate, consistent, and targeted".

OfS, as a regulator, is required to consider the Regulators' Code when developing policies and procedures which guide their regulatory activities. The Code sets out guidelines for limiting unnecessary burden in regulatory activities and communications with their relevant sectors. Figure 1 includes two excerpts from the Code which explicitly reference considerations about regulatory burden.

1.1 Regulators should avoid imposing unnecessary regulatory burdens through their regulatory activities and should assess whether similar social, environmental and economic outcomes could be achieved by less burdensome means. Regulators should choose proportionate approaches to those they regulate, based on relevant factors including, for example, business size and capacity.

5.1 Regulators should provide advice and guidance that is focused on assisting those they regulate to understand and meet their responsibilities. When providing advice and guidance, legal requirements should be distinguished from suggested good practice and the impact of the advice or guidance should be considered so that it does not impose unnecessary burdens in itself.

Figure 1 Excerpts from The Regulators' code which refer to regulatory burden

The HE sector and regulatory burden

The issue of OfS regulatory burden has been a focus for discussion across the HE sector. Articles, think pieces and policy papers have sought to explore the impact of regulation on universities and suggest recommendations for improvement. GuildHE recently published a briefing on regulatory burden on smaller and specialist providers which highlighted that they often face regulation from multiple regulators and that their proportional cost of regulation is high due to their size. Nottingham University Registrar, Paul Greatrix, published a blog with The Higher Education Policy Institute on reducing burden, setting out an ambition for a new UK agency with a focus on reducing burden for universities.

The issue of regulatory burden has also been a key topic discussed at the House of Lords' Industry and Regulators Committee's inquiry into Office for Students' work which opened on 3rd March 2023. Evidence was provided by universities and sector bodies about the impact of OfS consultations and requests for data more broadly, and highlighted concerns about some specific clauses, including the proposed requirement for universities to retain student data for five years after graduation. Some of the summaries of written submissions are included below:

- The Russell Group of universities acknowledged that while positive changes on regulatory burden had been made such as removing the annual monitoring of access and participation plans and moving to four year plans, they highlighted areas where additional burden has been created. This included the amendment to Condition B4 on storing student assessments for five years which could incur large costs. They also highlighted the uncertainty around timelines of policy development and the level of detail and volume of data institutions are required to submit as examples of burden.

- MillionPlus set out that they felt the OfS has strayed away from its risk-based approach and has expanded to new measures, for example, on harassment and sexual misconduct, on free speech as well as quality and standards. They recognised that whilst these areas were important, the way they have been regulated has caused increased burden at a time when universities are facing a challenging financial landscape.

OfS approach to tackling regulatory burden

The OfS has acknowledged the sector's concerns about regulatory burden and has set out steps to address this in its regulatory approach. This approach is set out in their written submission to the House of Lord's inquiry, and their strategy to 2025. In reporting against their key performance measure (KPM) 11, Efficient regulation, the OfS seeks to demonstrate how it is reducing burden over time; reporting against KPM 11 has also been included in further detail in their annual report and accounts 2022-23.

House of Lords Inquiry

In their written submission to the House of Lords inquiry, OfS reiterated that their work on reducing unnecessary regulatory burden is a key part of their new strategy. They emphasised that they take a risk-based approach to regulation with the aim of minimising burden on those institutions that do not pose a regulatory risk. They acknowledged the diversity of the sector and that institutions vary in size, complexity, and business model. They outlined how they encourage providers to make full use of their autonomy in deciding how best to comply; deciding the extent to which the governing body needs to sign off regulatory returns, was cited as an example of where universities have agency to manage the burden of complying. They highlight recent changes that they made to requirements for reportable events to make them less burdensome and that they have reduced enhanced monitoring requirements across registered providers by 75% between November 2019 and March 2022. They refer to changes that have also been made on access and participation plans, removing the requirement for all providers to send them a detailed monitoring return in 2022. The submission invites providers to identify areas where the burden of data collection could be reduced, referencing that steps have been made in this area already. They make clear that modelling financial risks and imposing requirements on student outcomes in a risk-based way requires them to collect high quality data from providers.

OfS Strategy to 2025

Regulatory burden is explicitly referenced in one of OfS' 11 goals which underpin its strategy to 2025, setting out that it aims to minimise regulatory burden. Figure 2 sets out this goal in full. The latest OfS Business Plan 2023-24, also includes the immediate actions being taken to operationalise this goal.

> 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.

Figure 2 Details of OfS' goal to reduce regulatory burden

Reporting against key performance measure (KPM) 11

On their website and in their recently published annual report and accounts 2022-23, OfS sets out how they are measuring progress against KPM 11; a series of measures which they set out can be used to measure regulatory burden on providers. The data presented shows the number of OfS data and information returns declining from 2019-20 to 2020-21 but remaining consistent between 2020-21 and 2021-22.

Methodology

Desk based research

Initial desk-based research was carried out to understand the broad, existing public evidence on the perceived regulatory burden across the HE sector in England. This provided the context for this study. This included publications such as GuildHE report on "Introduction, burden, cost and overlap" (2022), and evidence submitted, including that of UUK, to the House of Lords Industry and Regulators Committee inquiry into the work of the OfS.

Survey

Following the desk-based research, an online survey was designed. The OfS' regulatory framework was used as the basis and structure for how the survey data would be collected and analysed. A series of questions on each OfS condition of registration were asked to ascertain key activities, FTE (full-time equivalent) resource requirements, associated costs, and overall satisfaction with each of the conditions. These questions were followed by a series of broader questions on the regulatory burden such as required governing body time to comply with regulations, universities' strategic alignment to the regulations, how universities are managing the burden and suggestions for how the regulatory burden can be reduced.

The survey was shared with 116 universities in England who are members of Universities UK in May 2023. Members had 4 weeks to respond, and each institution was requested to return one survey containing their consolidated response.

Responses to the survey were received from 54 institutions. The diversity of size, type and location of English universities was well represented in responses to the survey. The range of respondents by size is outlined in Table 1.

University Size	Number of Respondents
0 -10,000 students	7
10,000 – 20,000 students	19
20,000 – 30,000 students	13
30,000+ students	15
Total	**54**

Table 1 Breakdown of survey respondents by size of university

Interviews

26 universities were invited to attend a 1-hour virtual interview of which 15 interviews were held. These institutions were chosen to ensure a representative sample of UUK members based on geography, size and type of university. Interview attendees included university senior leaders including Vice Chancellors, Deputy Vice Chancellors and Pro-Vice Chancellors and other members of the university leadership teams including heads of Access and Participation, university secretaries, registrars, and chief financial officers.

The interviews, similar to the survey, were structured around the OfS Conditions of Registration, depending on which university roles were present. Questions were also asked about the satisfaction of the experience in responding to regulation, what steps the university has taken to manage the burden and suggestions for how the regulatory burden could be better managed.

Understanding the regulatory landscape from other sectors

Insights were collected from other regulated sectors to complement the input from UUK members. These insights informed the recommendations included in this report.

The Communications, Energy and Utilities (E&U), Financial Services (FS), Health, and the Life Sciences (with a focus on the pharmaceutical industry) sectors were included. A subject matter expert from Moorhouse was interviewed for 45mins. These interviews focused on understanding: 1) the current regulatory landscape of the sector, 2) resource allocation across the sector to fulfil its regulatory requirements, and 3) the perceived regulatory burden from organisations within the sector.

Limitations

This research is based upon self-reported evidence from UUK members who volunteered to provide data, and in ways calculated by their teams. It was not within the scope of this research to verify the accuracy of the data received.

Evidence on the regulatory burden has not been obtained from the OfS directly. This will limit the balanced nature of the findings and recommendations contained in this report, although we have referred to publicly available data (such as the OfS' KPIs and annual reports) where relevant.

This research has not involved detailed financial benchmarking to quantify the cost of the regulatory burden on UUK members.

Universities were asked to give details of their regulatory activities and associated burden for the last academic year (2022-23) and estimates for the next academic year. Data from previous academic years was not collected to minimise the burden on universities and to reflect that data may not be readily available. This research therefore represents a snapshot in time rather than a longitudinal view.

The research was only carried out with current UUK members. Therefore, the findings presented in this report are not a representative view of all providers regulated by the OfS. Overall, 62 UUK members participated in this research, representing 53% of English Universities UK members.

Insights gathered on other regulated sectors were from Moorhouse Consulting experts. Whilst these insights were informed by these experts' extensive engagement with the sector, they may not exactly represent the views of the sector themselves.

The regulatory burden in the HE sector beyond the OfS requirements were not in scope of this research.

Respondents either not providing data or indicating their response as 'unknown' was less than 10% of the total number of survey data points collected. Whilst recognising this as a limitation, the low % did not significantly impact the validity of this analysis.

Findings

This section summarises the key findings on the perceived regulatory burden of registration with the OfS experienced by universities in England. These findings consolidate the responses received from the survey and the common themes that emerged through the in-depth interviews.

The key themes are:

1. Regulation in principle
    2. Aligned and effective delivery of regulation
    3. Resource and opportunity cost
    4. Risk based and nuanced regulation
    5. Sector-regulator relationship

1. The sector and regulatory burden

The sector agrees that regulation is necessary

Respondents agreed with the need for universities to be regulated. Many felt that the areas that OfS currently regulate, as set out in the conditions of registration, were broadly the right areas that universities should focus their efforts on. Furthermore, many of the regulatory requirements were activities that would be carried out regardless of if they were being regulated by the OfS.

Positive elements of regulatory approach

There were some positives highlighted regarding OfS' approach to regulation. The quality of OfS' data that providers have access to was seen as a positive development. Universities highlighted that it has supported them to take more data informed decisions and has enabled students to use the dashboards to take more informed decisions about how and where they study. OfS' approach during the Covid-19 pandemic, where some of the regulations were suspended and changes to them were paused, was also highlighted as an example of OfS proactively supporting the sector and taking a pragmatic approach to regulation.

Concerns with specific conditions

Although respondents generally endorse the underlying principles of the conditions of registration, they expressed concerns regarding potential regulations that are currently under consultation. While universities support the need to uphold freedom of speech, the political motivated nature of these discussions and the perceived absence of clear guidance on its practical implementation remain a concern for them. Regarding harassment and sexual misconduct, universities unanimously acknowledge the gravity of this issue, but respondents felt that proposed measures are unnecessary for effective resolution of the issues. In relation to the requirement for retention of student assessments for up to 5 years, respondents expressed confusion regarding the rationale behind this requirement. They also outlined concerns about the associated costs and feasibility, particularly in disciplines where students' work is predominantly physical in nature.

2. Aligned and effective regulation

Lack of clarity on regulatory timelines

Many universities felt that the OfS does not effectively communicate clear regulatory timelines to the sector. This lack of clarity and forward-view increases the regulatory burden by making it challenging for institutions to forecast the resource required to comply with the regulations and respond to consultations. One university felt that the recent communications from the OfS about their future plan of work was a welcome step in the right direction but it lacked the sufficient detail needed for universities to plan effectively for the next year.

It was also raised that the timelines to implement new regulatory requirements were not considered strategically and in many cases were too tight. One university highlighted the proposal for condition E6 (harassment and sexual misconduct), where providers would have three months from the consultation response date to be compliant; they felt that 12-18 months would be a more realistic timeframe, given the internal policy and process changes required to be compliant.

One university put OfS' approach in contrast to the approach taken by Research England in their consultation publication for Research Excellence Framework (REF) 2028. They felt that providers have much more certainty about the approach for REF and have been given a longer lead time to engage and respond.

Lack of alignment between OfS and other regulators

Concerns about the OfS' lack of clarity on timelines extended to alignment between OfS and other regulators universities engage with. This included Professional, Statutory and Regulatory Bodies (PSRBs) and Ofsted for those universities offering apprenticeship programmes. Respondents reported that there was additional burden created due to duplication and lack of a consistent approach to the data required, the format it needed to be presented in, and the timelines for collecting that data, between the OfS and other bodies. They felt that a more streamlined approach to data returns between OfS and other regulators would be beneficial.

Moderate alignment between regulatory burden and universities' strategies

Figure 3 summaries the extent that respondents considered OfS' regulatory activities to be aligned to the delivery of the university's strategy. 50% of universities that responded considered regulatory activities as moderately aligned to the delivery of their university's strategies, while 17% reported their activities are at least mostly aligned to their strategies.

Regulatory activities undertaken in alignment to the delivery of universities strategies

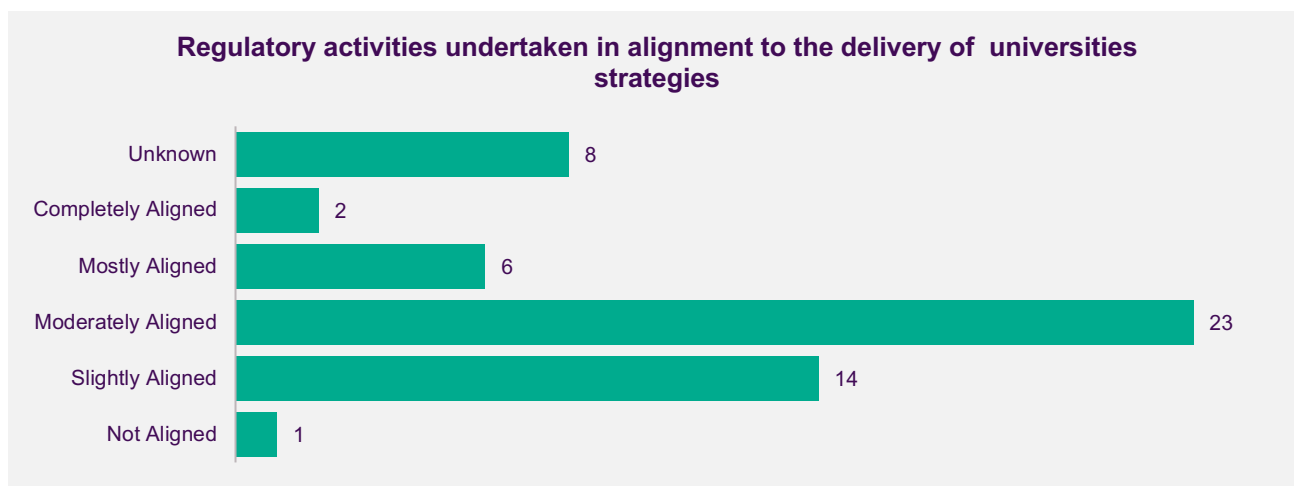| Category	Value
Unknown	8
Completely Aligned	2
Mostly Aligned	6
Moderately Aligned	23
Slightly Aligned	14
Not Aligned	1

Figure 3 Extent to which universities feel OfS regulatory activities to be aligned to the delivery of the university strategy

The extent of alignment varies across the university's portfolio. Respondents reported that whilst aspects such as maintaining quality and standards and ensuring financial sustainability closely align with the OfS regulatory framework, alignment is limited in areas such as research and knowledge exchange. Respondents reported that the prescriptive and specific nature of the OfS regulations hampers the university's flexibility in achieving its strategic objectives, adding to the burden. The prescriptive nature of data reporting and accountability returns was an example of this commonly cited by respondents.

Concerns about effective delivery of regulation

Respondents also raised concerns about the execution of the OfS' regulatory activities and the impact that had on increasing regulatory burden for universities. Concerns were raised about the lack of clarity on when consultations or guidelines are to be published; One university gave the example of being unclear, at the time of the interview, on when they would receive the 2023

National Student Survey (NSS) results. Where timelines were shared, respondents recounted examples of where these deadlines had been missed by the OfS. Universities explained that missed deadlines by the OfS cause additional burden when internal meetings and resources had already been aligned to the original timelines. Another university said that the OfS website is challenging to navigate with out-of-date versions of key documents still available. Participants attributed these execution concerns to a perceived lack of capacity at the OfS, and a misalignment between their regulatory ambitions and their ability to deliver against them.

3. Resource and opportunity cost

Significant resource required to meet regulatory requirements

Respondents reported significant resource implications of complying with the OfS' regulations due to considering them complex and burdensome. Responses indicated that many universities do not have a specific team solely dedicated to ensuring compliance with OfS regulatory requirements. Instead, compliance responsibilities are dispersed across various departments and individuals within the institution and are typically embedded within existing roles and teams.

Respondents reported there being resource implications at all levels of the organisation, up to the Governing Body. The time spent on OfS regulatory activities at different levels of the organisation are analysed per condition later in this report. Figure 4 presents the proportion of governing body time that respondents have estimated is allocated to ensure compliance with the OfS' regulatory requirements. The proportion of time varies considerably between institutions; with 48% of respondents indicating that up to 25% of Governing Body time was allocated to compliance with regulation, whereas 35% of respondents said it was between 25% and 50%.
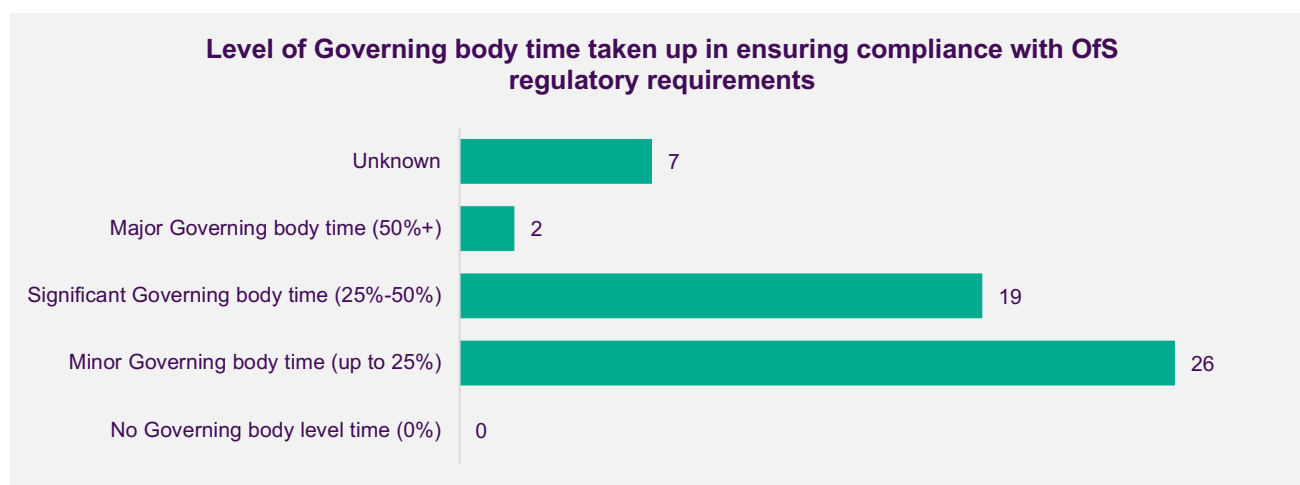

Figure 4 Level of governing body time taken up in ensuring compliance with OfS regulatory requirements.

