

The OfS's operating environment

Board's primary role in relation to this paper:

- A. Set strategy
- B. Set risk appetite
- C. Oversee performance
- D. Understand context

Purpose

1. To support the board's understanding of the context for the OfS's work. This paper provides an overview of recent political, sector and student developments that shape our operating environment.

Developments

Government reshuffle

2. Responsibility for apprenticeships, adult further education, skills, training, careers, and Skills England has transferred from Department for Education (DfE) to the Department for Work and Pensions (DWP).¹
3. There is little immediate change for the OfS, as DfE will retain responsibility for higher education and education, skills, and careers for those aged 19 and under. However, the move for Skills England will mean the OfS needs to build relationships with DWP officials at the earliest opportunity to ensure our engagement with Skills England continues unaffected.
4. Another implication of the reshuffle is that the DWP is likely to be involved in finalising the post-16 skills white paper. The timetable for publication of the white paper remains uncertain. We will need to continue to manage this uncertainty as we launch the OfS's new strategy in November.

Skills England

5. Skills England is starting to develop its evidence base to inform government decisions.² This includes detailed projections of workforce needs, such as the number of graduates required in specific disciplines to meet demand in particular sectors. We are contributing additional context

¹ [Written statements - Written questions, answers and statements - UK Parliament](#)

² [About us - Skills England - GOV.UK](#)

to this work, including data on student demand, current higher education provision and its geographic distribution, and implications for access and progression, to ensure students' interests are reflected in policy development.

6. We continue discussions with DfE and Skills England to ensure a joined-up approach in the event of increased government intervention in shaping higher education provision, as well as building relationships with DWP.

Legislation affecting higher education

7. The Renters' Rights Bill is in the final stages of the parliamentary process and is likely to be passed by the end of the year.³ If passed, students would be able to end their housing tenancy with just two months' notice, increasing flexibility for students whose circumstances change and end no-fault evictions. This would give students greater housing security.
8. The legislation also creates a new type of notice for landlords to serve on students requiring students to leave the property at the end of the academic year. This will only apply for landlords who continue to rent to students (i.e. replacing student tenants with other students) therefore students may continue to live in a property after finishing an academic year.
9. Although we do not regulate private student accommodation, we want to understand students' experiences and how accommodation compares to their expectations. To support this, we are commissioning further insight work with first year students this autumn.
10. The Employment Rights Bill returned to parliament in September. If passed in its current form, the legislation could have significant cost implications for higher education providers because in-house staff and outsourced staff would be treated on the same terms.⁴ **Exempt from publication.** We will monitor progress of the legislation to understand the implications for our work
11. The Public Office (Accountability) Bill, also known as the 'Hillsborough Law' was introduced in September and will apply to public bodies, including higher education providers, and public officials. The legislation does not limit which officials are covered and defines a public official as those working for public authorities and those who hold an office under a public authority.
12. The bill seeks to introduce a legal duty of candour for public bodies and individuals requiring honesty and transparency during formal proceedings including inquests, inquiries and investigations.⁵ DfE is expected to issue guidance for higher education providers once the legislation is passed.

Free speech

13. New research published by the UK China Transparency think tank describes widespread concerns within the academic community about spying, intimidation, harassment, and self-

³ [Guide to the Renters' Rights Bill - GOV.UK](#)

⁴ [Employment Rights Bill - Parliamentary Bills - UK Parliament](#)

⁵ [Public Office \(Accountability\) Bill - Parliamentary Bills - UK Parliament](#)

censorship designed to suppress discussion of issues that are sensitive to the Chinese government.⁶

14. This overlaps with the issues covered in the OfS's recent free speech guidance about foreign states or institutions enabling censorship on English campuses and the impact of this on academic freedom. In this context, we have recently written to 20 providers seeking individual meetings to discuss their international arrangements.

Headlines from OfS engagement

15. Early signals suggest that repositioning of the OfS as presented at the Universities UK conference has been well-received within the sector.⁷ Stakeholders have welcomed the introduction of the OfS Provider Panel as a formal way for providers to share their perspectives on our regulation and we had 85 applications to join the panel.
16. Feedback from the Universities UK conference indicates that our outreach on transnational education (where courses are delivered by English providers to students based outside of the UK) is bringing benefits to the sector and to government. Demonstrating that there is effective regulation of quality for these courses supports confidence in the system internationally.
17. We are hearing from sector representatives that our work to strengthen the regulatory system, for example reforms to registration and proposed new requirements for the oversight of subcontractual arrangements (also referred to as franchised provision) are welcome, although there remain some concerns about additional burden on the latter.
18. Stakeholders found the sexual misconduct survey results sobering but largely unsurprising, with particular concern over low reporting rates. While the data prompted calls for greater transparency and institutional accountability, there was also caution around media portrayal, data interpretation, and the need for contextualised, sensitive engagement across the sector.
19. Exempt from publication.

Other notable commentary

20. Exempt from publication.

Paper publication

21. Considered to be exempt from publication.

⁶ [New UKCT report on China studies + Universities regulator guidance comes into force](#)

⁷ [Edward Peck's speech to Universities UK 2025 - Office for Students](#)