



HOUSE OF LORDS

Industry and Regulators Committee

Corrected oral evidence: The Office for Students

Tuesday 18 April 2023

10.30 am

Watch the meeting

Members present: Baroness Taylor of Bolton (The Chair); Lord Agnew of Oulton; Lord Burns; Viscount Chandos; Lord Cromwell; Lord Gilbert of Panteg.

Evidence Session No. 7

Heard in Public

Questions 61 - 68

Witness

[I](#): Chloe Field, Vice-President for Higher Education, National Union of Students.

Examination of witness

Chloe Field.

Q61 **The Chair:** Good morning. This is the Industry and Regulators Committee. We are conducting an inquiry into the OfS. We have been taking evidence from a whole range of people on this. This morning, remotely, we have our witness Chloe Field, who is vice-president for higher education at the National Union of Students. Good morning and welcome to our hearing.

Chloe Field: Good morning.

The Chair: Can we start by asking you for an overall impression of the NUS's experience of engaging with the OfS? To what extent do you think that the discussions that you have—the consultation that OfS has with the National Union of Students—are adequate, relevant and the kind of engagement that you think you should be having?

Chloe Field: I will give a quick overview of what we do and the level of representativeness that we provide as the NUS. We are the only formal national body for students. Ninety-five per cent of student unions across the UK are affiliated to NUS UK. We incorporate every level of professionally supported student engagement. Our members bring with them every level of student representation, from clubs, societies and course reps. All different types of experiences are brought in, all the way from down below up to full-time NUS officers, who are nationally elected at conferences, with delegates from all across the country.

On the question of OfS engagement, our current formal engagement is with the senior leader at the OfS. From its inception, the NUS has never had an ex officio place on the board, as we do in other sector organisations such as the QAA and the OIA, nor have we ever had an ex officio place on the student panel, so I would not say that we have student representativeness and engagement formally embedded in the decision-making processes at the OfS and its strategic direction.

When we are consulted as the NUS, it is very much on an issue-by-issue basis. Because of the leader-to-leader contact, there is nothing in the way the OfS is governed that means that we have to be consulted. It is determined by what we decide to bring up about the issues that we think are relevant and by what the OfS thinks is relevant. That is about as far as the student engagement goes that the OfS has with the NUS.

The Chair: I have two points. First, you are implying that you would like to have an ex officio place. Is that the case? Have you made any representations on that? Secondly, you said that it is issue by issue. Do you, as the NUS, feel comfortable raising issues with the OfS? Do you think that they would be taken seriously and looked at properly?

Chloe Field: On the first question, regarding ex officio positions, we are not necessarily saying that we want to be on the board, but we definitely want to have observer positions, as that would be the best way for us to

understand what is going on in the OfS. If we were on the OfS board, it would be difficult for us to represent the OfS and stuff like that, if that makes sense.

Could you repeat the second question? I am sorry, but I have completely forgotten it.

The Chair: You say that your contact is really issue by issue and that sometimes it is initiated by the OfS. If the NUS thinks that there is an issue that should be looked at by the OfS, do you feel comfortable approaching it? Do you feel that it will listen and take on board the things that you suggest?

Chloe Field: Personally, I have felt comfortable bringing up issues. Whether they would change the direction of the OfS or would definitely be incorporated is probably another question. I cannot speak for the past experiences of officers, because I became an NUS officer only last summer. From my experience, it has definitely felt comfortable, but an issue may be taken on board only if that is a direction in which the OfS already wants to go or it confirms its current strategy. From what I know, historically there has been an open dialogue and the OfS listens.

Q62 **Viscount Chandos:** How well do you think that the OfS engages with students more broadly—that is, not specifically through the NUS? Do things like the student panel, the representation on the OfS board and the NSS really drive the work of the OfS?

Chloe Field: Regarding the student panel, we are really glad that there is direct student involvement in the OfS. That is something the NUS has fought for hard in the development of the OfS. The question remains: how is it used? If it is used as a space to raise issues that students care about, that is amazing, but it needs to be part of a spectrum of student engagement measures and routes through which students can feed in. As the NUS, we understand that student engagement comes in lots of different forms. It is not necessarily just about having a seat at the table; it is also about being consulted in a multitude of ways. It has to be a space for students to raise what they want, and that must have a real impact on the work of the OfS.