Opportunity cost of regulatory burden

Respondents felt that there was an opportunity cost of complying with OfS regulations. They said a reduced regulatory burden would allow universities to have more time to focus on their core mission and strategic initiatives. Respondents did not call out specific activities that they had stopped because of OfS regulatory burden; one respondent said that staff were simply working longer hours. However, respondents did identify several areas where universities could redirect resource if the regulatory burden was reduced. These included improved teaching and learning, student support and improving student services, in addition to helping reduce staff workload. One university said that depending on the size of the reduction in burden, this could strengthen the financial sustainability by reducing costs at a time when rising costs and reducing income were putting pressure on university finances.

4. Risk based and nuanced regulation

Desire for a risk-based approach to regulation

The OfS was founded to be a risk-based regulator, but many respondents felt that this approach was currently lacking in practice. They attributed the lack of a risk-based approach to a considerable regulatory burden. For many respondents a risk-based approach presumes that most universities would be considered low risk, in relation to their compliance with the regulatory requirements. The impact of this would be that regulatory burdens would be lower. Based on the recent approach and language of the OfS, many felt that the OfS conducts itself as if the whole of the sector is a risk.

For example, many felt that more recent proposed changes, such as those in relation to freedom of speech and the harassment and sexual misconduct requirements, didn't sufficiently recognise the work that many institutions were doing in these areas already. Instead, it was perceived as presenting all universities as being at high risk and so undermining the risk-based approach. Providers felt that this lack of clarity about whether they were at risk or not was compounded by the fact that communication from the regulator was limited; this is covered in more detail in the theme relating to the working relationship with the OfS.

Respondents felt that OfS could use existing data better to assess levels of risk. This could include working collaboratively with other regulatory bodies, utilising some of their regulatory assurances. This would reduce the burden of having to prove compliance against the same conditions to multiple regulatory bodies. Ultimately, respondents also felt that a more risk-based approach would encourage them to strive for best practice beyond the minimum requirements.

Inadequacies of a one-size-fits-all approach to regulation

Respondents felt that the OfS currently adopts a one-size-fits-all approach to regulation, which doesn't take account of the diversity of the sector and creates additional regulatory burden. Respondents felt that mode of educational delivery, cohort and demographic of students, and institutional size should inform how the OfS carries out its regulation.

Smaller universities, in particular, felt that the OfS' approach to regulation did not account for their size. They explained that they don't have the same resources to draw down on as larger universities who typically have a larger staff pool to draw from to comply with regulatory requirements and respond to consultations. This resulted in a significant amount of the burden falling on a small number of key staff. The complexity and length of the consultation documents was also highlighted as a particular issue for smaller providers. While this was a concern across the sector, smaller institutions highlighted that they had fewer resources dedicated to responding to consultations. There were concerns raised that the documents were very lengthy and written in legalistic and inaccessible language which placed significant burden on those responsible for responding. This was in addition to concerns raised around the high volume of consultations and tight turnaround for consultation responses.

Requests for and obligations on data collection were also highlighted as a concern for smaller providers. Providers highlighted that ensuring that data is coded correctly on returns is a significant piece of work. While larger providers have business intelligence and analytics teams, smaller providers do not have access to the same resource but are still required to respond in the same way and timeframes as larger providers.

Some respondents felt that a perceived lack of higher education expertise in the OfS resulted in regulation without a clear understanding of the impact of the regulation on the sector, and in particular, smaller providers.

5. Sector-regulator relationship

Perceived absence of a constructive working relationship

The perceived lack of a productive relationship between OfS and the HE sector was a consistent theme from respondents. While participants support the need for regulation in principle and did not express opposition to the regulatory approach as set out in the Higher Education and Research Act 2017, many participants drew a sharp contrast between the OfS approach with that taken previously by the Higher Education Funding Council for England (HEFCE).

Participants emphasised that they felt the OfS has frequently sought to convey through informal means its intention to establish a distinct difference between itself and the HEFCE, thereby necessitating a different and more distant sector relationship. However, participants felt that this distance was damaging the relationship with the sector, creating unnecessary burden, and leading to less effective regulation. The participants expressed the opinion that the HEFCE's engagement approach, characterised by regional contacts, yielded more favourable outcomes across the sector. They did not believe that adopting a similar approach by the OfS would be inconsistent with the need for robust regulation.

Despite the re-introduction of named contacts at the OfS, providers perceived that the absence of engagement in the form previously experienced under HEFCE meant there were not opportunities to seek clarifications on regulatory requirements and consultations. They also felt that it impeded their ability to gain a deeper comprehension of the specific regulatory domains where their institution might be at greater risk, thereby hindering their capacity to prioritise and concentrate efforts accordingly.

Another example of the consequences of a lack of a good working relationship cited by respondents was in relation to reportable events. Many providers expressed that there was a lack of clear guidance concerning the parameters of a reportable event. However, they were reluctant to seek clarification as they were concerned this could potentially lead to being subjected to an investigation. An improved working relationship as well as clearer guidance was suggested by respondents as a way to address this.

In a broader context, many participants felt that the approach adopted by the OfS in engaging with the HE sector lacks open two-way communication. Instead of fostering a collective effort to enhance quality and standards, for example, the participants perceive the OfS as primarily focused on identifying institutional shortcomings and errors. While this is harder to quantify than the specific activities required to comply with regulatory requirements, many participants felt that this too was a burden of the regulatory approach which contributed to a negative and unproductive dynamic between the regulator and the sector. Consequently, some individuals noted a decline in staff morale and a diminishing appeal of senior-level positions within the sector. One participant shared their experience of attempting to involve the OfS in a sector-wide initiative, only to be met with rejection due to concerns surrounding the appropriateness of the regulator's involvement.

Lack of meaningful consultation

Many participants highlighted that they felt that the OfS' consultations were a foregone conclusion, with the sector's preferred options not given due consideration. This perception was further undermining the working relationship between the OfS and universities. Participants highlighted instances where the sector collectively had disagreed with an approach that the OfS then took forward regardless. Many respondents said that this contributed to the unnecessary burden. Respondents felt that this burden would be reduced, and the efforts seen as more worthwhile if their views were more readily considered and incorporated in the OfS approach.

Providers have taken different approaches in response to the challenges with consultations. In certain instances, providers have discontinued their participation in consultations, as they no longer perceive it as worthwhile to dedicate time and resources to offer their input. This reluctance stems from a lack of confidence in the OfS to truly acknowledge and consider their perspectives. Some universities contribute to their sector body's response and subsequently mirror the language used in

their own individual responses. However, some persist in providing their own independent responses. Although this latter group acknowledges that their views may not always be fully heard, they consider it important to respond to the consultations as a matter of principle.

Conditions of Registration breakdown

A breakdown of the survey findings is presented against each Condition of registration.

Condition A: Access and participation for students from all backgrounds

The main areas of focus for Condition A are:

Condition A1: Access and participation plan

Condition A2: Access and participation statement

Table 2 summarises the common activities that respondents said were required to fulfil the requirements of Condition A in the last academic year (2022/23).

Monitoring and Analysis	Planning and Reporting
• Collating and analysing internal and external Access and Participation Plan (APP) data • Continuous monitoring of progress towards APP targets • Analysis of new indicators and engagement with relevant internal working groups	• Reporting on progress and delivering against current APP targets • Consulting with senior staff to prepare updated APPs • Responding to APP related consultations by the OfS
Governance and Oversight	**Collaboration**
• Oversight/project management groups and individuals responsible for APP objectives • Convening of APP related committees, steering groups, and/or working groups, including student advisory panels	• Internal engagement and collaboration with various internal groups such as academic faculties, the Student Union, committees and the Board • Attendance at APP related internal and external briefings, meetings, events, conferences, and networking forums

Table 2 Activities required to fulfil requirements of Condition A in the last academic year 2022/23

Human resource burden

The distribution of data in Figure 5 shows a larger spread of FTE allocated to meeting the requirements of Condition A across officer/coordinator level (0 – 6 FTE) compared to manager/director level (0 – 4 FTE). However, the median FTE values are similar at both levels being around 1-2 FTE. The distribution of executive level FTE allocated to Condition A is small compared to the officer/coordinator and manager/director levels. There was little to no significant difference in the forecasted FTE in meeting the requirements of Condition A in 2023/24 compared to this year.
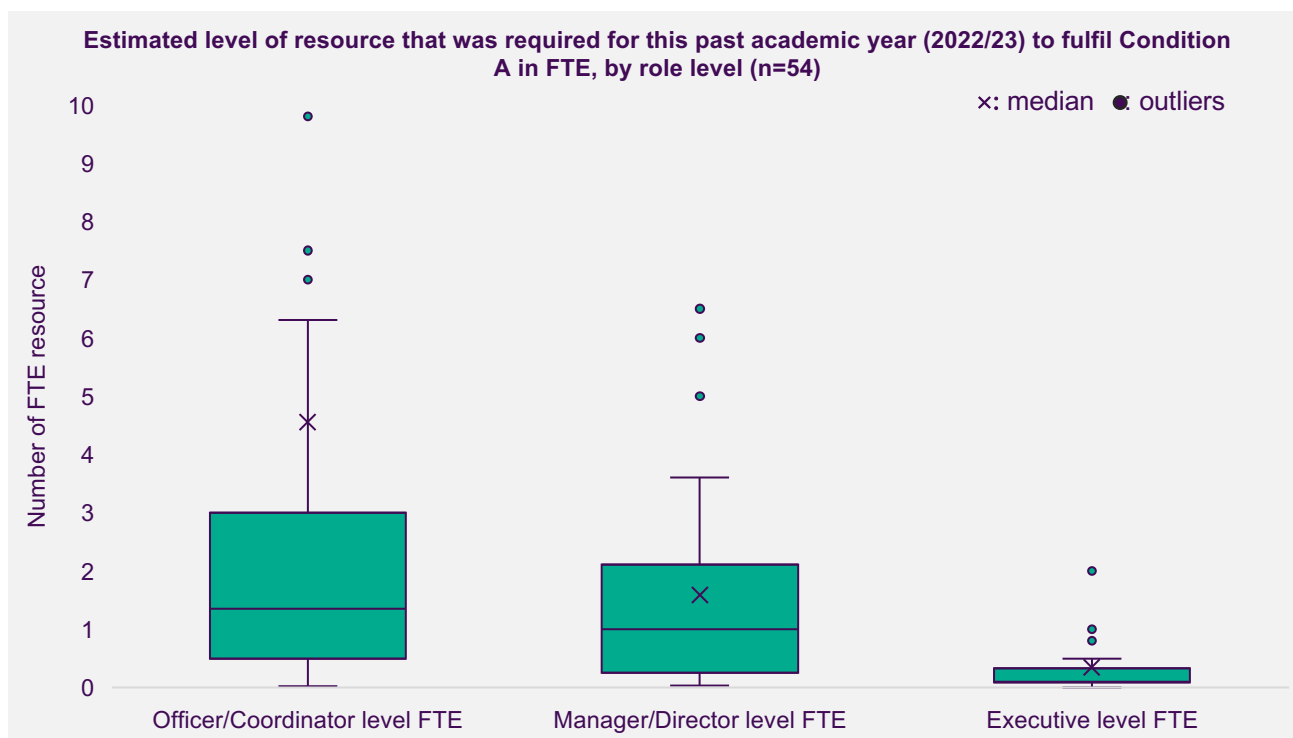
Estimated level of resource that was required for this past academic year (2022/23) to fulfil Condition A in FTE, by role level (n=54)

×: median ● outliers

Figure 5 Distribution of FTE that was required in the 2022/23 academic years to fulfil Condition A, by role level (n=54).

Access and participation plans burden

Respondents attributed a considerable part of the overall FTE for Condition A to meeting the Access and Participation Plans (APPs) requirements. They said that developing and managing APPs involved significant ad hoc staff resources and collaboration efforts across the institution, alongside dedicated roles. This considerable burden was due to the combination of the large number of activities involved (see Table 2 for list) and the uncertainty, altered timelines and lack of clear information on requirements from the OfS.

Respondents said that the development and management of APPs create conflicting priorities with administrative and academic obligations throughout the academic year since widening participation activities span teams across the university. This also diverts attention away from activities that directly enhance the student experience.

Financial resource burden

The costs that respondents attributed to meeting Condition A were mainly external costs, such as legal or consultancy support, and training, conferences, and temporary staff. The cost ranged significantly; one university estimated £1,500 for conferences and training; another £35,000 for external consultancy support and another c.£150,000 for external audit costs.

Assessment of burden compared to benefits

Respondents reinforced their commitment to the access and participation agenda, highlighting that it is a priority for the institution. Some universities felt that the APP framework was not the most effective way to achieve OfS' intended outcomes in this area. The regulatory requirements are seen as complex and burdensome, imposing additional resource burdens on universities. Universities have well-established processes in place to review their performance against strategic KPIs which are different to those required of the APP and navigating OfS datasets around access and participation is time consuming.

40% of universities feel the cost outweighs the benefit for complying with Condition A, while another 40% find the cost balanced with the benefit.

Condition B: Quality, reliable standards, and positive outcomes for all students

The main areas of focus for Condition B are:

Condition B1: Academic experience

Condition B2: Resources, support and student engagement

Condition B3: Student outcomes

Condition B4: Assessment and awards

Condition B5: Sector-recognised standards

Condition B6: Teaching Excellence Framework (TEF) participation

Condition B7: Quality (for new applicants to the register only)

Table 3 summarises the common activities that respondents said were required to fulfil the requirements of Condition B[1] in the last academic year (2022/23).

Compliance and Regulatory Requirements	Governance and Stakeholder Engagement
• Mapping current processes to B Conditions • Keeping up with publications, changes to conditions, and expectations • Internal and external audits, risk assessment, performance review, strategic oversight, as well as data collection, analysis and reporting to comply with new measures and data requirements	• Participating in and reporting to various governance oversight committees relating to TEF • Working with various teams, academic leaders and external stakeholders to distribute new metrics • Conducting student and apprentice surveys, focus groups, and analysing NSS data to understand student satisfaction, followed by development of improvement plans
Quality Assurance	**Teaching Excellence Framework (TEF)**
• Internal review, refresh of quality frameworks, policies and processes to ensure compliance • Collection, analysis and reporting of outcomes data for B3 Conditions • Monitoring and reviewing of Annual Quality & Standards Report • Mapping internal quality activities back to Condition B requirements	• Responding to consultations and familiarization with new requirements for the TEF metrics • Evaluating data, drafting TEF submission, and committee oversight • Preparation of the TEF submission as an all-university activity

Table 3 Activities required to fulfil requirements of Condition B in the last academic year 2022/23

[1] The survey did not collect data on B7 and B8 as those are for new applicants to the register only

Human resource burden

Figure 6 summarises the estimated FTE allocation in meeting Condition B requirements in academic year 2022/23. Submission to the Teaching Excellence Framework (TEF) was reported as a significant task to comply with by the survey respondents. This, alongside the number of sub-conditions under this Condition could explain the higher FTEs across all levels compared to other conditions

Level of resource that was required for this past academic year (2022/23) to fulfil Condition B in FTE, by role level (n=x)

×: median ●: outliers

Number of FTE resource (y-axis: 0, 2, 4, 6, 8, 10, 12, 14)

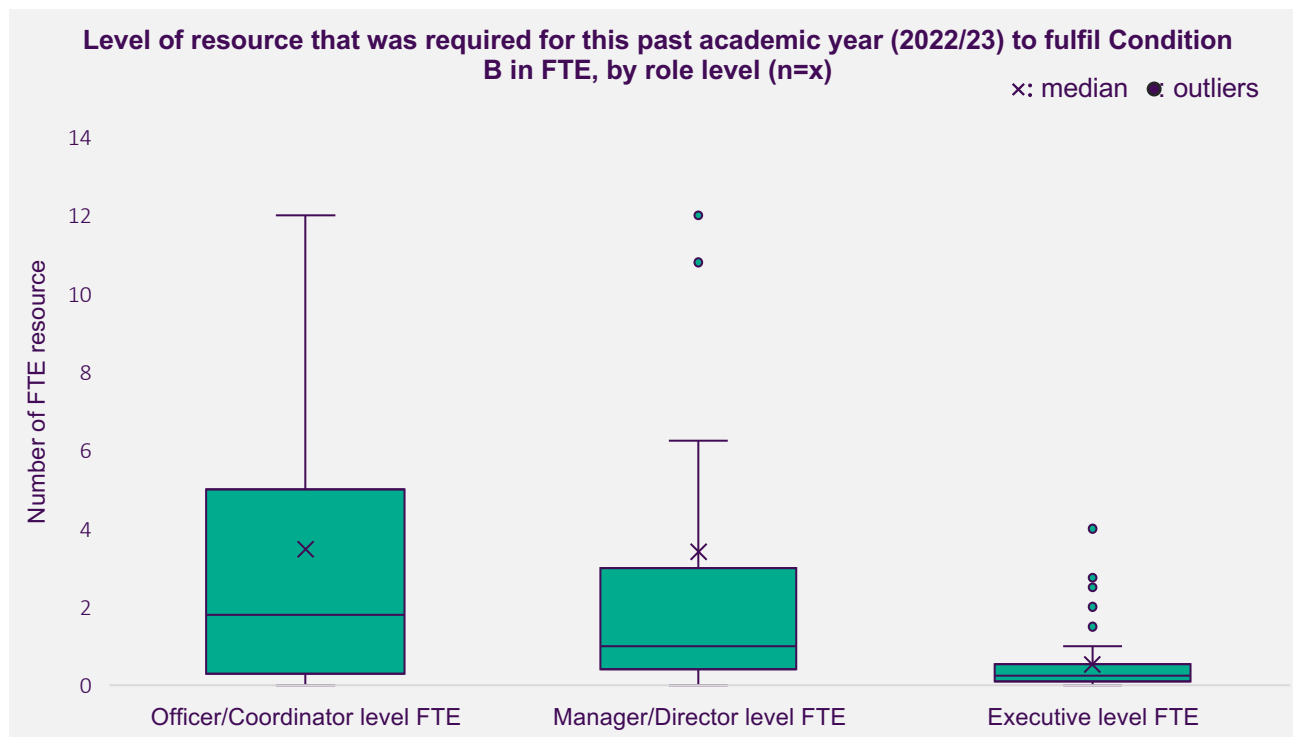Officer/Coordinator level FTE — Manager/Director level FTE — Executive level FTE

Figure 6 Distribution of FTE that was required in the 2022/23 academic years to fulfil Condition B, by role level (n=54).

