



Senate

Paper Title	President and Principal's Report to Senate
Outcome requested	Senate is asked to note and discuss the attached report.
Points for Senate members to note and further information	<p>The President and Principal will provide a written report to each Senate meeting. This provides an opportunity to highlight key issues and developments to Senate members, for information and also discussion at the meeting as appropriate.</p> <p>This report covers the following:</p> <ul style="list-style-type: none"> • The external environment (new Ministerial appointments; post-18 education funding review; Brexit; Office for Student registration). • Visits to Queen Mary. • Pensions. • Financial position. • Queen Mary strategy. • TEF/REF/KEF • Updates on senior personnel.
Questions for Senate to consider	N/A
Regulatory/statutory reference points	N/A
Strategy and risk	Relates to all aspects of QMUL strategy and all sections of the Risk Register.
Reporting/consideration route for the paper	For Senate only
Authors	Professor Colin Bailey, President and Principal
Sponsor	Professor Colin Bailey, President and Principal

President and Principal's Report

Senate Meeting – 17 March 2018

I look forward to discussing the items on the agenda with Senate members, including the issues of end-of-semester exams and also late work penalties. It is appropriate that we periodically review aspects of our regulations to ensure that we are taking appropriate steps to maintain our high academic standards, without unnecessarily disadvantaging our students.

The report below provides information on other recent issues and developments that might be of interest to Senate. I appreciate that this is a particularly difficult period for this university and the wider sector and I provide a brief update on the pensions issue below, which of course I will be happy to explore further at the meeting.

1 External Environment

Key developments in the external environment are as follows:

1.1 *New Ministers*

Following the Government reshuffle in January, the sector has a new Minister for Higher Education. Sam Gyimah, who is MP for East Surrey, was appointed to replace Jo Johnson, and will work jointly between the Department for Business, Energy and Industrial Strategy (BEIS) and the Department for Education. The Minister's first visit to a university was to Queen Mary, to attend a previously scheduled event at the Mile End Institute. Ahead of this, the Minister met with me, Bill Spence and Rebecca Lingwood, which allowed for a discussion of the current HR landscape and also for us to provide an overview of Queen Mary and the excellent work that's undertaken here. The Minister was greatly impressed by the distinctiveness of our profile in terms of student diversity, research excellence and public/community engagement activities. Discussions regarding the sector covered a range of issues, including the current funding and student finance model and the importance of ensuring that universities were appropriately resourced. Issues with the design and implementation of the TEF were also covered.

The Minister reports into Greg Clarke, the Secretary of State for BEIS, and also Damian Hind as Secretary of State for Education. The latter was a new appointment in the January reshuffle, replacing Justine Greening.

1.2 *Post-18 Funding Review*

The Prime Minister has announced a review of fees and student finance, which was proposed in the Conservative election manifesto but was only confirmed recently after discussion within Government about its status and terms of reference. The review will only be applicable to England and will cover all post-18 education, and not just Higher Education.

The four primary areas of the review are as follows (taken from the Government webpages):

Choice: identifying ways to help people make more effective choices between the different options available after 18, so they can make more informed decisions about their futures. This could include more information about the earning potential of different jobs and what different qualifications are needed to get them, as well as ensuring they have access to a genuine range of high quality academic, technical or vocational routes.

Value for money: looking at how students and graduates contribute to the cost of their studies, to ensure funding arrangements across post-18 education in the future are transparent and do not stop people from accessing higher education or training.

Access: enabling people from all backgrounds to progress and succeed in post-18 education, while also examining how disadvantaged students receive additional financial support from the government, universities and colleges.

Skills provision: future-proofing the economy by making sure we have a post-18 education system that is providing the skills that employers need. This is crucial in boosting the UK economy and delivering on the government's Industrial Strategy.

The review will be undertaken with reference to key aspects of the HE landscape, including the creation of the Office for Students (OfS) and the TEF. It has been clearly stated that the review will not consider the possibility of free tuition, the return of student number controls, or a system which costs any more than at the present.

