



Universities  
UK



To understand the issue better, we commissioned Moorhouse Consulting in April 2023 to undertake research into the experience of regulatory burden among our members in England, all of which are registered with the OfS. The research showed that despite welcome moves by the OfS to begin addressing some of the sector's concerns, there are still many aspects of the OfS's regulatory approach – the regulation itself and the way in which regulation is conducted – that universities felt were not working well.

The research estimates that:

A university, on average, has a full-time equivalent (FTE) of 17.6 dedicated solely to regulatory compliance.

Across all 116 UUK members in England, the total could be as much as 128 FTE at executive level, 638 FTE at manager/director, and 1,289 at officer/





panel, and the terms of reference



The OfS, in its annual reporting to its sponsorship department, should be asked to consider how effectively its regulatory requirements are supporting its objectives, and what it is doing to minimise any unintended consequences, including burden. The DfE, when recommending areas for OfS interest, should encourage the OfS to explore with the sector non-regulatory approaches first and to provide evidence on the effectiveness of these approaches before proposing new conditions of registration.

**The OfS initiates a relationship reset, working with providers to review its engagement strategy and rebuild trust and understanding between the regulator and the regulated sector.**

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whether they are likely to face more engagement over the coming year (and plan for it).

Similar practice takes place in Australia, where their regulator, TEQSA, undertakes an annual risk assessment of all providers which is typically shared back to each provider. Providers can then respond, which may lead to an adjustment in the assessment and ensures the regulator has considered all the relevant factors in their judgement. It also means remedies can be put in place before problems escalate, meaning students are protected from things going wrong rather than relying on regulatory penalties being imposed after the event.

The OfS should aim to share their current risk assessment with providers directly and on an annual basis. Providers should be given the opportunity to provide additional context and comment on the report. Sharing this will support a shared understanding of risk management.