Respondents reported that tight timelines and new requirements under Condition B were impacting universities' processes, leaving limited resources for enhancement activities. Some universities are also investing in digital systems to streamline compliance. For B3 in particular, respondents welcomed the additional focus on student outcomes, but expressed concerns about the administrative burden it creates. Respondents did highlight that many of these activities would have been undertaken anyway as part of good practice in quality assurance and enhancement, but this Condition has added an additional layer of scrutiny and accountability requiring them to invest additional time and resource in ensuring compliance. TEF posed additional challenges as academic staff time was needed to contribute to the requirements alongside business as usual (BAU) activities, straining their workload throughout the academic calendar.

Comparing the estimated FTE in meeting Condition B this academic year to next, respondents are forecasting minimal change at Officer/Coordinator level but an increase in FTE at manager/director level. Respondents highlighted that despite no TEF exercise forecast for next year, ongoing work on quality assurance and enhancement will continue as well as the ongoing monitoring of TEF metrics. Uncertainty on resource required for Condition B4 was also highlighted by respondents; they felt that additional resource would be required to fulfil the proposed retention of student assessed work including costs relating to exam script storage and digital storage. Overall, many institutions were uncertain about the precise level of resource required for the next academic year given the scale of the B conditions

Financial burden

Universities referenced additional financial burden through external consultancy and legal advice to understand the requirements and provide additional assurance to Condition B, as well as attendance at external conferences and training courses. Some universities also referenced

external examiner costs for the purpose of assuring that academic standards were compliant with B4. One university paid £8,000 for external consultancy support to facilitate preparation of the TEF return; another c.£250,000 per year in fees for external examiners and associated administration.

Assessment of burden compared to benefits

Universities who felt that the activities required for this Condition were not the most effective way of achieving the required outcomes. They attributed this to the high level of activities required as seen in Table 3, drawing attention away from BAU activities during term time. However, most universities agreed that there is a need for high level of quality and standards for students, regardless of regulation.

Overall, 57% of universities feel the cost of regulation outweighs the benefits of fulfilling with Condition B, while 27% feel the costs are balanced by the benefit.

Condition C: Protecting the interests of all students

The main areas of focus for Condition C are:

Condition C1: Guidance on consumer protection law
Condition C2: Student complaints scheme
Condition C3: Student protection plan (SPPs)
Condition C4: Student protection directions (SPDs)

Table 4 summarises the common activities that respondents said were required to fulfil the requirements of Condition C in the last academic year (2022/23).

Compliance with Consumer Protection Law (CPL)	Cooperation with the Office of the Independent Adjudicator (OIA)
• Reviewing and updating contractual documents, student-facing documents, and webpages in line with the CPL • Ongoing monitoring and reviewing of complaints related to the CPL, and liaising with current and prospective students • Designing and reviewing marketing materials to comply with the CPL	• Managing and responding to student complaints in line with OIA guidelines • Reviewing and updating the Student Complaints Procedure and associated guidance • Liaising with the OIA in relation to escalated student complaints
Updating Student Protection Plans (SPPs)	**Governance and internal processes**
• Conducting an annual review and update of the SPPs. • Reviewing and ensuring inclusion of subsidiary organisations, collaborative partnerships, and vocational qualifications in the SPP	• Creating and updating risk registers • Governance reporting to demonstrate compliance • Building capability in various teams to deal with requirements related to consumer protection • Internal audits on compliance with C Conditions

Table 4 Activities required to fulfil requirements of Condition C in the last academic year 2022/23

Human resource burden

FTE resource data provided by universities for Condition C (Figure 7) shows a similar distribution as Conditions A and B.

Level of resource that was required for this past academic year (2022/23) to fulfil Condition C in FTE, by role level (n=x)
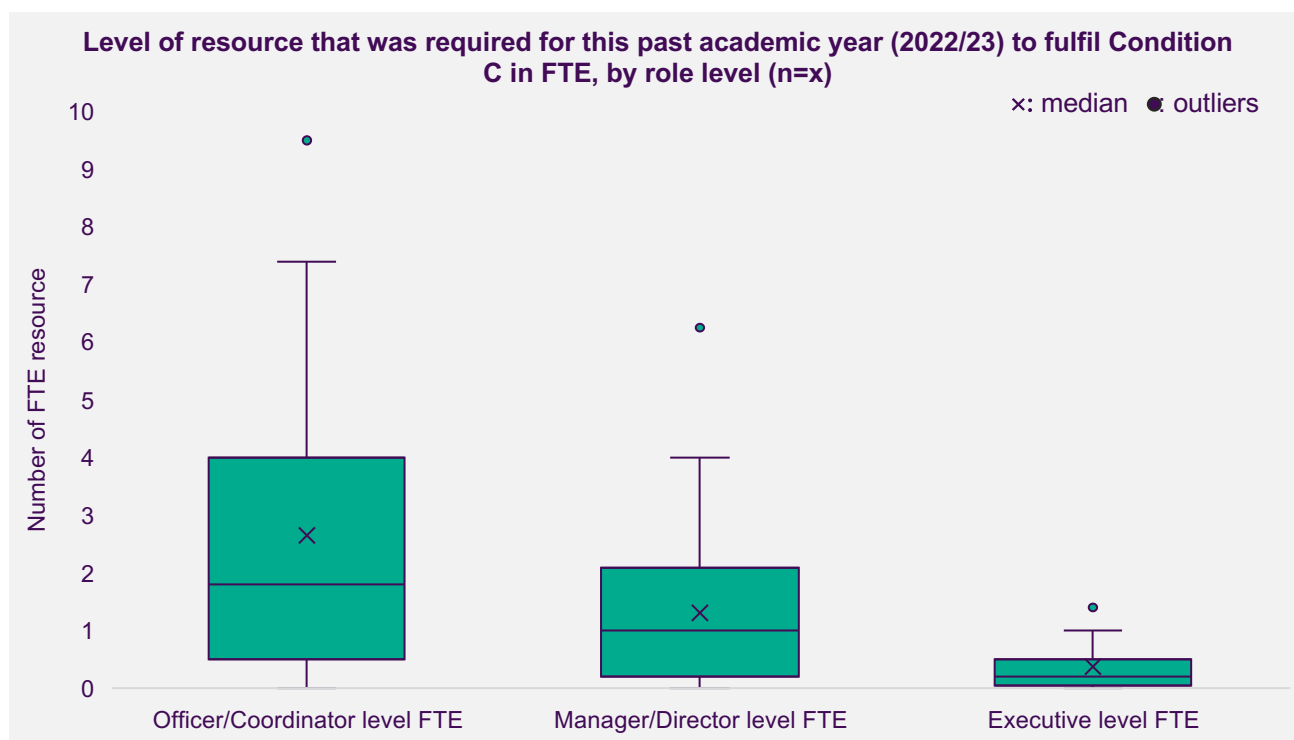

Figure 7 Distribution of FTE that was required in the 2022/23 academic years to fulfil Condition C, by role level (n=54).

Respondents indicated that whilst activities required to fulfil Condition C involve input from many roles across the university, specific roles and functions make up most of the FTE resources shown in Figure 7. These include marketing, academic registrars, student experience, complaints, and quality related roles.

Most universities expect the burden against Condition C to remain similar for next academic, with three universities are dedicating more resource to this Condition to better equip themselves. However, universities said significant additional resource would be required if new conditions regarding sexual misconduct and harassment, and freedom of speech are introduced.

Financial burden

50% of universities reported that they incurred external costs in meeting the requirements of Condition C. These costs were for legal fees to provide advice relating to OIA cases, reportable events and compliance with this Condition throughout the academic year. One university said legal advice on student complaints can vary between £5,000 to £40,000 a year; another estimated their legal costs at £400,000 a year.

Assessment of burden compared to benefits

The volume of administrative activities is seen by many universities as burdensome, and consultations are also seen to be a significant contributor to the regulatory burden in relation to this Condition. 43% of universities currently feel the costs of complying to Condition C is balanced by the benefit it brings. However, 33% feel the cost currently outweighs the benefit.

Condition D: Financial sustainability

The main areas of focus for Condition D are:

Condition D: Financial viability and sustainability

Table 5 summarises the common activities that respondents said were required to fulfil the requirements of Condition D in the last academic year (2022/23).

Financial Reporting and Compliance	Financial Planning and Analysis
• Monthly and quarterly financial performance reporting • Preparation and delivery of Transparent Approach to Costing (TRAC) returns, Higher Education Statistics Agency (HESA) student number reporting, capital grant reporting, annual financial returns (AFRs), and Capital Monitoring returns	• Monthly monitoring and forecasting of cash flow • Financial sustainability planning through input from various colleagues across the institution • Medium to long term financial forecasting and planning • Enhancements to financial reporting and analysis • Data review and validation
Risk Management and Governance	**Collaboration and Stakeholder Engagement**
• Stress testing, scenario modelling, and risk management • Modelling financial risks and opportunities • Development and implementation of risk frameworks as well as assurance frameworks to identify and proactively mitigate existing and potential risks • Review and sign-off of returns by Governance boards	• Collaboration with other institutions on sector-wide issues affecting financial sustainability • Academic and professional services planning processes for student numbers and resource requirements • Involvement of various teams, including Finance, Strategy, Senior Leadership, Governance, Compliance, Planning, and Analytics to support with annual reporting

Table 5 Activities required to fulfil requirements of Condition D in the last academic year 2022/23

Human resource burden

The distribution of FTE resource dedicated to fulfilling the requirements of Condition D (Figure 8) are smaller compared to Conditions A and B, C. 7% of respondents envisaged an increase in resource for the next academic year.

Most of the Condition D activities are fulfilled by finance, planning or data teams as part of their core responsibilities. Therefore, the D Conditions are seen less as an additional regulatory burden than the other Conditions. Annual data and financial returns are approached as core BAU activities, regardless of regulation. Therefore, there is relatively minimal additional activity that is required in meeting OfS regulations. However, the current timelines established by the OfS for the financial returns place a significant burden on workload, particularly at the start of the autumn term.
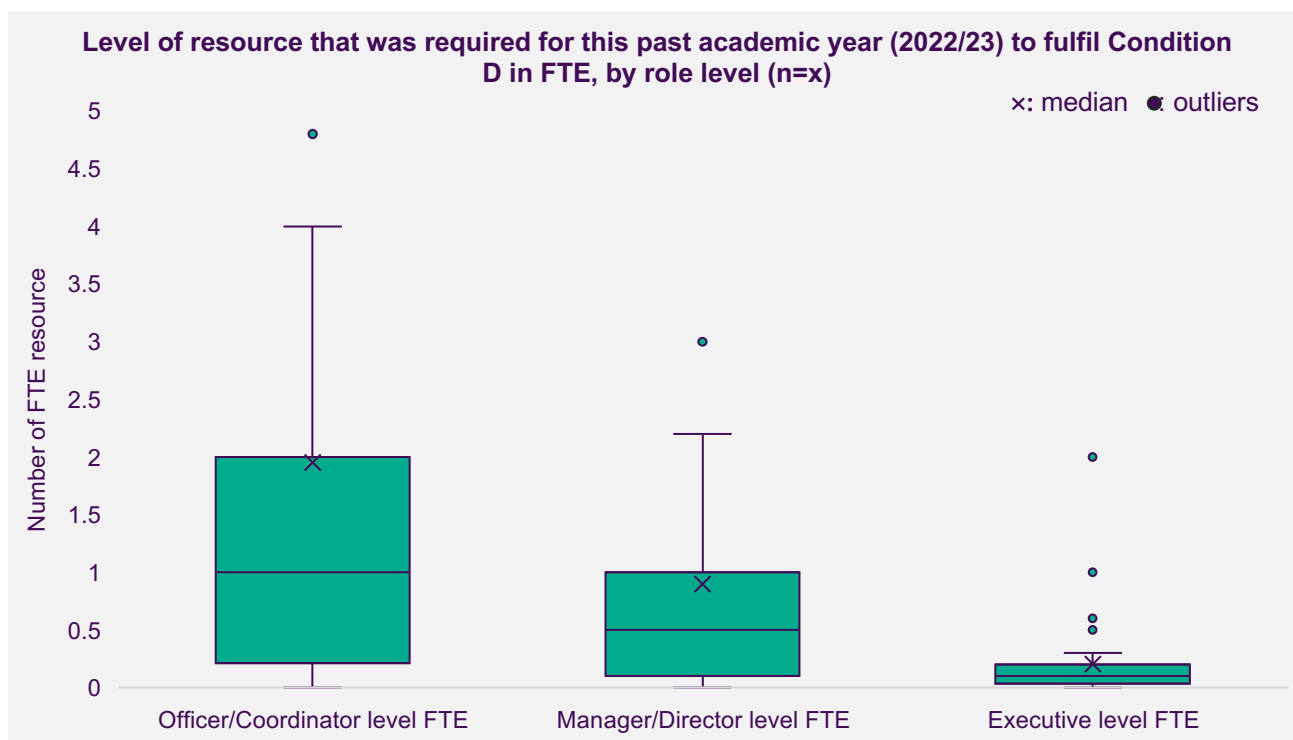
Level of resource that was required for this past academic year (2022/23) to fulfil Condition D in FTE, by role level (n=x)

×: median ● outliers

Figure 8 Distribution of FTE that was required in the 2022/23 academic years to fulfil Condition D, by role level (n=54).

Financial burden

Universities reported costs associated with occasional external auditing of their Transparent Approach to Auditing (TRAC) returns, internal auditing and external auditing fees of financial statements. For one university external auditing of TRAC returns was £9,000; for another university, internal auditing fees were £10,000; for two universities, external auditing fees for financial statements were £150,000.

Assessment of burden compared to benefits

Universities who agreed that the activities required for this Condition were an effective way of achieving the intended outcomes felt most of the financial activities are BAU activities which they would continue regardless of regulation.

However, those who disagreed attributed this to the methodology and timeline for OfS to request data being burdensome. There was also feedback of duplication in providing similar but different financial returns to other regulators throughout the academic year. The level of granularity, or detail, in the data required for submission was highlighted several times as a source of additional burden.

While the perceived burden of Condition D is lower compared to other Conditions, 40% of universities said the cost of the burden outweighs the benefits. However, 40% said that the cost of regulation balances the benefit.

Condition E: Good governance

The main areas of focus for Condition E are:

Condition E1: Public interest governance

Condition E2: Management and governance

Condition E3: Accountability

Condition E4: Notification of changes to the Register

Condition E5: Facilitation of electoral registration

Table 6 summarises the common activities that respondents said were required to fulfil the requirements of Condition E in the last academic year (2022/23).

Compliance Monitoring and Reporting	Governance Documentation and Review
• Monitoring and review of institutional compliance with all conditions of registration • Mapping conditions of registration to relevant committees across the institution • Internal audits to test preparedness for compliance and provide assurance to the Board	• Preparation of compliance reports with evidence for each condition of registration • Corporate Governance Statement review and inclusion in the annual report • Briefings on changing regulatory conditions and consultations to the Governance Board
Communication and Engagement	**Training and Support**
• Regular monitoring of the OfS communications and circulating internal changes affecting governance to inform wider stakeholder groups • Regular update meetings of internal OfS working groups, or equivalent, on briefings, and updates on regulatory developments	• Training provided to all Governing Body members and relevant staff such as committees, academic board, and responsible individuals on the OfS regulations • OfS' Conditions of registration introduced during the induction process for new Governors and senior leaders joining the institutions

Table 6 Activities required to fulfil requirements of Condition E in the last academic year 2022/23

Human resource burden

The distribution of FTE resource required to comply with Condition E is lower than for other conditions (Figure 9). There are minimal differences in FTE resource requirement across the 3 different role levels, compared to other Conditions where higher FTE was reported for Officer/Coordinator than the other two levels.

Most of the responsibilities for fulfilling the activities in Condition E currently sits within university secretary, compliance, policy, or governance related roles where universities typically have one individual in post. As seen with Condition D, many of the activities required to fulfil this Condition are considered as BAU activities in ensuring good governance which would be delivered regardless of regulation.

Level of resource that was required for this past academic year (2022/23) to fulfil Condition E in FTE, by role level (n=x)
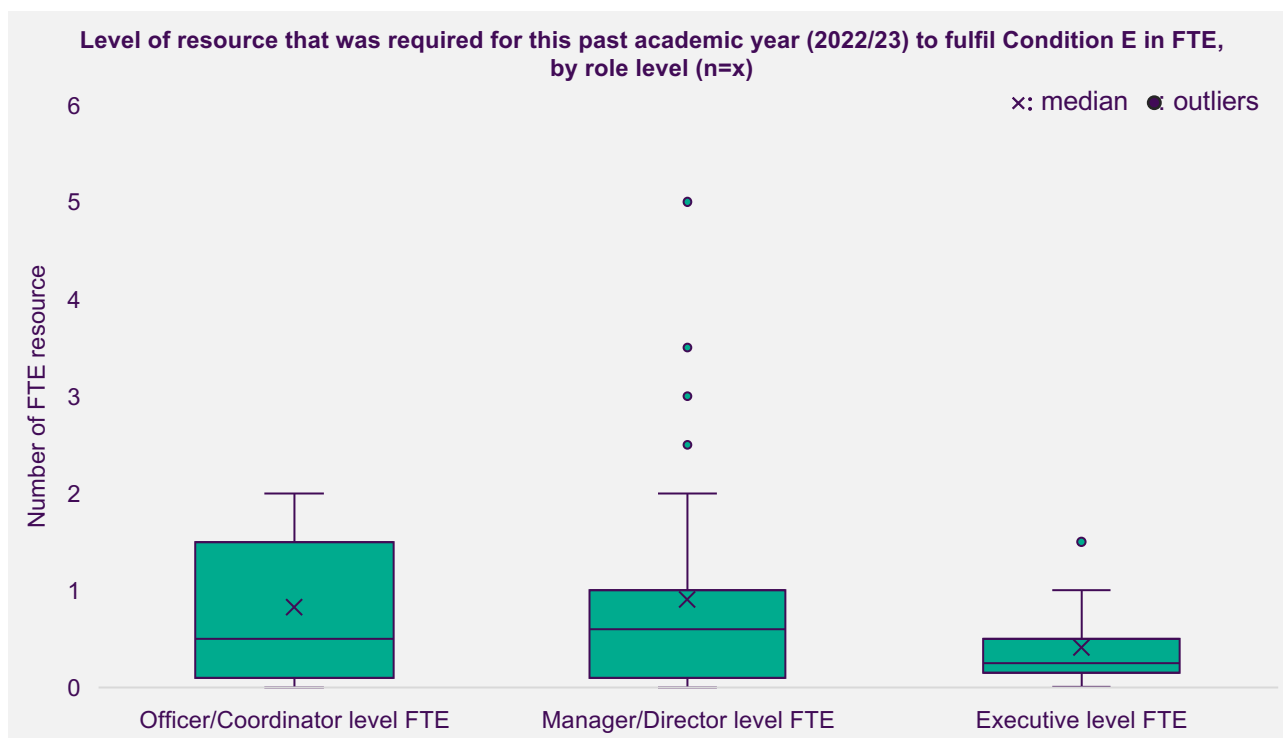
Figure 9 Distribution of FTE that was required in the 2022/23 academic years to fulfil Condition E, by role level (n=54).