Government statements at the launch of the review identified perceived issues relating to a lack of differentiation in terms of fees and modes of delivery (e.g. two-year degrees), whilst observing that student debt levels have increased while higher wage returns have not been enjoyed by all graduates. There was also an emphasis on parity of esteem in terms of technical and vocational skills.

Clearly there are a range of factors influencing the trends noted above, with many outside of the scope of individual universities. We must be mindful, however, of the risk that a comprehensive review of post-18 funding leads to a re-allocation of resource away from universities and to other providers. While I and other members of QMSE will continue to engage with Government to make the case for ensuring that HE is appropriately funded, it is also necessary for us to model and anticipate funding reductions that might be applied, most obviously through a reduction in fees without a compensatory increase in direct Government funding. This might take the form of a reduction of fees to a uniform lower amount, or there might be proposals to introduce a model where fees are capped at variable levels, based for example on subject area and/or graduate earnings.

1.3 Brexit

The current position with relation to students who start programmes in 2018 and staff who are resident in the UK before the country leaves the EU can be found via the following link: <http://www.universitiesuk.ac.uk/policy-and-analysis/brexit/Pages/brexit-faqs.aspx>

Clearly there is still much uncertainty about the transition period and the future relationships with the EU, and how this will impact on our student, staff and academic activities. QMSE members and other staff are engaging in discussions via a variety of routes to argue for the best outcomes for our sector and members of our community, both current and future.

A key message currently is that staff should continue to apply for research funding from the EU, as the UK will remain in Horizon 2020 until the end of that period. As noted in the link above, this includes funding for long-term projects that will continue after Horizon 2020 has finished. Queen Mary has been very successful in securing EU grants and it's imperative that we continue to access this source of funding wherever possible.

1.4 Office for Students (OfS) Registration Process

Following the Higher Education and Research Act, the OfS formally comes into being in April 2018 and (as noted in my last report) its establishment marks a significant shift for the sector in comparison to the approach that has been adopted by HEFCE since its inception in 1992.

All Higher Education Providers are required to register with the OfS, regardless of their track record in delivering degree level education. As such, Queen Mary is preparing its registration, which must be completed within a tight timeframe (by April) is being overseen by Jonathan Morgan.

Appendix A, attached to this report, provides information about the establishment and operation of the Office for Student.

2 Visits to Queen Mary

A number of influential individuals have visited Queen Mary in recent weeks or are scheduled to visit. These have been excellent opportunities to raise the profile of QUEEN MARY and to increase awareness of the excellent work being undertaken at the university. We have also been able to raise key points regarding HE policy.

2.1 Sam Gyimah – Minister for Higher Education

As noted above, the new Minister visited to attend an ‘In Conversation With’ event at the Mile End Institute, which was chaired by Phil Cowley from SPIR. The Minister and his team requested a meeting beforehand with me and members of the Senior Executive, which lasted approximately two hours.

2.2 Gareth Davies – Director General for Business and Science, BEIS

Gareth is one of the most senior civil servants in BEIS and leads in a number of key areas that are of relevance to Queen Mary, notably the development of the Government’s Industrial Strategy and also its research and innovation policies. This meeting was an excellent opportunity to showcase Queen Mary’s unique profile and strengths, with a particular focus on our sector leading work on degree apprenticeships, and also on key areas of research strength. As well as members of the Senior Executive, the meeting was attended by Simon Lucas (EECS), David van Heel (Blizard), Morag Shiach (SED) and Martin Knight (SEMS), which allowed for in-depth discussions on our expertise and innovation in the areas of AI, health data, creative industries and materials. The meeting was also an opportunity to discuss the ‘place’ agenda that is central to the Industrial Strategy, and how this should be applied to the London context, noting the significant variations across the capital in terms of economic, social and health indicators.

A number of areas of interest are being followed up with Gareth, such as ethics and AI, and how creative industries can contribute to the Industrial Strategy objectives.

