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[www.officeforstudents.org.uk](http://www.officeforstudents.org.uk)

4 November 2020

Dear [Accountable Officer]

## **Coronavirus (COVID-19): New national restrictions for England**

I am writing to you following the government's announcement that new national restrictions will be introduced in England from 5 November 2020, subject to approval by Parliament. These restrictions will apply until 2 December, at which point we understand that the government aims to return to a regional approach, based on the latest data.

The government has set out its guidance for higher education providers and the steps that you need to take.<sup>1</sup>

### **OfS actions and expectations**

When we wrote to you on 16 October 2020, we set out the actions we were taking in response to outbreaks of coronavirus at registered providers, and that we were likely to contact you if you entered Tier 3 or 4 of the Department for Education's tiers of restriction.<sup>2</sup> The information in that letter, as well as our expectations in relation to the quality and standards of courses (3 April 2020) and consumer protection (10 June 2020), continue to apply.

Our engagement with providers currently in Tier 3 has highlighted the need for providers to ensure clear and effective communications with students, and in particular to:

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<sup>1</sup> See <https://www.gov.uk/government/publications/higher-education-reopening-buildings-and-campuses/higher-education-reopening-buildings-and-campuses> for a description of the different tiers.

<sup>2</sup> See <https://www.gov.uk/government/publications/higher-education-reopening-buildings-and-campuses/higher-education-reopening-buildings-and-campuses>.

- Ensure that students are aware of the general principles set out in your outbreak plan, and particularly what situations are likely to trigger a decision to move up or down through the four tiers. This will enable students to understand when and why you may choose to move more of your teaching online, and when you may return some aspects to face-to-face delivery.
- Explain your plans for the remainder of the academic year, as far as is reasonably possible. Specifically, set out whether you intend to delay some teaching so that it can be done face-to-face at a later stage, and what this may mean for students. Students will also need to understand how you will review this in the event of further local or national restrictions.
- Ensure that all students are aware of what different kinds of support, including equivalent alternative arrangements for mental health and wellbeing support, are available to them and how to make complaints through both informal and formal mechanisms.

We continue to take the position that we are unlikely to take regulatory action where a provider has acted in response to public health guidance and where it has made all reasonable efforts to protect the interests of students.

### **Reportable event requirements**

I would also like to take this opportunity to draw your attention to our updated reportable event requirements during the coronavirus pandemic, which we shared in our letter of 30 July 2020.<sup>3</sup> In particular, you should contact us if the latest national restrictions are likely to have a negative effect on your institution's short-term financial viability. If you are not sure about whether to report any issues, please contact [regulation@officeforstudents.org.uk](mailto:regulation@officeforstudents.org.uk).

If you have any questions regarding the OfS's approach, or there are particular issues that have arisen from these latest restrictions that will affect your ability to comply with the regulatory requirements we have set out, please contact us to discuss this.

Yours sincerely

**Susan Lapworth**  
**Director of Regulation**

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<sup>3</sup> See <https://www.officeforstudents.org.uk/publications/update-on-the-office-for-students-approach-to-regulation-and-information-about-deadlines-for-data-returns/>.