Universities are forecasting an increase in FTE resource at Officer/Coordinator level in anticipation of new reporting requirements that will be introduced in line with the Freedom of Speech Act.

Financial burden

The main financial costs were attributed to external costs on ad-hoc consultancy or legal support. For one university, adhoc legal advice cost £13,000; for another, legal advice on the proposed E6 condition cost £6,000; for another, support to implement the effectiveness review recommendations cost £57,000.

Assessment of burden compared to benefits

While universities agree with the principles of Condition E, the forecasted increase to meet the new freedom of speech requirements was the main reason for disagreeing with the current approach. 46% of universities currently feel the cost of regulation for Condition E is balanced by the benefit, while 43% feel the costs outweighs the benefit.

Condition F: Information for students

The main areas of focus for Condition F are:

Condition F1: Transparency information

Condition F2: Student transfer arrangements

Condition F3: Provision of information to the OfS

Condition F4: Provision of information to the designated data body (DDB)

Table 7 summarises the common activities that respondents said were required to fulfil the requirements of Condition F in the last academic year (2022/23).

Data Management and Compliance	IT Systems and Processes
• Coordination and development of various data returns, surveys, and reports • Data collation and submission to the DDB and the Higher Education Statistics Agency (HESA) • Data quality and governance framework development	• Internal preparation for the implementation of HESA Data Futures programme • Development of the student records system for valid and timely returns • IT upgrades and engagement with software suppliers

Stakeholder Engagement	Cross-functional Collaboration
• Internal training on data and external returns • Communication of relevant policies to staff and data owners • Collaboration with the Designated Data Body (DDB) • Collaboration with external examiners for transparency return requirements	• Collaboration with various teams and departments for successful implementation of the Data Futures programme • Coordination and management of all student returns • Internal engagement for audits and consultations

Table 7 Activities required to fulfil requirements of Condition F in the last academic year 2022/23

Human resource burden

As seen in Figure 10, varying levels of FTE resource data were reported for Condition F, with the highest median at Officer/Coordinator level. The introduction of the Data Futures programme has required additional resource.

The costs and challenges associated with fulfilling the requirements of Condition F, focused on the activities of data collection and visualisation, and reporting attributed to the Data Futures programme.

Level of resource that was required for this past academic year (2022/23) to fulfil Condition F in FTE, by role level (n=x)

×: median ● outliers
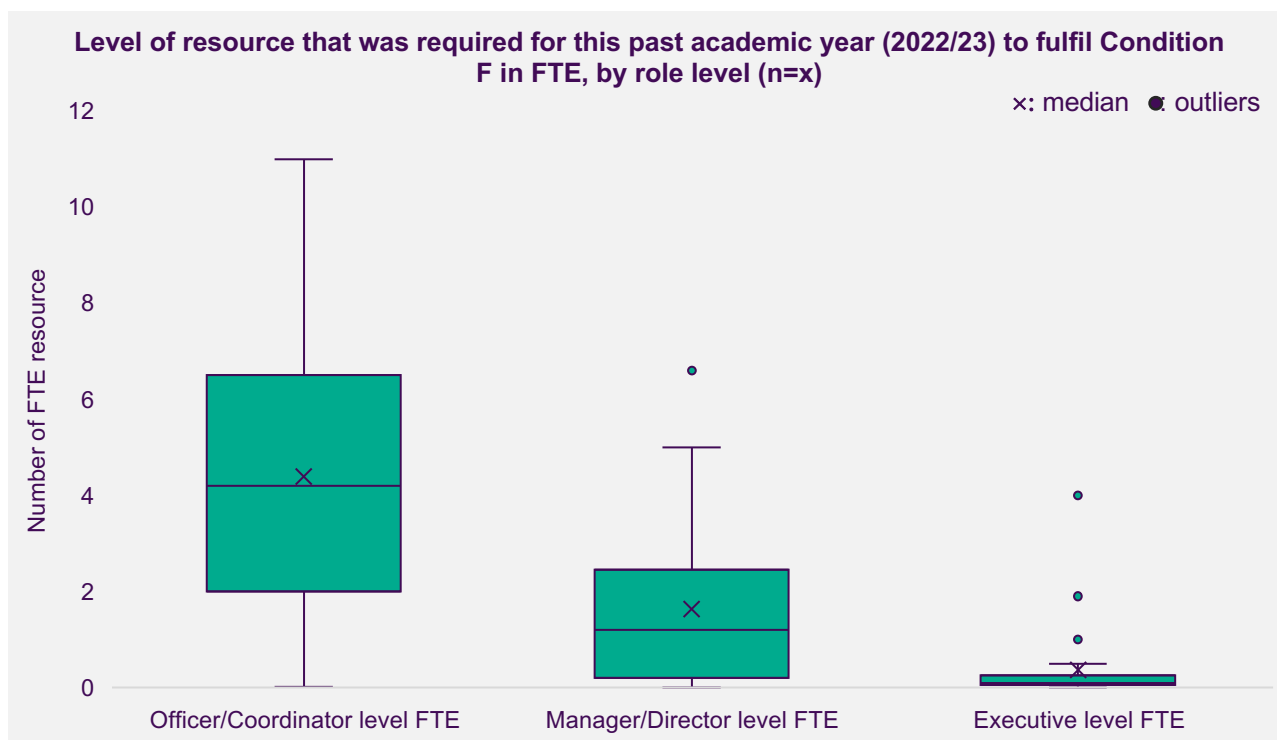
Number of FTE resource

Figure 10 Distribution of FTE that was required in the 2022/23 academic years to fulfil Condition F, by role level (n=54).

While much of the responsibilities for complying with Condition F lie with the IT related teams, consultations and HESA audits have required many areas of the universities to divert attention to these activities.

Only 1% of universities are forecasting a larger FTE for next academic year, especially at Officer/Coordinator and Manager/Director level for compliance with this Condition. However, 16% of universities forecasted a reduced FTE resource at Officer/Coordinator level as short-term project teams are no longer needed to deliver the roll out and implementation of the Data Futures programme. However, many universities reported that they were not able to forecast as this was dependent on the roll out of Data Futures.

Financial burden

50% of universities have allocated external financial resource in complying with Condition F. These costs were attributed to IT consultancy, training, software auditing, and legal support. For one university, specialist external consultancy costs were around £25,000; for another it was £60,000.

Assessment of burden compared to benefits

Respondents who felt that this approach was not the most effective way of achieving the outcomes of the Condition attributed this to additional administrative burden, perceived lack of clarity, and high resource allocation that is required for the Data Futures programme. Universities highlighted a need for streamlining processes and reducing unnecessary data collection to achieve a better balance between complying with Condition F and BAU activities.

Overall, 26% of universities currently feel the cost of regulation is balanced by the benefit and 48% reported that the cost outweighs the benefits in relation to the F Conditions.

Condition G: Accountabilities for fees and funding

The main areas of focus for Condition G are:

Condition G1: Mandatory fee limit

Condition G2: Compliance with terms and conditions of financial support

Condition G3: Payment of OfS and designated body fees

Table 8 summarises the common activities that respondents said were required to fulfil the requirements of Condition G in the last academic year (2022/23).

Financial Compliance and Reporting	Funding and Grant Management
• Providing annual fee information to the OfS and UKRI • Undertaking financial accounting in line with external audit requirements • Approval and payment of the OfS and designated body fees	• Monitoring and reporting on the OfS capital grants, teaching grants and UKRI research grants • Reviewing and ensuring compliance with funding terms and conditions • Meeting compliance requirements related to funding assurance audits
Governance and Policy	**Stakeholder Engagement**
• Reviewing and discussing fee proposals and changes in committees • Reviewing post-graduate research (PGR) conditions and fees through dedicated committees • Regular fees and scholarship offer review through dedicated committees	• Ensuring understanding and compliance with funding use across teams • Supporting the completion of annual fee limit returns involving various teams • Participating in fees committees and ensuring compliance with regulations • Responding to consultations by the OfS and UKRI

Table 8 Activities required to fulfil requirements of Condition G in the last academic year 2022/23

Human resource burden

Largely the activities relating to the G Conditions are approached as part of BAU activity by universities. Therefore, FTE resource allocated to complying with the G Conditions are relatively low compared to other conditions across the different levels as seen in Figure 11. Universities forecast minimal change in FTE resource for the next academic year to fulfil activities required in Condition G.
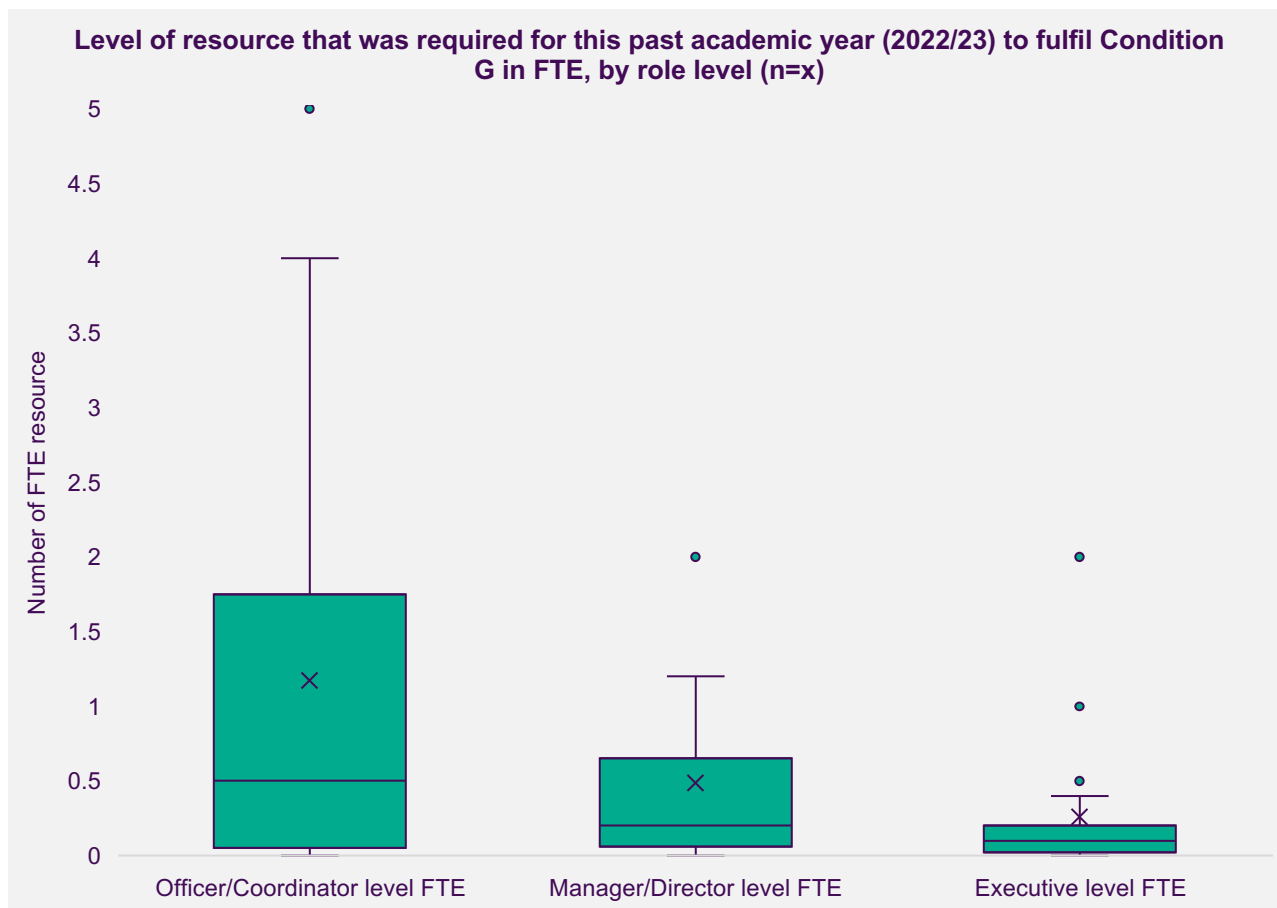
Level of resource that was required for this past academic year (2022/23) to fulfil Condition G in FTE, by role level (n=x)

Figure 11 Distribution of FTE that was required in the 2022/23 academic years to fulfil Condition G, by role level (n=54).

Financial burden

Beyond the registration fees to OfS and the Higher Education Statistics Agency (HESA), most universities did not have external costs associated with this condition. Where they did, external costs associated to Condition G were spent on legal, consultancy, and auditing support.

Assessment of burden compared to benefits

The OfS registration fees have been highlighted as a significant, if not the main source of burden in relation to Condition G, especially for smaller and specialist universities. Respondents accept that the Conditions are a price to access grants and feel there is minimal activity required. However, some smaller institutions highlighted a significant burden due to their limited resources and the disproportionate number of activities required to access even small amounts of funding.

Overall, 35% of universities said the cost of regulation is balanced by the benefits in relation to Condition G, 15% said the benefits outweigh the cost, and 22% that cost outweighs the benefits.

Comparison across conditions

Using the self-reported data provided, we estimate that the average university has an FTE of 17.6 dedicated to regulatory compliance to fulfil all OfS requirements. This is the sum of the median average across each condition, and the figures vary depending on size of institution. In total, across

all UUK members in England, this would equate to an estimated 128 FTE at Executive level, 638 FTE at Manager/Director Level and 1,289 at Officer/Coordinator level dedicated solely to regulatory compliance. Given universities typically don't have dedicated regulatory teams, these FTEs would be distributed across roles undertaking wider responsibilities.

Figure 12 shows how the median FTE dedicated to regulatory compliance varies by size of university. There is little difference in median FTE between universities with less than 10,000 students and those with 10,000 – 20,000 students. However, there is a clear difference in the median level of resource in institutions with over 30,000 students (a median of 25.8 FTE).

Median FTE dedicated to regulatory compliance by size of university
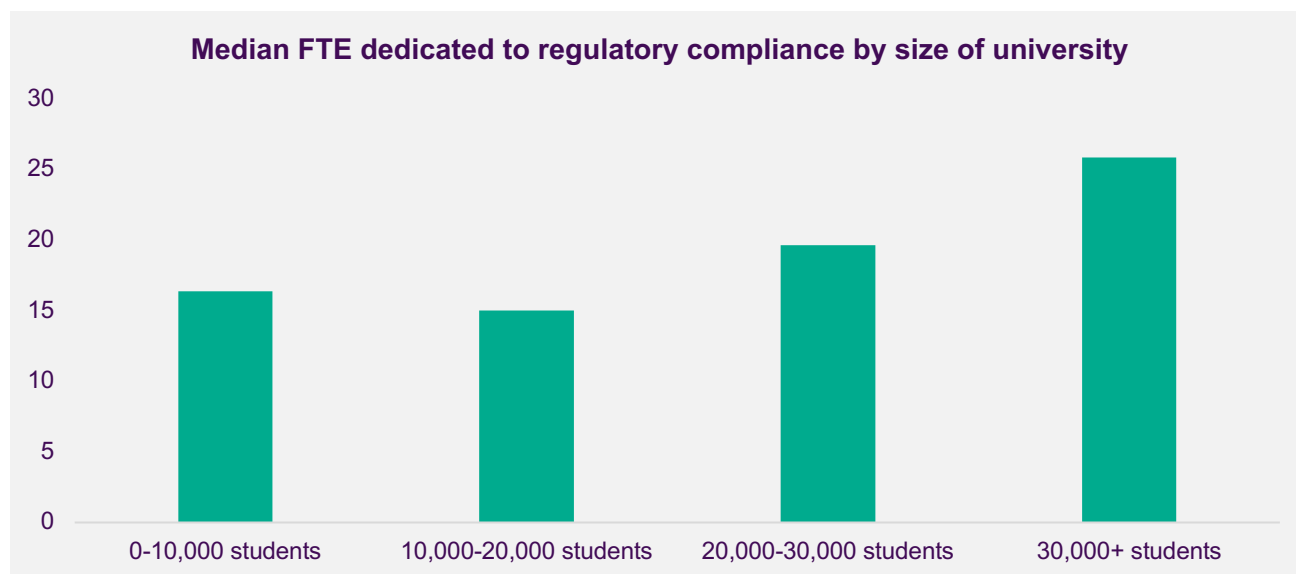
Figure 12 Median level of resource that was dedicated to regulatory compliance in the past academic year (2022/23) to fulfil all OfS conditions, split by number of students

In addition, of those that responded, 45% of universities say that regulation takes up a significant or major proportion of governing body time, and on average, 41% of universities felt that the costs of regulation outweighed the benefits; 34% felt that the costs and benefits were balanced.

Figure 13) shows the median level of resource that was required for the past academic year (2022/23) to fulfil each OfS condition, by role level. The data shows that Executive level and Manager/Director FTE remains fairly consistent across all Conditions, there is variation in the Officer/Coordinator level, with compliance with Condition F requiring more FTE than others.