2.3 Singaporean High Commissioner

The High Commissioner’s visit was an opportunity to provide an introduction to QUEEN MARY and also to focus in on areas of current and potential future collaboration with the Singaporean Government, business and universities. There was a particular focus on links in the area of law, materials and robotics, but in addition developing links via SMD, SBM and SPIR were noted. Alongside members of the Senior Executive, the meeting was also attended by Spyros Maniatis (CCLS), Wen Wang (SEMS) and Lee Wildman (International Office).

2.4 Philip Rutnam – Permanent Secretary, Home Office

This meeting provided an opportunity to discuss areas of significance to Queen Mary and the wider sector, including visa and immigration policy and practice, and the Prevent agenda.

2.5 Mark Walport – Chief Executive Designate of UK Research and Innovation

Mark is well known to the sector, acting as the Government’s Chief Scientific Adviser from 2013 to last year. He is now Chief Executive Designate of UKRI, which formally comes into

operation in April of this year. UKRI will bring together the seven Research Councils, Innovate UK and a new organisation, Research England. It will have a combined budget of £6bn and clearly Mark will be a hugely influential figure in terms of funding and frameworks for research and innovation activities across the sector. His visit in April is therefore a great opportunity for us to make him aware of the very high quality of our research work and to discuss key issues such as the status of QR funding.

2.6 Norman Lamb – Chair of the Science and Technology Select Committee

Norman spoke at a meeting of the Russell Group EU Advisory Group, which was attended by Bill Spence. We have since arranged for him to visit the university in April, to discuss Brexit and a range of other sector issues, and also to hear more about his work leading the Science and Technology Committee. It will also be an opportunity to showcase areas of QUEEN MARY strength that align with current topics being considered by the Committee, such as genomics and AI.

2.7 Michael Barber – Chair of the Office for Students

Michael is also due to visit in April, which is when the OfS formally takes on oversight of the sector in terms of undergraduate and postgraduate education. This will be an opportunity to discuss the new regulatory landscape for HE and to emphasise the key issues such as the autonomy of universities.

3 Pensions

I appreciate the sensitivities and concerns regarding the proposed changes to the USS pension scheme. I recognise and respect the right of colleagues to take industrial action in response to this situation and I know this isn't a step that any member of staff would take without very careful consideration. We have fantastic staff at Queen Mary and want to support them in a range of ways – it is this ethos that led us to be founder members of the London Living Wage, for example. However, there is a statutory requirement to address the USS scheme's deficit, and this needs to be done in a way that is affordable to both employers and employees and is sustainable (and so does not present further difficulties at the next valuation). This approach can only be identified at a national level, and I have therefore welcomed the talks between UUK and USS that were due to start on 27 February. I hope that these talks are productive and can identify a solution that meets the criteria noted above and is also acceptable to the USS Trustee and the Pension Regulator.

A key focus at the moment is on mitigating the impacts felt by students as a result of the action. We have made a commitment to students that they will not be disadvantaged in terms of their outcomes, and a set of FAQs has been provided via the Queen Mary website. Rebecca Lingwood is chairing a group that is reviewing the impact of the strike on teaching and assessment and considering mitigating actions (there will be a separate item on the Senate agenda on this aspect).

Naturally UCU have been trying to communicate their position to students, however some material has encouraged students to fill in their NSS return in a particular way. There are very strict guidelines against influencing students in completing their NSS returns and accordingly we have requested that UCU removes references to NSS and student surveys in its materials (printed or online).

Recognising the ongoing concerns of staff and students on both the pension scheme proposals and the linked industrial action, I am holding regular open meetings to answer any questions that members of the Queen Mary community may have. These will continue for as long as there is a demand such sessions.

I appreciate that this is a complex issue and that I am not able to cover all aspects in this summary. In addition, there is the potential for matters to develop quickly over the coming period, following the completion of this report. I will therefore update orally on any new developments and will of course be happy to discuss this issue further at the meeting of Senate.