Median level of resource that was required for the past academic year (2022/23) to fulfil all OfS conditions by role level
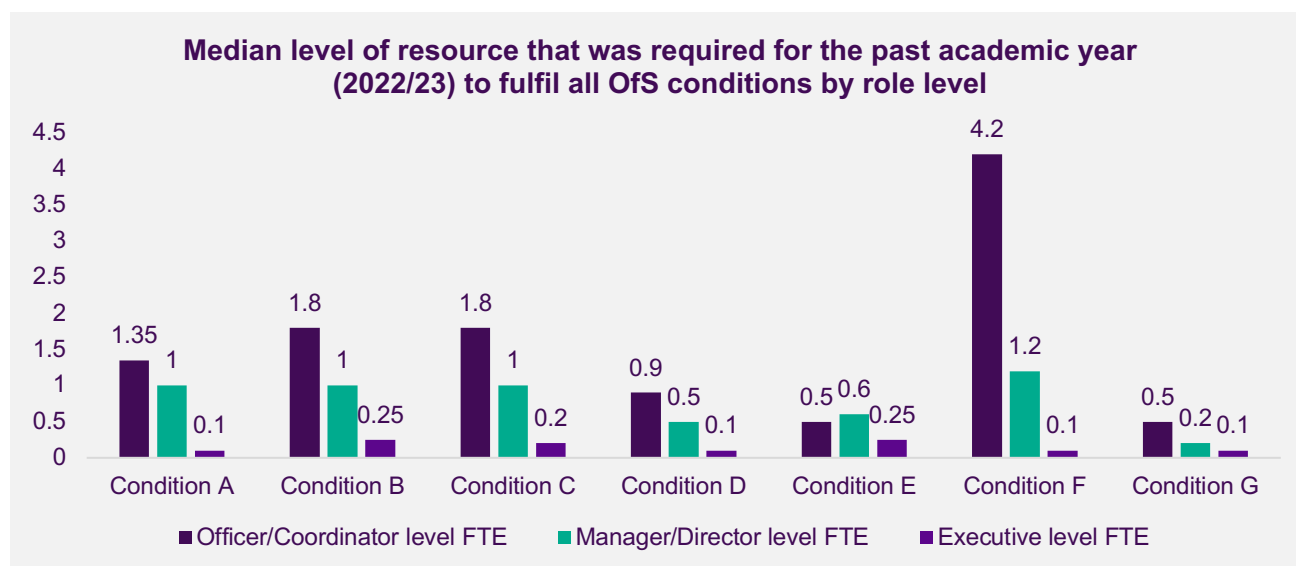
Figure 13 Median level of resource that was required for the past academic year (2022/23) to fulfil all OfS conditions by role level.

Figure 14 shows the responses when survey respondents were asked about the balance between the cost and benefit for universities in complying with each of the Conditions of registration. The data shows that for Conditions B, D and F, the cost outweighs the benefit of complying with the condition of registration. For conditions A, C, E and G there was a broad balance between those agreeing that the cost outweighed the benefit and those who said the cost is balanced by the benefit.

Figure 14 Responses when asked about the balance between cost and benefit for universities in complying with each condition of registration.

Regulatory landscape in other regulated sectors

Moorhouse Consulting has drawn on its expertise across a range of regulated sectors to provide a high-level overview of the regulatory landscape, the resource requirements for regulatory compliance, and the perceived burden in the Communications; Financial Services; Health; Pharmaceutical; and the Energy and Utilities sectors.

Communications

Regulatory landscape

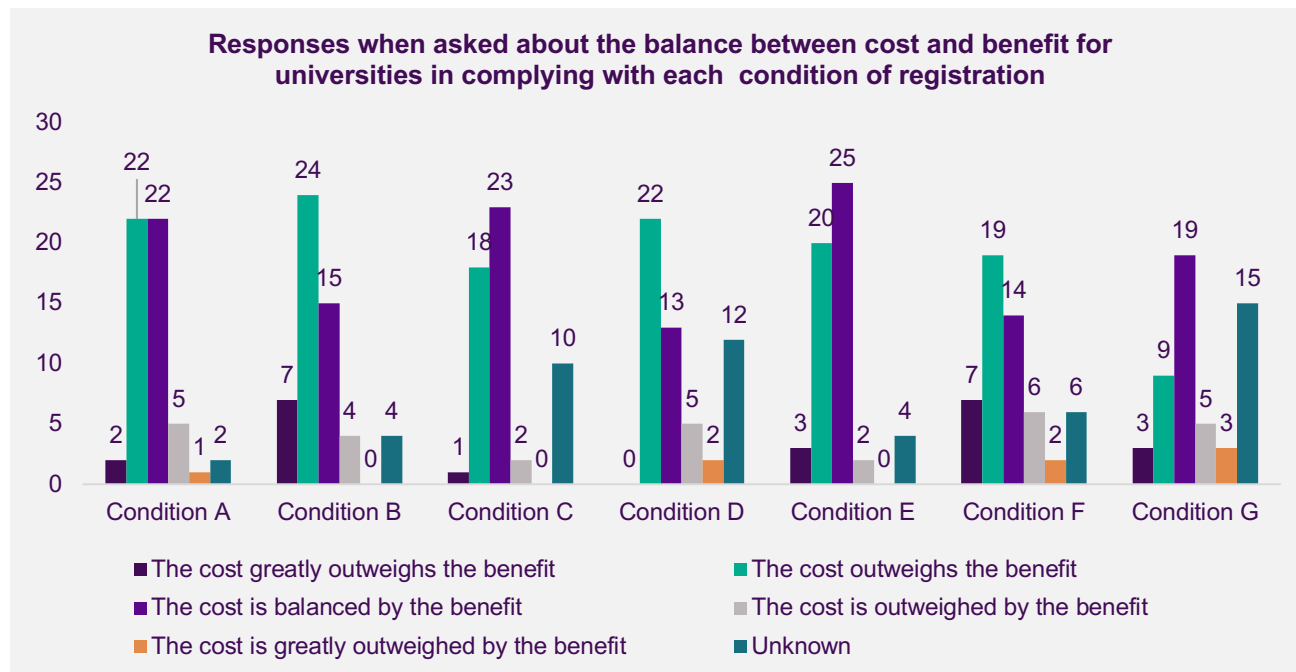Ofcom is the main regulatory body for the UK communications sector, overseeing TV, radio, telecoms, postal services, and wireless devices. The Communications sector organisations have various regulations set by Ofcom, including consumer protection, TV watershed, online safeguards, and radio wave management, and licensing is required for broadcasting, spectrum allocation, and being an internet service provider.

Resource requirements

To meet the regulatory requirements, sector organisations allocate dedicated resources, with regulatory teams ranging from a few people in smaller organisations to larger teams of 10-30 members in larger organisations. Communications sector organisations also have internal legal support for compliance.

Regulatory burden

The regulatory burden is perceived as substantial, especially for larger providers. Concerns exist about future regulations as emerging technologies are being introduced to the sector at a fast pace. Telco operators, and especially smaller operators, currently face fewer regulatory requirements, and therefore burden, due to its unique set of challenges recognised by Ofcom. For example, Openreach has wholesale price controls on Ethernet, which don't apply to the smaller Altnets. Concerns exist about future regulations, and there are calls for improvements across the sector. However, Ofcom is well-established and engages effectively with the sector and its consumer groups. There are complaint resolution processes which Ofcom addresses by ensuring visibility and communications to the sector. On the Ofcom website, you can see complaints, check coverage and see communications with providers.

Financial Services (FS)

Regulatory Landscape

Financial services providers must engage with regulatory bodies such as the Financial Conduct Authority (FCA) and Prudential Regulation Authority (PRA). The FCA focuses on consumer protection and fair competition, while the PRA prioritises stability in big banks and other financial institutions. The size of the firm determines the level of regulatory obligations, with larger firms facing more rigorous standards due to their potential impact on the economy, should they fail. Regulatory requirements are evolving and can be triggered by factors such as the cost-of-living crisis or financial crises, leading to increasing business-as-usual and ad-hoc requests for evidence of mitigating any emerging risks, and compliance.

Resource Requirements

FS providers allocate dedicated resources to meet regulatory obligations. Larger firms allocate greater resource, and often have in-house compliance teams, dedicated to responding to the increasingly extensive and frequent regulatory standards. These resources are focused on ensuring compliance and engaging in horizon scanning activities to identify upcoming regulatory changes. Efficient handling of management information (MI) and data compliance is essential in the FS sector to anticipate unforeseen regulations that can significantly affect team operations. This is currently achieved by investing in capabilities, sharing best practices across the sector, and implementing automation capabilities to streamline processes.

Regulatory Burden

While recognising the importance of regulation in the FS sector, some compliance requirements are considered vague, requiring clearer, more prescriptive guidance from the FCA. FS providers engage in consultation processes with regulators to seek clarification and provide input. There is often a phased approach to the introduction of new regulation and the resulting compliance expectations in FS which is appreciated, but some firms find the timeframes provided for implementation to be too short. To mitigate the regulatory burden, firms invest in effective MI and data capabilities, anticipate resource requirements, and actively engage with its regulators through various channels such as podcasts, discussion papers and sector events to stay informed about regulatory developments.

Health

Regulatory landscape

The regulatory landscape of the health sector in the UK involves multiple regulatory bodies, with the National Health Service England (NHSE) serving as the main regulator. The NHSE oversees regional Integrated Care Systems (ICSs) which manages the local trusts, hospital, ambulance services and community organisations. The NHSE sets the policies and determines the roles and responsibilities of the organisations it governs and regulates. There are several other regulators with specific roles and standards within the health sector such as the Human Tissue Authority, as well as more nuanced and niche regulators focused on specific areas of health such as the Human Fertilisation and Embryology Authority who are the UK fertility regulator.

Resource requirements

Complying with regulations in the health sector requires significant resources across the ICSs. NHSE sets targets for ICSs who must then appropriately fund programmes within their remit where reduced annualised revenue is assumed but priorities and policies are growing. ICSs have begun assuming additional delegated services from the NHSE. This has resulted in ICSs exploring options to further delegate their own services to organisational-level ownership to achieve cost reduction targets. ICSs are held accountable by non-compliant organisations resulting in closures or mergers with another organisation within the ICS. Alternatively, NHSE will encourage compliance through increased funding and support where this is often made available in line with demand seasonality. This can often be seen in winter months where regulatory targets such as the 18-week referral to treatment thresholds starts to slip.

Regulatory burden

The relationship between the NHSE and the ICSs involves regular engagement through targeted and ongoing support for individual ICSs, as well as sector-wide events. However, there are levels of tension between the ICSs and the NHSE where ICSs feel the funding and support is not always adequate. The NHSE is addressing this by providing more resources and funding to enable systems to succeed. The NHSE has also recently set a new guiding policy to work with ICSs to agree a local approach for these principles to be shared with organisations. Some organisations considered to have lower operational maturity will be approached differently to those with higher maturity.

Pharmaceutical

Regulatory landscape

In the pharmaceutical sector, regulation focuses on the quality, safety and efficacy of products. Medicines and Healthcare products Regulatory Agency (MHRA) is the UK regulator. Regulatory activities are governed by law to safeguard human and animal health. While the regulatory landscape is perceived to be stable by the pharmaceutical sector, the guidance is constantly evolving as the sector evolves.

Resource requirements

Businesses within the sector allocate dedicated resources to meet regulatory requirements. Regulatory Affairs functions are seen across all pharmaceutical companies to support with product approval processes, alongside quality assurance functions to ensure compliance with manufacturing standards. Clinical development oversee compliance with regulations relating to clinical trials and Good Clinical Practice regulations and Pharmacovigilance (also known as safety) are responsible for ensuring the safety of the product is evaluated and reported throughout its lifecycle.

Regulatory burden

Regulatory compliance heavily dictates how pharmaceutical companies operate; therefore, the burden is shared across the businesses which must be addressed by many teams and functions that are responsible for different stages of a product lifecycle. Compliance requires significant resources and adherence to various regulations throughout a product lifecycle and therefore, pharmaceutical companies invest significantly to comply with regulations.

Although regulatory compliance requires significant investment for the sector, it is a key priority for companies to ensure new products can be developed and introduced to the market while existing products are allowed to stay in the market. The regulator supports this by maintaining good contact and engagement with the pharmaceutical companies through various means such as FAQ sessions, open days and online platforms as well as dedicated resource from the regulator to provide day-to-day contact with the pharmaceutical companies.

Energy and utilities

Regulatory landscape

The regulatory landscape in the energy and utilities (E&U) sector involves key regulatory bodies such as Ofgem, the Energy Ombudsman, Ofwat, the Drinking Water Inspectorate, and the Environment Agency. Organisations within this sector have various regulatory obligations, including price control, customer care, compliance with operating conditions, and adherence to mandated industry changes and government schemes.

Resource requirements

Organisations within the E&U sector allocate resources to fulfil their regulatory requirements based on factors such as size, customer base, risk appetite, and exposure to complexity, and change. Larger organisations often have dedicated teams, while smaller organisations rely on resources that cover multiple areas such as audits and finance. However, the availability of regulatory professionals in this niche field is limited.

Regulatory burden

Regulatory burden has been a longstanding concern within the E&U sector. Especially within the energy sector, steps to address this burden and streamline the regulatory process are not clearly defined. There is a need for better collaboration between the regulators and organisations to reduce the volume of regulatory overhead. While efforts can be made by Ofgem and other regulators to streamline their processes, organisations themselves must also improve their compliance efforts. The industry voice, Energy UK, plays a pivotal role in addressing these concerns. However, the burden appears to be less across the water sector due to its static customer base and fewer interactions with other sector-parties, reducing its overall complexity compared to the energy sector. Overall, improved collaboration and streamlining of regulatory processes are needed to alleviate the burden on organisations in the energy and utilities sector.

Key themes from the regulatory landscape in other sectors

The insights above are drawn from a wide range of other regulated sectors. They provide a set of learnings for the HE sector to draw upon when considering future changes to the approach to regulation in the sector. Some key themes on regulatory burden from the other sectors to consider are:

Regulatory burden

The issue of regulatory burden is not unique to the HE sector; many of the organisations highlighted above in other sectors also face similar challenges. Like HE, the impact of regulation can also vary based on organisational size. In the Energy and Utilities sector for example, smaller providers face a significant regulatory burden compared to larger companies. Whereas in the communications sector it is the larger providers who often face a more significant burden due to being subject to more regulatory requirements than smaller providers. The speed of new regulation being introduced and the short timeframes these are introduced over are also highlighted as a similar concern in other sectors. Given burden is an issue experienced across multiple sectors, this suggests that further comparisons and lesson learning across regulators – for example, creating forums through which to share best practice and solutions to these challenges – could be beneficial.

Internal resourcing

In other sectors organisations that are large enough typically have dedicated teams for regulatory compliance. This is compared to HE, where compliance is normally distributed across teams and individuals undertaking wider roles even in the larger HEIs. The resource invested in regulatory compliance is significant in other sectors; for example, in the communications sector organisations can have teams of up to 30 focusing solely on regulation. In some sectors investing in internal regulatory is extremely critical; in the pharmaceutical sector, strict regulations are required at every stage of the product lifecycle so organisations invest significantly in dedicated resource to manage that. While recognising that many feel the burden being experienced in HE is disproportionate, this also suggests there may be a need for HE institutions to adapt and consider alternative approaches to managing their ongoing compliance.

Constructive engagement

Other sectors demonstrate examples of a constructive relationship between the regulator and the organisations they regulate. Engagement with the regulator through sector events, consultations and discussion papers, and through individual support are examples of engagement approaches used in other sectors. In addition, in sectors such as the pharmaceutical sector, the regulator provides a day-to-day contact to engage with organisations in maintaining effective communication. These relationships are not without their challenges but our experience suggests that broadly, organisations in other sectors have a constructive working relationship with their regulators. Regulatory independence can be achieved without requiring the degree of distancing respondents in this research reported experiencing with the OfS.

Conclusion

This research has found that UUK members in England support the principle of regulation in ensuring every student has a high quality and fulfilling experience. Many felt that the areas that OfS currently regulate, as set out in the Conditions of registration, were broadly the right areas that universities should focus their efforts on. The notable exceptions were the more recent and/or proposed conditions relating to freedom of speech and harassment and sexual misconduct, and the requirement within condition B4 for student assessment retention for up to 5 years. Furthermore, many of the regulatory requirements were activities that would be carried out regardless of whether they were being regulated by the OfS. These findings represent the views of UUK member universities and the OfS were not in scope for consultation.

The respondents' primary concerns related to the way OfS is carrying out its regulatory duties and the burden that is created for providers as a result. Whilst there is some alignment between the OfS' regulatory framework and universities strategic objectives, the perceived highly prescriptive nature of OfS' requirements and short notice changes to these create additional burden. The perceived one-size fits all approach to regulation also creates additional burden, particularly for small and specialist providers who have limited resources. Respondents consistently reported that the implementation of a more risk-based approach to regulation would reduce unnecessary burden. The lack of a strategic approach to regulation, in which a clear plan is shared with universities on what will be regulated and consulted upon when, was preventing a more proactive approach to universities planning the resources needed to meet these requirements.

A recurring theme is the strained relationship between the OfS and the sector, with perceived limited engagement, unclear requirements, and disregard of consultation responses. Universities attributed this unconducive relationship to hindering effective regulation and increasing the burden on universities. Overall, responses emphasise the desire for a more collaborative and transparent approach from the OfS, including engagement with the sector, consideration of consultation responses, and clear guidance. Other regulated sectors, such as health, communications and pharmaceutical, provide examples of how regulators can have a strong working relationship with the sector without compromising the rigour of their regulation.

This burden results in universities having to dedicate considerable resource to meeting OfS' regulatory requirements. The resource implications span all levels of the organisations. The additional requirements are typically added to existing roles rather having dedicated teams. This creates a missed opportunity cost with this resource otherwise being used to further the student experience.

In summary, there is strong agreement across universities that there is a need for regulation to ensure students' needs are met across all aspects of their academic journey. This research has highlighted that it is primarily the current approach to regulation which is the main contributing factor to the perceived regulatory burden, not the regulations themselves. Through strengthened engagement between the OfS and the sector, there is an opportunity to reduce the current high levels of perceived burden by reconsidering the approach taken to regulation.

Recommendations

This section sets out 5 key recommendations for consideration in reconsidering the approach to regulation.

1.   Initiate a relationship reset between the regulator and the sector.

This research has highlighted that, overall, the sector views OfS' current regulatory approach as generating a considerable burden of activity, and there is a lack of a positive, constructive relationship between the regulator and the sector that might better serve shared objectives. This review did not explore the OfS' perspective of the current relationship with the sector. However, the findings of this research alone suggest a relationship reset should be explored. This reset should include reviewing the mechanisms for communications between the OfS and the sector and considering how the OfS could adopt a more 'relationship management' approach whilst maintaining its separation in being a robust regulator.

This process has already started with the OfS, following their own commissioned research, but our findings here suggest that more progress is needed. A relationship reset would be likely to reduce the regulatory burden on universities, through them having greater clarity on regulatory expectations and a mechanism for seeking clarifications where needed. This research has highlighted examples from other regulated sectors on how regulators can navigate the balance between having a conducive relationship with those they regulate and being a robust regulator. These examples could be drawn upon in this relationship reset.

2.   Establish a consistent approach to burden impact assessments.

In its latest business plan, the OfS has committed to including provider views on regulatory burden when consulting on any changes to its regulation. This should include establishing and then adopting a consistent approach to assessing the potential burden of proposed changes, ensuring that these are taken into consideration alongside the potential benefits of any proposals and mitigating actions considered.

3.   Set and communicate a clearer operational plan for regulatory delivery.

The OfS should consider how to articulate its operational plans for regulation over a defined period; this could be incorporated as an uplift to an existing document (i.e. the OfS business plan). This plan should include key regulatory milestones and consultation timelines and could be accompanied with clear guidance documents. This planning approach would provide universities with greater clarity of what is required of them and when, enabling them to proactively plan the resources to meet the requirements and align the regulatory timeline with their internal planning. With that clearer plan, the obligations will be on universities to ensure that they have the right resources to fulfil the regulatory obligations. This would result in a reduction in the regulatory burden experienced by universities, assuming the strategic plan and timelines are adhered to.

4.   Address the perceived lack of a risk-based approach to regulation.

While the intention is for the approach to regulation in the sector to be risk-based, this research has shown that universities currently don't perceive the regulatory approach to be sufficiently risk-based. This requires further investigation to determine whether how the regulatory requirements are risk-based is not well understood by the sector or if the current approach does not adhere to the principles of being risk-based. If it's lack of understanding, there is an opportunity for the OfS to more explicitly communicate how the approach they are taking is based on calculated risk. If it is the lack of alignment between the approach and risk-based principles, it is recommended that an analysis is undertaken to identify the gap between the implementation of the regulatory approach and the intended risk-based model of regulation. A series of improvement opportunities to close this gap should emerge from this gap analysis. These improvement opportunities could include better and more efficient use of data to inform regulation and defining a clear criteria which the risk-based approach is based upon.

5. Ensure the regulator has the capacity and expertise to regulate effectively.

The regulator must have the required capacity and expertise to regulate the sector effectively and efficiently. This capacity and expertise will be essential in addressing the findings of this research in alleviating unnecessary additional regulatory burden on universities. The OfS should take steps to reassure the sector, by demonstrating its capacity and expertise to regulate effectively. Where gaps in capacity and expertise are identified, steps should be taken to address these.

Appendix

The balance between cost and benefit for universities in complying with each of the Conditions of registration

Figure 15 Bar chart visualising the universities' views on the balance between cost and benefit for universities in complying with the Conditions of registration.

Condition A

Level of agreement that the activities and resource required by universities to fulfil Condition A are the most effective way of achieving required outcomes

Figure 16 Bar chart visualising the level of agreement that activities and resources required by universities to fulfil Condition A are the most effective way of achieving required outcomes.

The balance between cost and benefit for universities in complying with Condition A
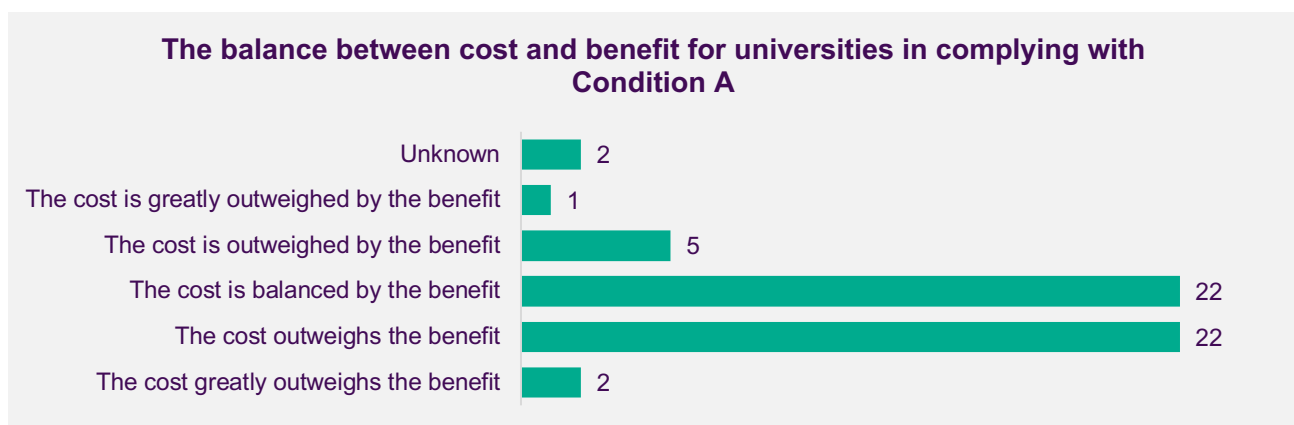
Figure 17 Bar chart visualising the universities' views on the balance between cost and benefit for universities in complying with Condition A

Level of resource that was required for this past academic year (2022/23) to fulfil condition A in FTE, by role level (n=x)

Figure 18 Distribution of FTE that is forecasted for the 2023/24 academic year to fulfil Condition A, by role level (n=54).

Condition B

Level of agreement that the activities and resource required by universities to fulfil Condition B are the most effective way of achieving required outcomes

Unknown	4
Strongly disagree	10
Disagree	17
Neither agree nor disagree	11
Agree	9
Strongly agree	3

Figure 19 Bar chart visualising the level of agreement that activities and resources required by universities to fulfil Condition B are the most effective way of achieving required outcomes.

The balance between cost and benefit for universities in complying with Condition B

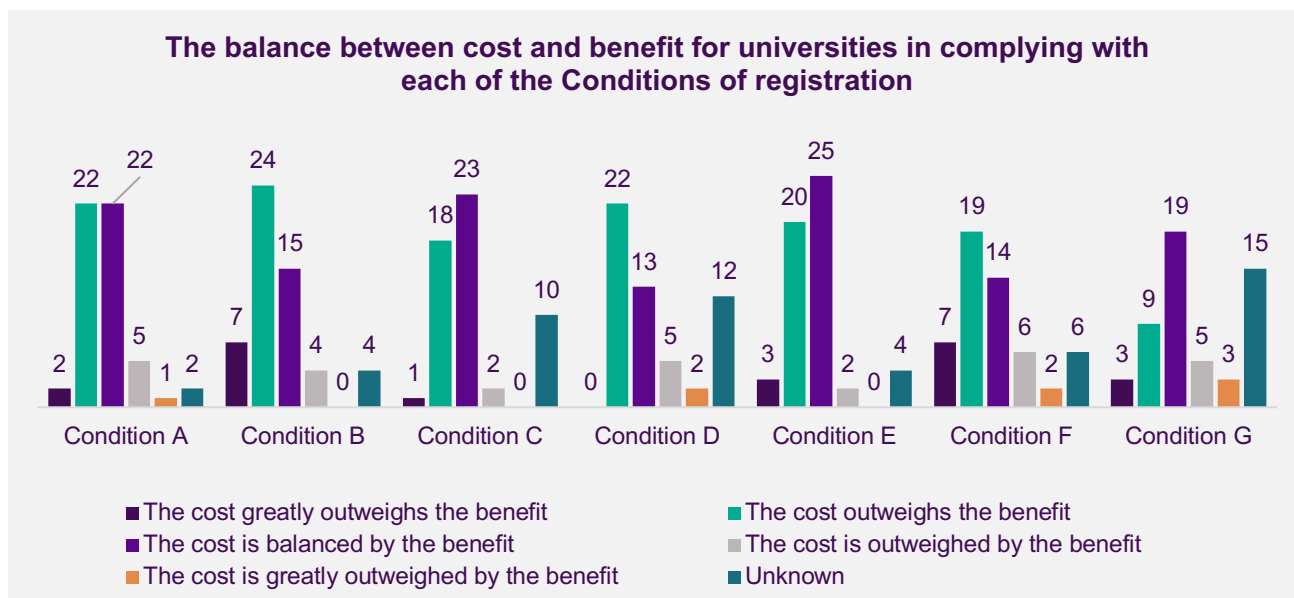|	
Unknown	4
The cost is greatly outweighed by the benefit	0
The cost is outweighed by the benefit	4
The cost is balanced by the benefit	15
The cost outweighs the benefit	24
The cost greatly outweighs the benefit	7

Figure 20 Bar chart visualising the universities' views on the balance between cost and benefit for universities in complying with Condition B.

Level of resource that is estimated for the next academic year (2023/24) to fulfil condition B in FTE, by role level (n=x)
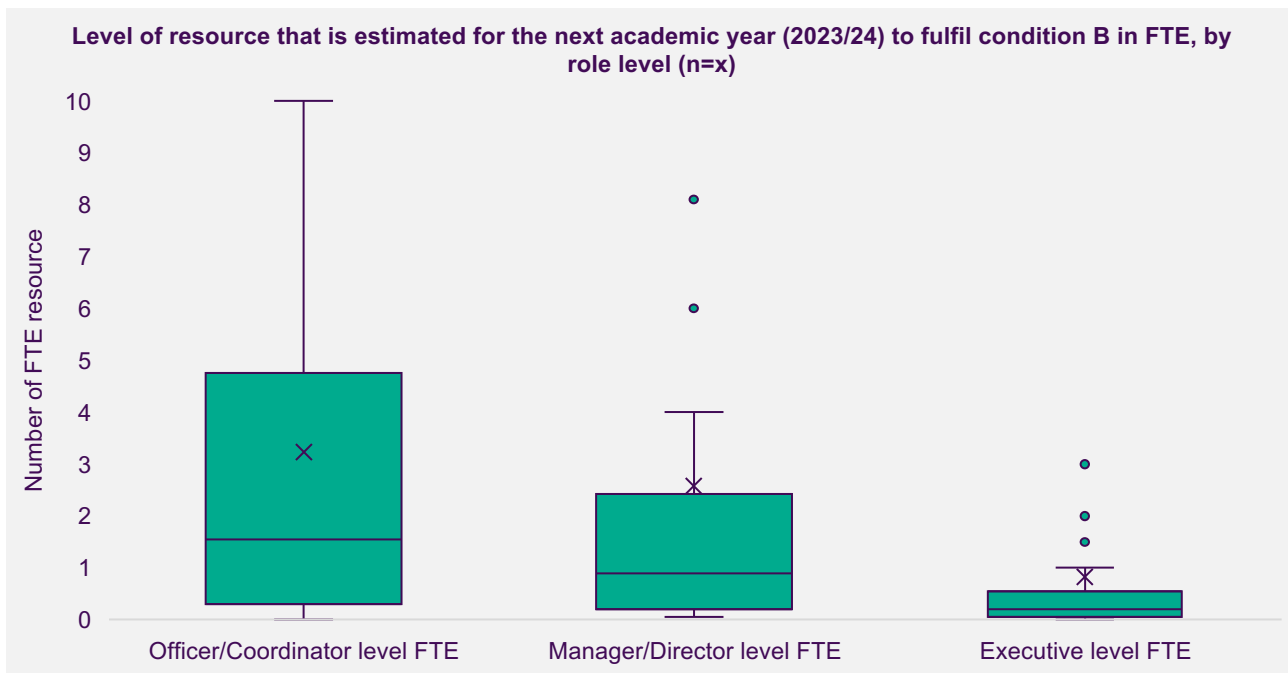
Figure 21 Distribution of FTE that is forecasted for the 2023/24 academic year to fulfil Condition B, by role level (n=54).

Condition C

Level of agreement that the activities and resource required by universities to fulfil Condition C are the most effective way of achieving required outcomes

Category	Value
Unknown	10
Strongly disagree	2
Disagree	14
Neither agree nor disagree	7
Agree	19
Strongly agree	2

Figure 22 Bar chart visualising the level of agreement that activities and resources required by universities to fulfil Condition C are the most effective way of achieving required outcomes.

The balance between cost and benefit for universities in complying with Condition C

Category	Value
Unknown	10
The cost is greatly outweighed by the benefit	0
The cost is outweighed by the benefit	2
The cost is balanced by the benefit	23
The cost outweighs the benefit	18
The cost greatly outweighs the benefit	1

Figure 23 Bar chart visualising the universities' views on the balance between cost and benefit for universities in complying with Condition C.

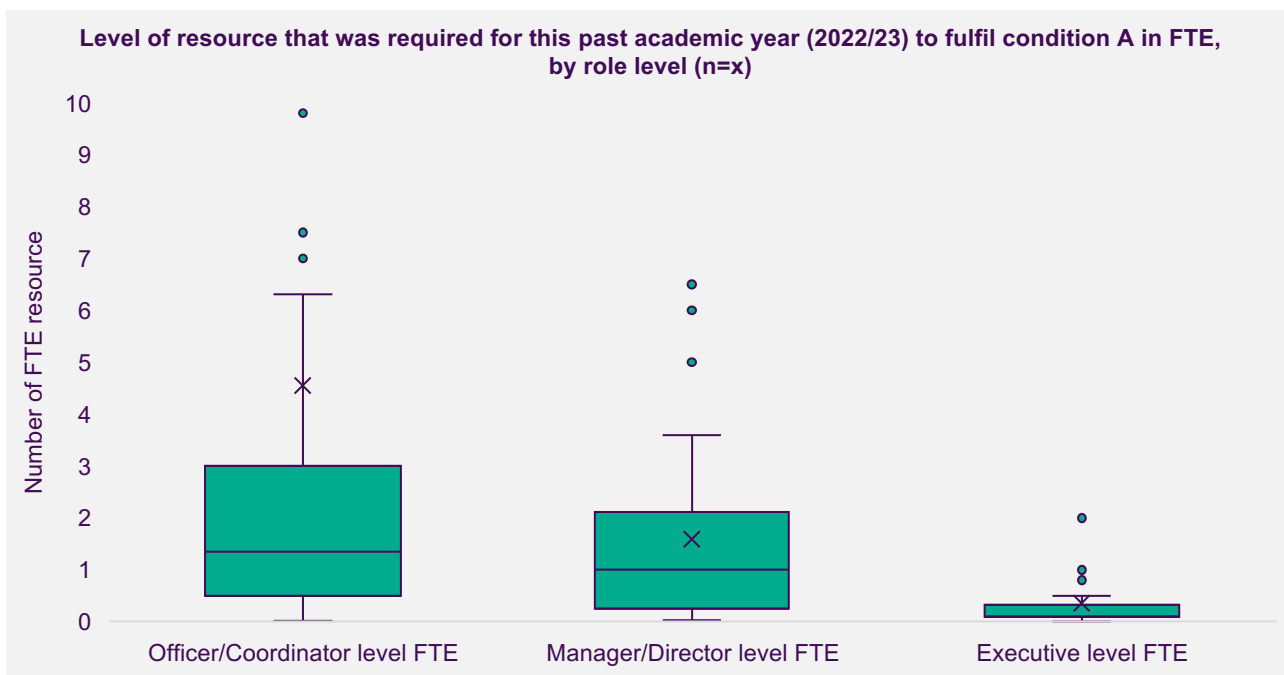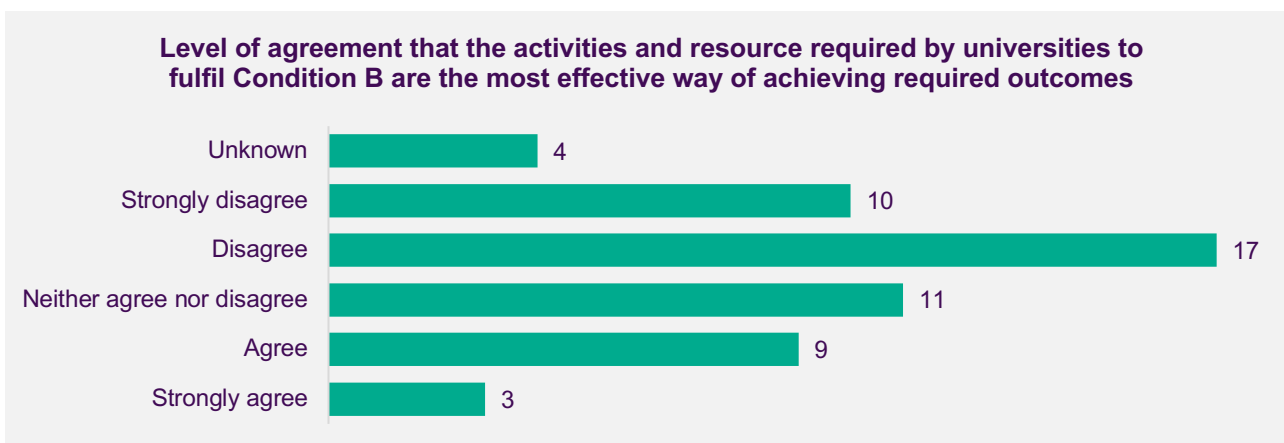**Level of resource that is estimated for the next academic year (2023/24) to fulfil condition C in FTE, by role level (n=x)**

Figure 24 Distribution of FTE that is forecasted for the 2023/24 academic year to fulfil Condition C, by role level (n=54).