4 Financial Position

The budget-setting process for 2018/19 is moving to a conclusion and Faculties and Professional Services have been paying particular attention to opportunities for increasing our generation of cash, in order to enhance our capacity for investment. Senate will be aware that as a university we do not make a 'profit', but instead that any funds that remain after we meet our operating expenses are what we rely on to support improvements that cannot be delivered via 'business as usual' activities. With a large and in some places sub-standard estate, there is a major need to invest into our existing buildings, to ensure they are fit for the quality of research and education that we want to deliver. Equally, we need to improve our IT systems, which has been flagged as a high priority in virtually all of my discussions with groups of colleagues from across the institution.

As an institution without the cash reserves built up by other universities, it is also prudent that we take steps so that we are better able to withstand any adverse impact from the various challenges faced by the sector, such as Brexit and the funding review.

5 Queen Mary Strategy

The current institutional strategy is due to expire at the end of the next Academic Year. Accordingly, we will be looking to develop a new strategy for Queen Mary over the course of this calendar year. We are planning to hold engagement events with staff in the spring as a key part of this process and will be providing more detail in due course.

6 TEF/REF/KEF

The sector is now contemplating having to respond to three assessment frameworks, looking at research, teaching and knowledge exchange. The first two exercises, TEF and REF, are established while the third, KEF, is currently under consultation. Queen Mary has responded to the consultation on the latter, highlighting methodological issues and concerns about increased burdens on universities. With all three exercises, there are valid queries about the ability of these processes to accurately assess excellence in the respective areas. However, while we make these points via consultation opportunities and meetings of the sort captured in Section 2, we must also do what we can to prepare for these exercises, making sure that our responses align with our underlying strategy and principles.

In the TEF, for example, the measures that this contains (while arguably not assessing teaching excellence) are ones that we want to improve, namely retention, employment outcomes and student experience. These are key areas of priority (see my last report for details) and Rebecca Lingwood and Catherine Murray are visiting each School and Institute to talk about these issues at the local level, in order to support the ongoing development of interventions and improvements.

In research, we have an ongoing objective for our staff with research in their role profiles to undertake work that is internationally leading, and we will also continue to look to recruit new colleagues who are current or potential future leaders in their fields. This will support external assessments of our research activity, although the REF also requires careful

consideration of our submission across all units of assessment in order to maximise our performance.

I would be happy to discuss any or all of these assessment processes at the meeting.

7 Updates on Senior Personnel

Since our last meeting, we have confirmed the appointment of Professor Colin Grant as our new Vice-Principal International. Colin will be an outstanding addition to the Senior Executive team at Queen Mary. He brings a wealth of experience gained during his time at the University of Southampton, and from previous leadership roles at the University of Bath and the University of Surrey. His understanding of the international agenda and his extensive global networks will be invaluable to the strategic development of Queen Mary in the years ahead. Colin is currently Vice-President (International) at the University of Southampton and Chair of the Russell Group International Forum. He will join us on 16 April 2018.

We have also appointed a new Director of Development and Alumni Relations. Claire Kilner will join us from the University of Manchester where she is currently the Deputy Director and Head of Alumni and Donor Communications and Engagement. Prior to this, Claire was Head of Alumni Relations at the University of Nottingham. Claire will formally start at Queen Mary on Monday 12 March.

I'm sure that colleagues on Senate will all join me in welcoming both Colin and Claire to Queen Mary and wishing them every success in their roles.

8 Events on Campus and Freedom of Speech

I will include a standing item on my reports relating to any significant issues in the area of freedom of speech. There are no such issues that require bringing to Senate's attention at the time of writing.

9 Other Matters

I will report orally to Senate on other matters that may have arisen between the preparation of this report and the Meeting.

Colin Bailey, 28 February 2018

Office for Students (OfS)

The Office for Students (OfS) is the new regulatory body for the Higher Education Sector in England and derives its powers from the Higher Education and Research Act 2017 (HERA)¹. It will regulate the sector but not set tuition fees or other government policy. The OfS came into formal existence on 1 January 2018 and will take over from HEFCE from 1 April 2018, at which point HEFCE will be formally disbanded.

A consultation on proposals for a new approach to regulation in higher education and related issues took place 19 Oct - 22 Dec 2017 and focused on the:

- proposed risk-based regulatory approach for the higher education sector
- guidance on the conditions, behaviours and evidence for registration, and
- approach to the transition of providers to the new regulatory framework

In parallel to the above and during the same period three other consultations considered:

- Registration fees for providers
- Designation of a body for HE information and data (HESA)
- Designation of a body for quality and standards (QAA)

The OfS will have four primary objectives:

1. All students, from all backgrounds, are supported to access, succeed in, and progress from higher education.
2. All students, from all backgrounds, receive a high quality academic experience, and their qualifications hold their value over time in line with sector-recognised standards.
3. All students, from all backgrounds, have their interests as consumers protected while they study, including in the event of provider, campus, or course closure.
4. All students, from all backgrounds, receive value for money.

The OfS will seek to mitigate the risk that each of these four objectives is not met.

This paper outlines a summary of the conditions, requirements and timings for OfS registration. Full details and documents relating to the four consultations are available on the Department of Education website: <https://consult.education.gov.uk/higher-education/higher-education-regulatory-framework/>

Registration Timeline

Date	Activity
Jan 2018	Establishment of the OfS
Feb/Mar 2018	OfS will publish a statement of how it intends to exercise its functions and guidance on registration and general ongoing registration conditions
1 Apr 2018	Closure of HEFCE and OFFA
Apr 2018 - Aug 2019	Transitional arrangements in place for regulating existing providers
16 Apr 2018	Indicative deadline for providers with early UCAS application cycles to apply for registration
30 Apr 2018	Indicative deadline for all other providers to apply for registration
Jul 2018	OfS confirm registration status for providers with courses that have an early UCAS application deadline
Mid-Sept 2018	Publication of the register for the first time.
1 Aug 2019	New regulatory framework fully in force and transitional regulations no longer applicable.

¹ The Higher Education and Research Act (HERA) received Royal Assent on 27 April 2017. The Act aims to promote greater competition, choice and standards in the higher education sector with the goal of delivering better outcomes and value for money for students and taxpayers who underwrite the system. It also aims to strengthen the UK's world-class capabilities in research and innovation. In doing so, the Act supports the role higher education plays as an engine of social mobility and productivity growth, delivering the key skills needed for the UK economy.

Transition

The OfS is an independent body, exercising functions conferred on it through HERA while having regard to:

1. protecting institutional autonomy
2. promoting quality, greater choice and opportunities for students
3. encouraging competition while recognising the benefits of collaboration between providers
4. promoting value for money
5. promoting equality of opportunity in access and participation
6. using its resources in an efficient, effective and economic way
7. reflecting best regulatory practice

The OfS will be fully operational and implement its full powers from 2019/20. During the interim period, 1 April 2018 to 31 July 2019, transitional arrangements will be in place to ensure business as usual with regard to regulatory requirements, alongside the process of OfS registration and establishment of the new regulatory body.

Transition period 1 April 2018 to 31 July 2019

During the transition period, HEIs will continue to operate under the current legal framework (Further and Higher Education Act 1992 (FHEA)) and existing regulatory arrangements. Once the OfS Register is fully populated, powers under the HERA will be fully implemented. Until then the Secretary of State will continue to designate Alternative Providers for student support purposes; and the powers and duties given to the Director of Fair Access by the Higher Education Act 2004 will continue to be used.

Registration Period April to September 2018

Each current HEFCE funded provider is required to register with the OfS if it wishes to receive grant funding and access to the student support system from 1 August 2019.

In parallel to operating under existing regulatory arrangements, the OfS will invite and assess applications for registration from current and new providers. Providers will then be able to access funding and/or the student support system from 1 August 2019.

Registration

If HEFCE were to initiate and operate the APR (*Annual Provider Review*) process on the same timetable as in the previous year (from January to July 2018) providers would be responding to HEFCE APR concerns and any necessary follow-up scrutiny at the same time as preparing application for registration with the OfS. In addition, all quality and standards judgements from APR would not be available to the OfS in time to be used as evidence for the registration process. The following timetable had therefore been identified.