Condition D

Level of agreement that the activities and resource required by universities to fulfil Condition D are the most effective way of achieving required outcomes
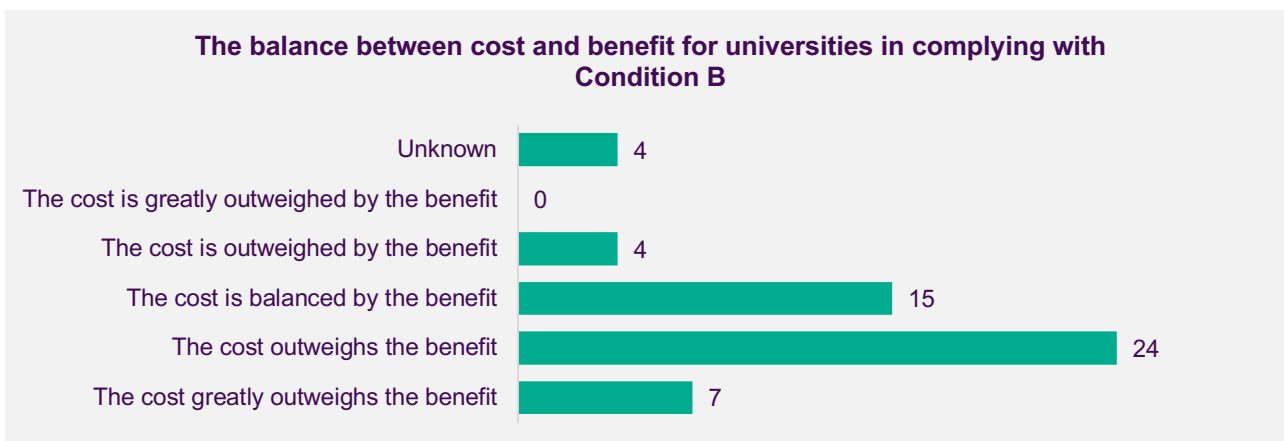
Unknown	11
Strongly disagree	3
Disagree	14
Neither agree nor disagree	7
Agree	16
Strongly agree	3

Figure 25 Bar chart visualising the level of agreement that activities and resources required by universities to fulfil Condition D are the most effective way of achieving required outcomes.
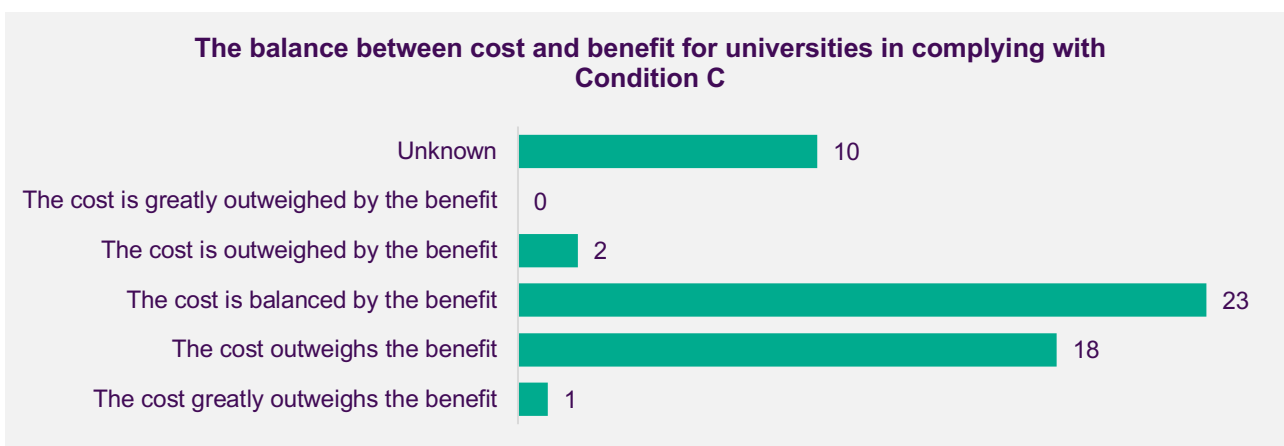

The balance between cost and benefit for universities in complying with Condition D

Unknown	12
The cost is greatly outweighed by the benefit	2
The cost is outweighed by the benefit	5
The cost is balanced by the benefit	13
The cost outweighs the benefit	22
The cost greatly outweighs the benefit	0

Figure 26 Bar chart visualising the universities' views on the balance between cost and benefit for universities in complying with Condition D.

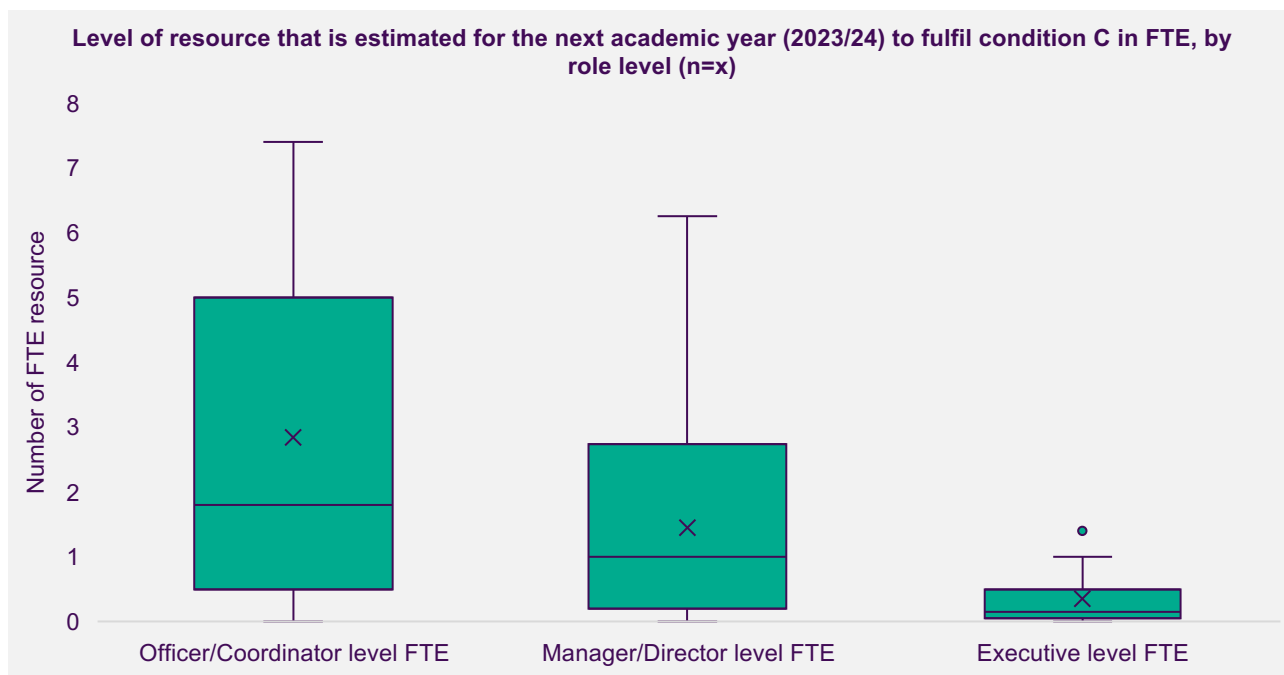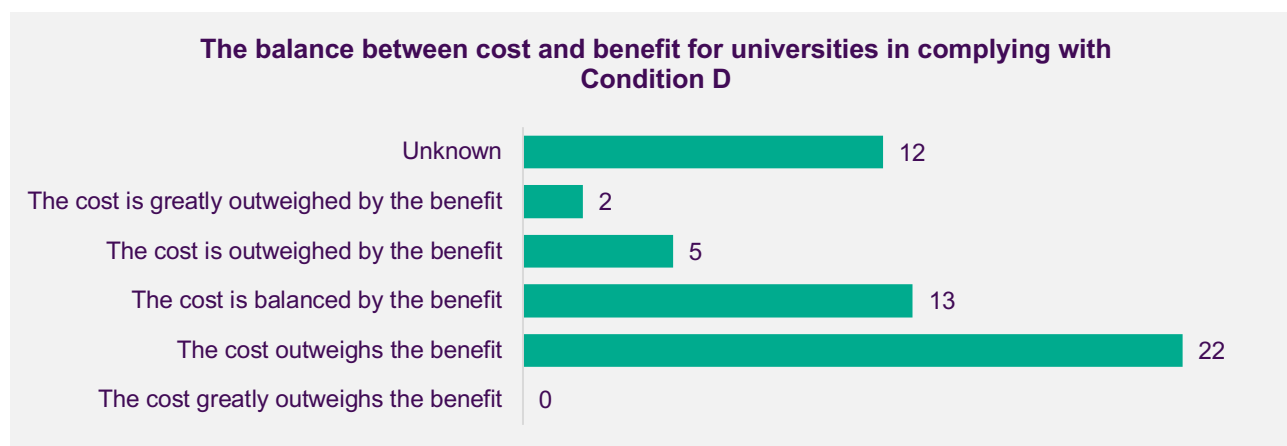**Level of resource that is estimated for the next academic year (2023/24) to fulfil condition D in FTE, by role level (n=x)**

Figure 27 Distribution of FTE that is forecasted for the 2023/24 academic year to fulfil Condition D by role level (n=54).

Condition E

Level of agreement that the activities and resource required by universities to fulfil Condition E are the most effective way of achieving required outcomes

Unknown	7
Strongly disagree	3
Disagree	17
Neither agree nor disagree	8
Agree	17
Strongly agree	2

Figure 28 Bar chart visualising the level of agreement that activities and resources required by universities to fulfil Condition E are the most effective way of achieving required outcomes.

The balance between cost and benefit for universities in complying with Condition E

Unknown	4
The cost is greatly outweighed by the benefit	0
The cost is outweighed by the benefit	2
The cost is balanced by the benefit	25
The cost outweighs the benefit	20
The cost greatly outweighs the benefit	3

Figure 29 Bar chart visualising the universities' views on the balance between cost and benefit for universities in complying with Condition E.

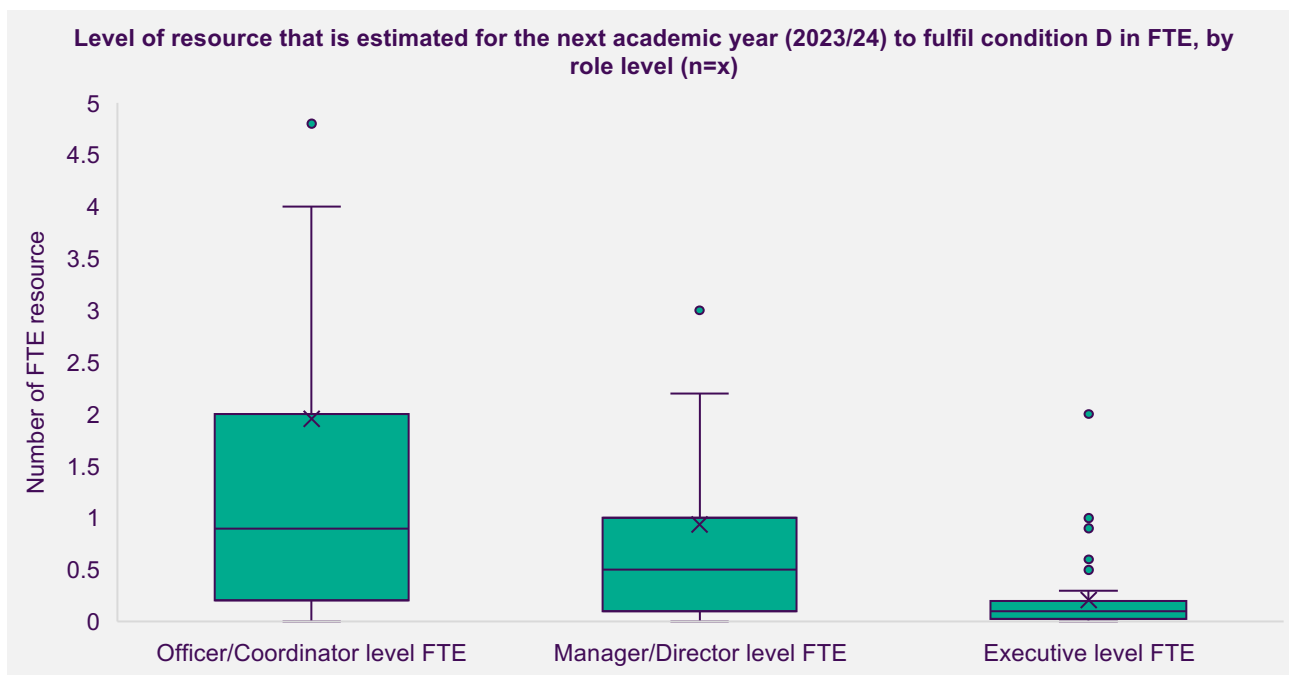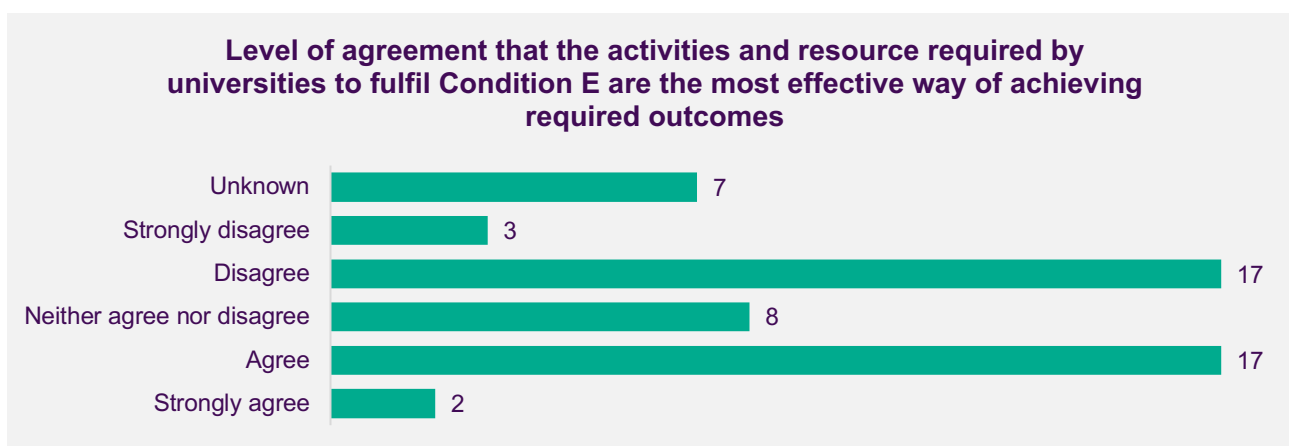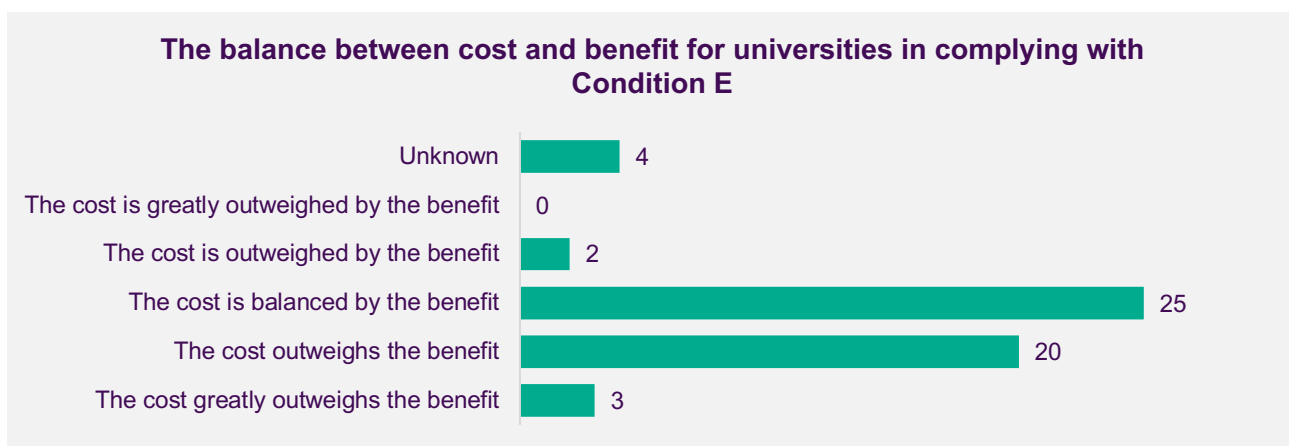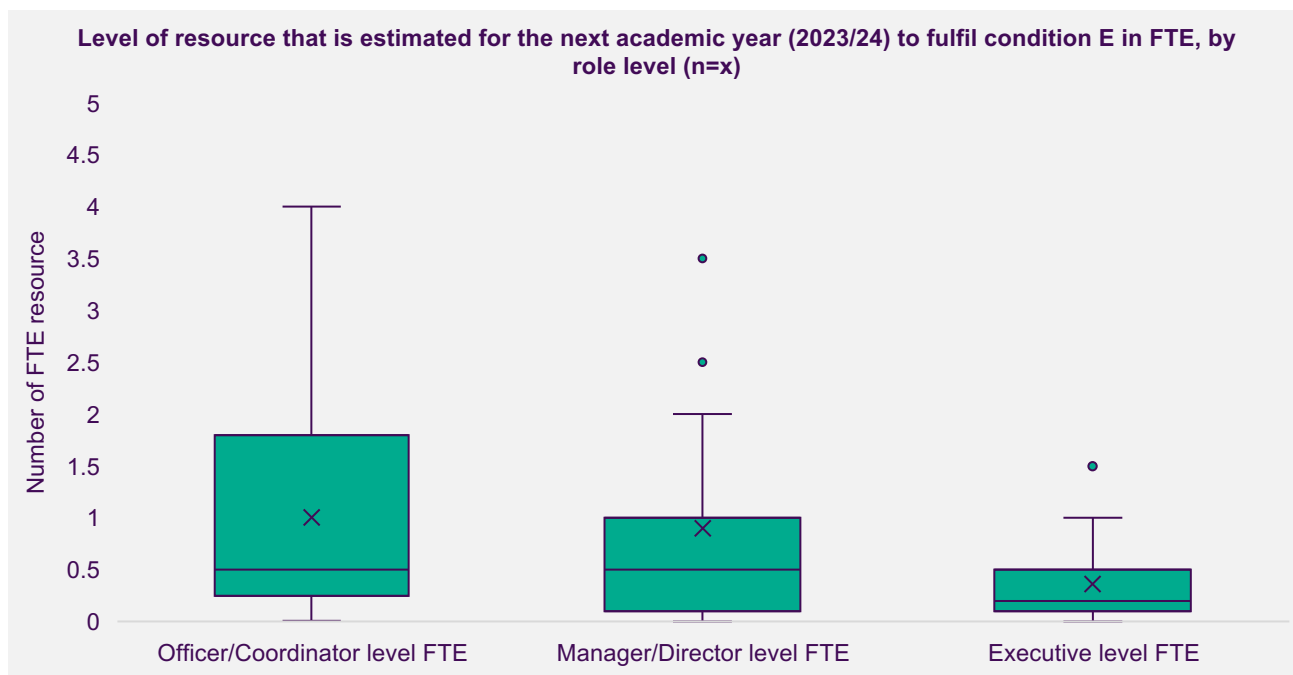**Level of resource that is estimated for the next academic year (2023/24) to fulfil condition E in FTE, by role level (n=x)**

Figure 30 Distribution of FTE that is forecasted for the 2023/24 academic year to fulfil Condition E by role level (n=54).