December 2017 to March 2018: HEFCE will undertake its assessment of the Annual Accountability Returns (AAR) under FHEA.

April to July 2018: The OfS will take on HEFCE's functions under FHEA, and begin the registration of providers under its new HERA powers.

- *The OfS will use the information provided in the AAR by an individual provider, and HEFCE's assessment of FSMG matters, to make its own assessment and reach decisions about the provider in relation to conditions D, E1 and E2.*
- *The OfS will draw on the outcomes of the 2016/17 APR cycle, and any additional concerns raised by HEFCE in relation to quality and standards matters during the spring of 2018, as it reaches decisions about a provider in relation to conditions B1 and B2. The OfS will assess, as part of its registration process, the student outcomes indicators associated with condition B3.*
- *The OfS's judgement about a provider in relation to the quality and standards conditions B1, B2, B3, C1 and C2 will constitute the quality and standards APR outcome for that provider for 2017/18 and will be published on the HEFCE register (not the OfS register) and used for TEF eligibility.*
- *The OfS will continue to operate the Unsatisfactory Quality Scheme as necessary during this period.*

Conditions of Registration

The table below sets out the headline initial and going conditions of OfS registration as an ‘Approved (fee cap) provider’. **Appendix A** sets out in further detail the baseline conditions an approved (fee cap) provider will need to meet in order to be registered, the evidence the OfS will use to assess the provider, and the extent to which these evidence requirements will be met from existing sources.

As part of the initial registration process, the OfS will undertake a risk assessment based on the degree to which a provider meets each of the various conditions of registration and the probability and potential impact of the risk of the provider being unable to continue to meet each of the ongoing conditions.

The OfS register will have three categories:

1. Registered basic: for providers who want to be officially recognised as offering Higher Education courses
2. Approved: for those accessing student finance without eligibility for grant and no fee cap obligations
3. Approved (fee cap): with eligibility for grant in return for a fee cap and, where charging tuition fees up to the higher amount, an access and participation plan.

The following initial registration conditions in **bold** indicate where providers will be required to produce **new** evidence. Details are summarised below.

Initial	Ongoing
(A1) Access and Participation Plan	(A3) Adherence to Transparency Condition
(A2) Access and Participation Statement:	(E3) Publication of high-earning staff salary bands
(B1) Provision of high quality courses	(G) Cooperation with the OIA
(B2) Support for students to successfully complete	(H) Publication of student transfer arrangements
(B3) Successful student outcomes	(I) Notification of changes required for accuracy of register
(C1) Ensure value of qualifications	(J1) Provision of information to the OfS
(C2) Delivery of level 4+ courses	(J2) Provision of information to the designated data body
(D) Financial sustainability	(K) Not exceeding the published fee cap
(E1) Effective management and governance	(L) Facilitating electoral registration
(E2) Adherence to public interest principles	(M) Payment of OfS fees
(E4) Due regard to consumer law in student contracts	(N) Compliance with conditions of funding from OfS and UKRI
(F) Student Protection Plan	(O) Governing body accountability for interactions with OfS
	(P) Participation in the TEF

(A1) Access and Participation Plan: sets out how a provider charging fees above the basic amount and up to the higher amount intends to safeguard and promote fair access to higher education, and ensure students have equality of opportunity with regard to successful participation and progression. Plans must cover the “whole student lifecycle”, be evidence-based and sufficiently resourced to meet their outcomes. For 2019/20, providers will be invited to submit their access and participation plans to the OfS in **Spring 2018**.

(A2) Access and Participation Statement: sets out a provider’s commitment to supporting access and participation in higher education by students from disadvantaged backgrounds and under-represented groups. The content of a statement is at the provider’s discretion, does not have to be approved by the OfS but must updated and re-published on an annual basis.

(E4) Due regard to consumer law in student contracts: to demonstrate that, in developing the policies and procedures governing contractual and other relationships with students, the provider has given due regard to relevant guidance on how to comply with consumer law (the CMA's published guidance for higher education providers is currently recommended by the OfS).

(F) Student Protection Plan (SPP): sets out what actions will be taken to minimise any impact on the students' continuation of study should the provider discontinue the course, subject, discipline or exit the market completely. The OfS will assess the appropriateness of the plan in the context of its risk assessment to the extent to which a provider may in future breach its conditions of registration and may need to implement the provisions of its plan. The SPP must be approved by the OfS, and readily available to current and potential students.

Registration Timeline

Date	Activity
Jan 2018	Establishment of the OfS
Feb/Mar 2018	OfS will publish a statement of how it intends to exercise its functions and guidance on registration and general ongoing registration conditions
1 Apr 2018	Closure of HEFCE and OFFA
Apr 2018 - Aug 2019	Transitional arrangements in place for regulating existing providers
16 Apr 2018	Indicative deadline for providers with early UCAS application cycles to apply for registration
30 Apr 2018	Indicative deadline for all other providers to apply for registration
Jul 2018	OfS confirm registration status for providers with courses that have an early UCAS application deadline
Mid-Sept 2018	Publication of the register for the first time.
1 Aug 2019	New regulatory framework fully in force and transitional regulations no longer applicable.

Registration Fees

The government has committed to fund the costs of transition from the old regulatory systems to the new regulatory framework during the transition period. The first fees would therefore be payable by all registered providers at the point of the new regulatory framework being fully operational at the start of the 2019/20 academic year.

Registration fees will be payable on a cycle that corresponds with the annual registration period, reflecting the traditional academic year. In a typical year, fee levels will be confirmed by the preceding April to give providers sufficient notice.

January 2018

APPENDIX A

Initial conditions of registration	Would existing evidence be suitable?	What evidence will be used/ required?
BASELINE INITIAL CONDITIONS		
Objective: all students, from all backgrounds, are supported to access, succeed in, and progress from, higher education		
Condition A1: “An Approved (fee cap) provider intending to charge fees above the basic amount for qualifying courses must have an access and participation plan approved by the OfS in accordance with HERA, and for any period in which the provider charges fees above the basic amount, the plan must be in force and the provider must take all reasonable steps to comply with the provisions of the plan.”	No	Providers will need to produce a new access and participation plan that the OfS approves in order for the provider to be registered.
Condition A2: “An Approved provider or an Approved (fee cap) provider charging fees up to the basic amount must publish an access and participation statement and must update and re-publish this on an annual basis.”	N/A	Providers, which do not charge above the basic amount, will need to produce an access and participation statement in order to be registered.
Objective: all students, from all backgrounds, receive a high quality academic experience, and their qualifications hold their value over time in line with sector-recognised standards		
Condition B1: “The provider must deliver well-designed courses that provide a high quality academic experience and enable a student’s achievement to be reliably assessed.”	Yes	The OfS will use the outcomes of the 2016/17 APR cycle, and any outcomes of an Unsatisfactory Quality Scheme investigation, to assess compliance with conditions C1, C2, B1 and B2.
Condition B2: “The provider must support students, including through the admissions system, to successfully complete and benefit from a high quality academic experience.”		For condition B3 providers will be assessed against the following indicators:
Condition B3: “The provider must deliver successful outcomes for its students and these are recognised and valued by employers, and/or enable further study.”		<ul style="list-style-type: none"> • Non-continuation and non-completion rates. • Degree and other higher education outcomes, including differential outcomes for students with different characteristics. • Graduate employment and, in particular, progression to professional jobs and postgraduate study.