Condition F

Level of agreement that the activities and resource required by universities to fulfil Condition F are the most effective way of achieving required outcomes

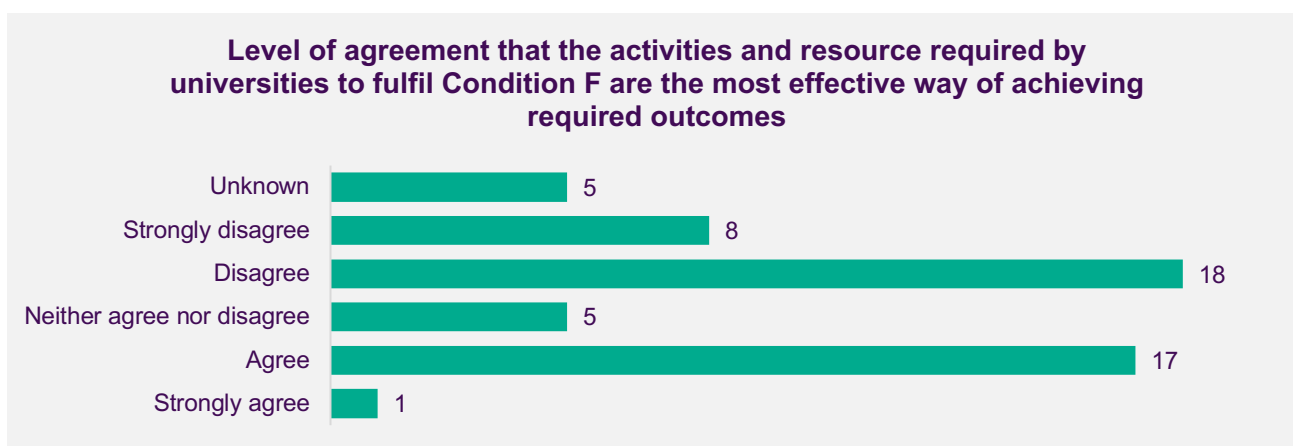|	
Unknown	5
Strongly disagree	8
Disagree	18
Neither agree nor disagree	5
Agree	17
Strongly agree	1

Figure 31 Bar chart visualising the level of agreement that activities and resources required by universities to fulfil Condition F are the most effective way of achieving required outcomes.

The balance between cost and benefit for universities in complying with Condition F

Unknown	6
The cost is greatly outweighed by the benefit	2
The cost is outweighed by the benefit	6
The cost is balanced by the benefit	14
The cost outweighs the benefit	19
The cost greatly outweighs the benefit	7

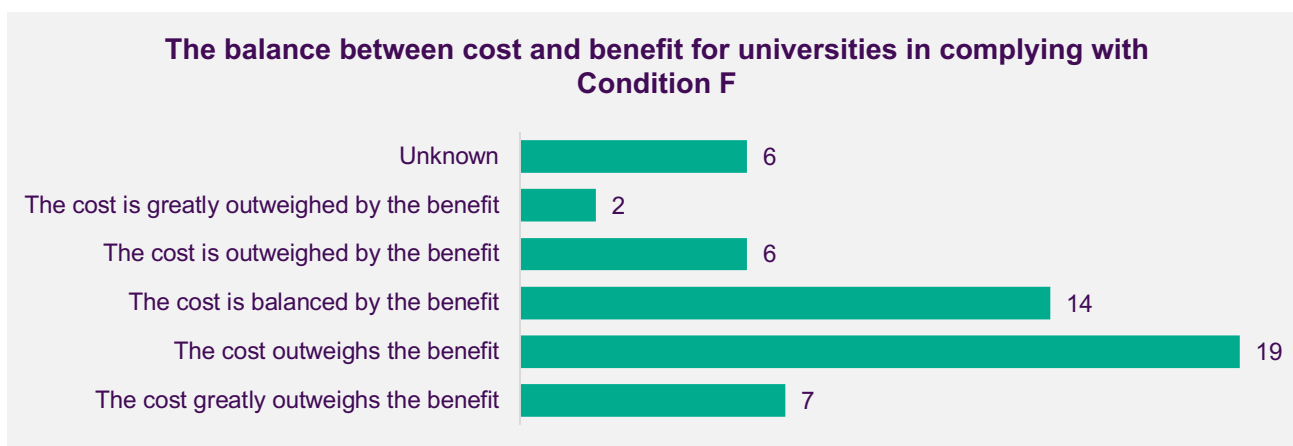Figure 32 Bar chart visualising the universities' views on the balance between cost and benefit for universities in complying with Condition F.
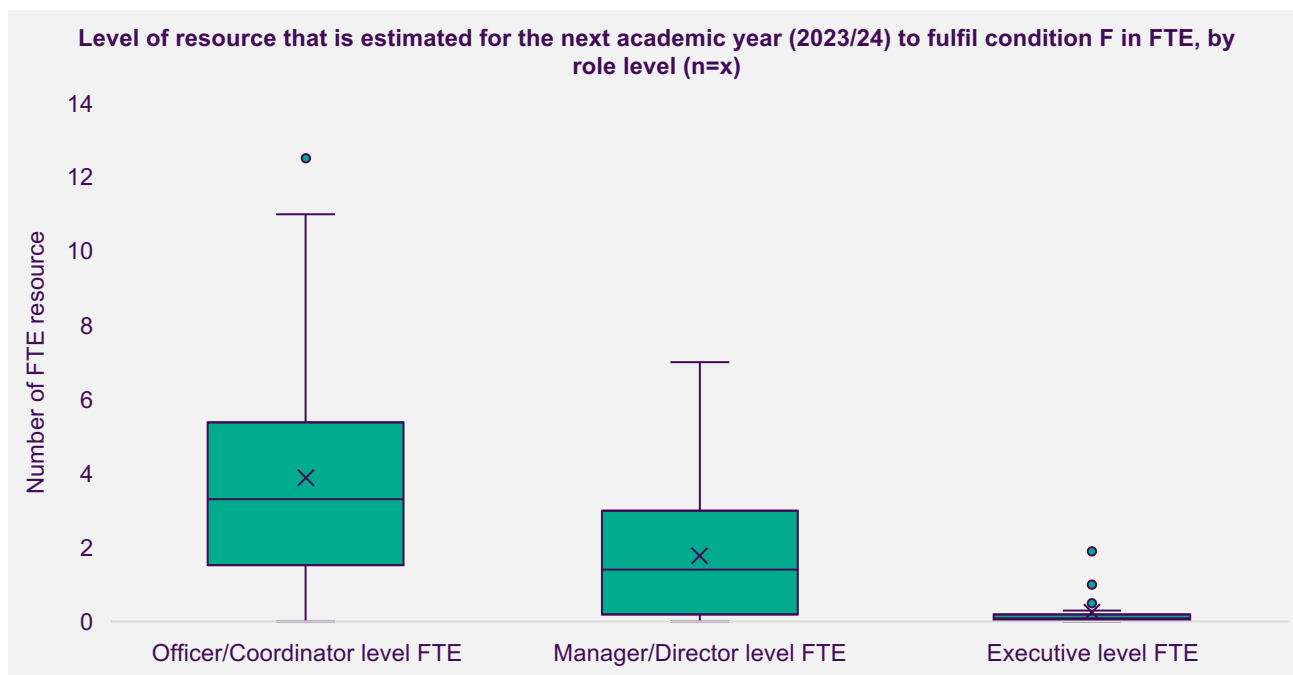
Level of resource that is estimated for the next academic year (2023/24) to fulfil condition F in FTE, by role level (n=x)

Figure 33 Distribution of FTE that is forecasted for the 2023/24 academic year to fulfil Condition F by role level (n=54).

Condition G

Level of agreement that the activities and resource required by universities to fulfil Condition G are the most effective way of achieving required outcomes

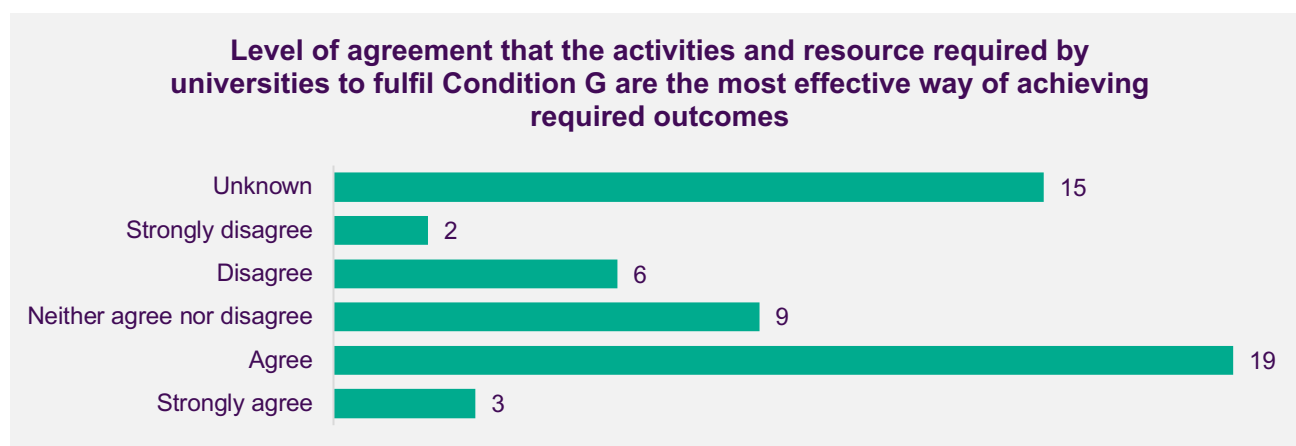|	
Unknown	15
Strongly disagree	2
Disagree	6
Neither agree nor disagree	9
Agree	19
Strongly agree	3

Figure 34 Bar chart visualising the level of agreement that activities and resources required by universities to fulfil Condition G are the most effective way of achieving required outcomes.
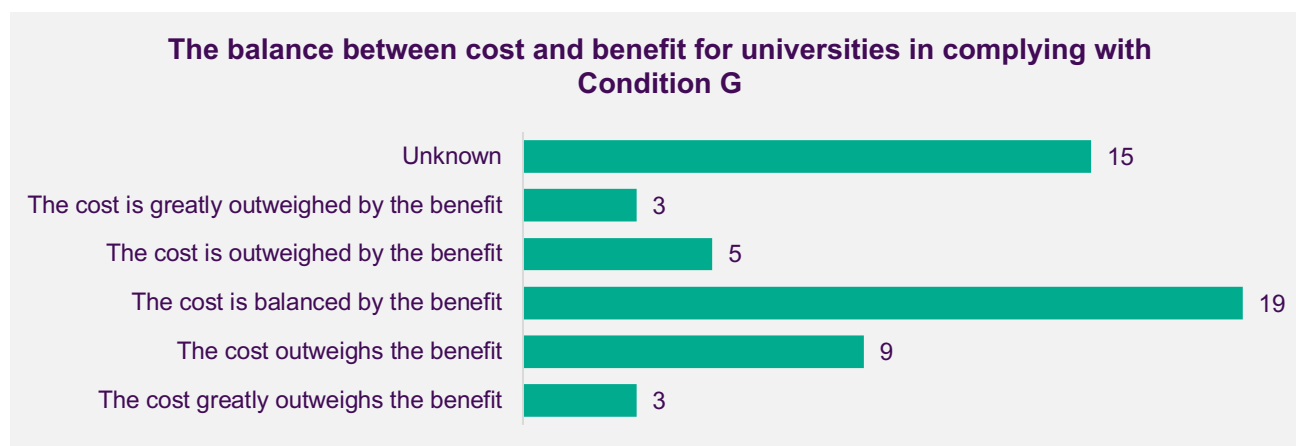
The balance between cost and benefit for universities in complying with Condition G

Unknown	15
The cost is greatly outweighed by the benefit	3
The cost is outweighed by the benefit	5
The cost is balanced by the benefit	19
The cost outweighs the benefit	9
The cost greatly outweighs the benefit	3

Figure 35 Bar chart visualising the universities' views on the balance between cost and benefit for universities in complying with Condition G.

Level of resource that is estimated for the next academic year (2023/24) to fulfil condition G in FTE, by role level (n=x)
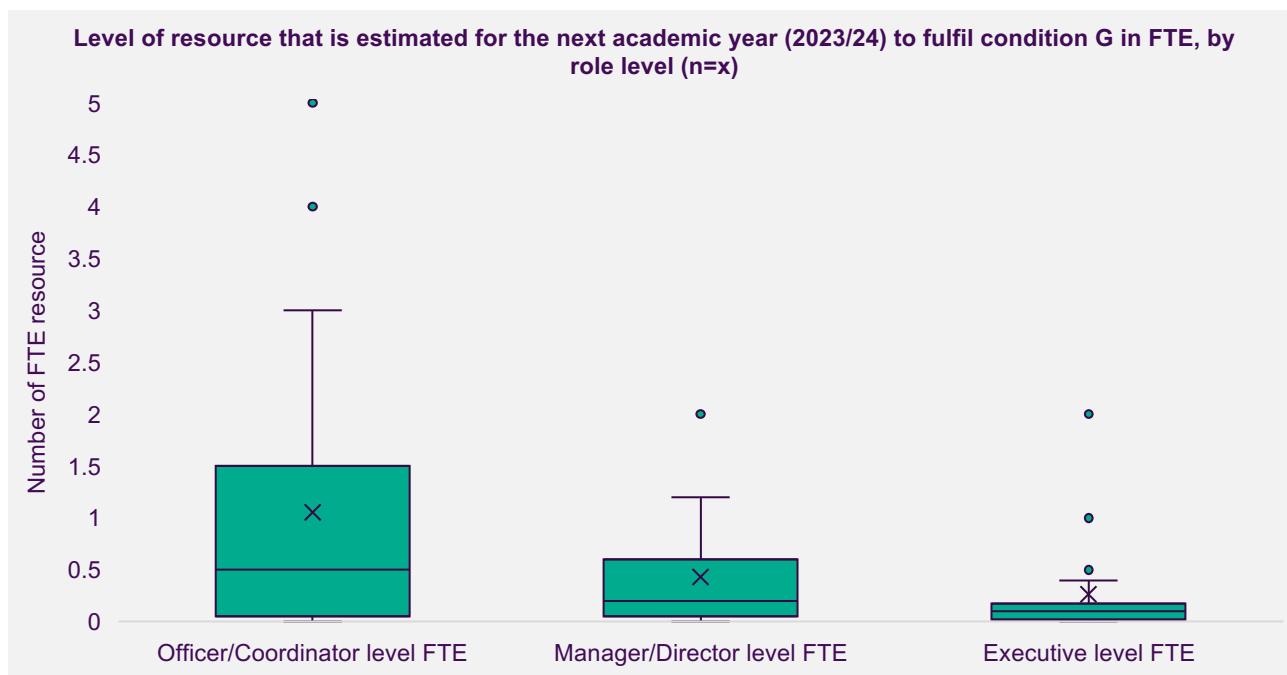
Figure 36 Distribution of FTE that is forecasted for the 2023/24 academic year to fulfil Condition E by role level (n=54).

References

GuildHE (2022). GuildHE Regulation Briefing 1. Introduction, burden, cost and overlap. https://guildhe.ac.uk/guildhe-regulation-briefing-introduction-burden-cost-and-overlap/

Greatrix, P. (2023). Reducing Burden, Enhancing Quality: Ambitions for a new Regulatory Framework. https://www.hepi.ac.uk/2023/05/22/reducing-burden-enhancing-quality-ambitions-for-a-new-regulatory-framework-part-1/

House of Lords Industry and Regulators Committee (2023). Inquiry into the work of the Office for Students, Written Evidence.https://committees.parliament.uk/work/7347/the-work-of-the-office-for-students/publications/written-evidence/

House of Lords Industry and Regulators Committee (2023). Written evidence from The Russell Group of universities. https://committees.parliament.uk/writtenevidence/119880/pdf/

House of Lords Industry and Regulators Committee (2023). Written evidence from MillionPlus. https://committees.parliament.uk/writtenevidence/120010/pdf/

House of Lords Industry and Regulators Committee (2023). Written evidence from The Office for Students. https://committees.parliament.uk/writtenevidence/119198/pdf/

House of Lords Industry and Regulators Committee (2023). Written evidence from Universities UK. https://committees.parliament.uk/writtenevidence/119966/pdf/

The Office for Students (2022). Office for Students strategy 2022 to 2025. https://www.officeforstudents.org.uk/publications/office-for-students-strategy-2022-to-2025/

National Audit Office (2021). Good practice guidance. Principles of effective regulation https://www.nao.org.uk/wp-content/uploads/2021/05/Principles-of-effective-regulation-SOff-interactive-accessible.pdf

Shift learning (2023). Report for the Office for Students: Provider engagement. https://www.officeforstudents.org.uk/media/f86acfa2-5c6e-4e6e-9af5-40dada342862/ofs_provider-engagement-research-report.pdf

Office for Product Safety and Standards (2014). Regulators' Code. https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/913510/14-705-regulators-code.pdf

The Office for Students. Key performance measure 11 [accessed June 2022]. https://www.officeforstudents.org.uk/about/key-performance-measures/kpm-11-efficient-regulation/

The Office for Students (2023). Annual report and accounts 2022-23. https://www.officeforstudents.org.uk/media/bf888db0-d3ed-4fe9-9616-8e7d8d8702cc/e02887096-hc-1386-office-for-students-ara-22-23_accessible.pdf

The Office for Students (2023). Business plan 2023-24. https://www.officeforstudents.org.uk/media/65e5827f-0634-49c6-953e-66c3c5f2b128/ofs-business-plan-2023-24-accessible.pdf

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