<p>Condition C1 “The provider must ensure the value of qualifications awarded to students at the point of qualification and over time, in line with sector recognised standards”</p>		<p>The OfS will consider the data in absolute terms, taking account of provider context, rather than in the form of benchmarked metrics.</p>
<p>Condition C2: “The provider must deliver courses that match the academic standards as they are described in the Framework for Higher Education Qualifications (FHEQ) at Level 4 or higher.”</p>		
<p>Objective: that all students, from all backgrounds, have their interests as consumers protected while they study, or in the event of provider, campus, or course closure.</p>		
<p>Condition D: “The provider must be financially viable and financially sustainable and must have appropriate resources to provide and fully deliver the higher education courses as advertised (thus enabling students to complete their courses), and enable the provider to continue to comply with all conditions of its registration”</p>	<p>Yes, returns made to HEFCE</p>	<p>For Higher Education Institutions:</p> <ul style="list-style-type: none"> • The OfS will use the information submitted to HEFCE in the AAR to assess this condition. For Further Education Colleges and Sixth Form Colleges: • The OfS will use information provided by the ESFA to assess this condition. 10 Where relevant, the OfS will also seek information regarding: • The provider’s business plan (in particular, where there are concerns about the provider’s financial viability or sustainability). • Legally binding parental guarantee or other legally binding deed of undertaking, including evidence that the guarantor can fulfil the guarantee (if a provider is relying on such a guarantee to meet the condition) – this may include audited financial statements where the guarantor is a company or similar entity (see the Guidance document for what guarantees are acceptable). • Any other relevant supporting evidence, such as endorsement by a validating body for any student number forecasts.
<p>Condition E1: “The provider must have in place adequate and effective management and governance arrangements to provide and fully deliver the higher education courses advertised, and to continue to comply with all conditions of its registration.”</p>	<p>Partially. Evidence may be included in the corporate governance statement or statement of internal control in the audited accounts submitted as part of the</p>	<p>Higher Education Institutions will need to submit a short self-assessment, describing the relevant provisions in their governing documents, the arrangements for implementing the requirements and an explanation of their appropriateness.</p> <p>Each provider must also submit or make available a copy of its governing documents (where not already provided). Supporting evidence may include:</p> <ul style="list-style-type: none"> • Details of ownership and control that demonstrate that the provider is owned and controlled by fit and proper persons. • Details of corporate form and any group structures that demonstrate transparency of inter-relationships between companies / organisations.

	AAR. Only evidence not already submitted to HEFCE will need to be provided	<ul style="list-style-type: none"> • Membership and terms of reference of the governing body and any relevant committees, e.g. audit committee (where appropriate). Condition E2: “The provider must adhere to its governing documents, which must be consistent with the public interest principles that are applicable to the provider.” 11 • Evidence regarding risk management tools and processes (e.g. a risk register) (where appropriate). • Audit Committee annual report (where appropriate). • Internal audit plan and annual report (where appropriate). • Recent effectiveness review report of the governing body and any committees (where appropriate). • Information about governor (or equivalent) recruitment and induction (where appropriate). Where a provider is still subject to Privy Council oversight of its governing documents in the academic year 2018/19, but needs to make some changes in order to bring these fully in line with the OfS’s Public Interest Principles, the OfS will be able to agree such changes in draft at the point of registration. This will be on the understanding that the agreed changes are made in the provider’s governing documents once Privy Council oversight has ceased in August 2019. This will avoid the need for providers to go through the Privy Council process for minor changes prior to registration (see paragraphs 70-73 for further detail).
Condition E2: “The provider must adhere to its governing documents, which must be consistent with the public interest principles that are applicable to the provider.”		
Condition E4: “Providers should demonstrate in developing their policies and procedures governing their contractual and other relationships with students that they have given due regard to relevant guidance as to how to comply with consumer law.”	No	Providers will need to submit a short self-assessment, describing how they comply with condition E4. The provider may find it helpful to take account of the compliance checklists at 12 Annex A of the CMA’s advice (p. 55 – 59)6
Condition F: “The provider must have in force a student protection plan which has been approved by the OfS (which sets out what actions they will take to minimise any impact on the students’ continuation of study should the provider discontinue the course, subject, discipline or exit the market completely) and the provider commits to taking all reasonable steps to comply with the provisions of that plan.”	No	Higher Education Institutions will be required to submit a student protection plan. In considering the plan for approval, the OfS will assess the appropriateness of the plan in the context of its risk assessment to the extent to which a provider may in future breach its conditions of registration and may need to implement the provisions of its plan. For example, for a provider assessed as at an increased risk of a future breach of ongoing registration conditions, more extensive provisions for student protection will be required.