Today's student body is very diverse. We have to capture that in all areas of student engagement. Especially since Covid, there are lots of different, unique experiences in the student body and at different universities. We welcome the efforts that the OfS has made to recruit a real diversity of students to the student panel and know that a lot of effort has gone into the appointment process. I believe that you may be speaking to the chair of the student panel later. They will be best at answering that question specifically. I do not sit on the student panel currently, so I cannot speak from experience of what that is like.

On the NSS, the NUS has had long-standing concerns about the NSS and how it plays as a metric in education regulation. Again, it is all about how it is used and how the survey is made up. Is it taking on board the

current student view about things that students really care about, or is it creating a direction that is initiated by the Government, which is a big concern of the NUS right now regarding the OfS? We will probably talk about that later.

We are happy that there is a student position on the board. It is really good that there is direct student involvement, which is something that the NUS has lobbied hard for. As with all questions of student engagement, the question is: how well is the board member supported to engage and be respected in the room? Again, it is all well and good having a position at the table, but if someone does not feel comfortable about speaking and does not feel listened to, it will not be proper student engagement. I do not sit on the board or have that experience, so I do not know what that is like.

Viscount Chandos: How would you make it more effective in engagement? Would it be through making it less formal and having more informal interaction or through building in greater independence of the various bodies and mechanisms?

Chloe Field: As I mentioned, often it comes in lots of different forms. I do not think there should be just one way of doing student engagement. There have to be different ways. Our 400 member student unions often provide detailed feedback and research on all aspects of student life, day in, day out, so the NUS has a lot of equipment and ability to provide that. We do a lot of that, as the only national student body, so we can provide a lot of it. Bringing in student unions is so important in this. For the OfS or any HE sector organisation to try to do it alone would be silly when there are student unions across the country that do so much work on the best student engagement.

There are probably two principles here. One is supporting the student panel to have a defined purpose within the regulator so that it is able to do this and can understand its direction. Most importantly, there is no lack of research into student engagement, but we do have a lack of strategic direction for UK higher education overall. That is not on the OfS necessarily, but it is very much on central government. Higher education is clearly in a crisis right now and so are the Government. I started at the beginning of July. We are on our fifth Secretary of State for Education since then. One of them was in the role for less than 36 hours. We are on our fourth Higher Education Minister. It is really difficult to have a strategic direction and even to engage students when oftentimes it has been in such fluctuation and, to be honest, quite chaotic. Obviously, that comes on to the OfS.

Q63 **Lord Gilbert of Panteg:** Thank you, Chloe, for joining us. I want to pick up where we left off. I want to understand a little more about how the OfS consults students, how providers engage and involve students, and whether the OfS has some role in setting minimum standards in that area.

Can we start with the OfS? Students are involved formally in some OfS

processes, such as the teaching excellence framework reviews. They are part of that process. In other areas, it seems to me that you are saying that the involvement of students is informal; it is not necessarily part of the process. Do you think that approach works? Do you think that students are formally involved in all the regulatory processes of the OfS? If not, should they be? Are they seeing only part of the picture through the structural involvement that they have?

Chloe Field: Yes. Once again, this is where we see how the formulation of the Office for Students did not really lead to strong and consistent student engagement. Right now, as it exists, the OfS regulates in such a way that all providers that want to be on the register have to hit a baseline and then assess the risks of their missing it. It is not really incentivising striving for enhancement and innovative practice across the board, unless the provider itself is going to do that. It is that enhancement agenda and speaking to students' own experiences and expertise that creates the environment where students can have really meaningful engagement. That is definitely a struggle right now.

We have had our differences with TEF and the principle of it, but we cannot deny that, from strategic direction to student panellists to the student written submission, there are lots of routes for students to engage there.

Lord Gilbert of Panteg: We will come back to the institutions themselves in a moment. On the OfS and the way in which it engages and involves students, I wonder whether it is an entirely process-driven approach or whether it is a sort of mindset. Does the OfS think about involving students in decision-making as a matter of course—as a matter of culture—or does it think, “We have a requirement to consult students on this. Here is the process by which we do it”?

Chloe Field: I am not saying that this is a baseline for all HE organisations, but my experience generally across the higher education sector and universities, which is reflected in the OfS as well, is not necessarily that they do not care but that often student input can become a fairly tick-box exercise. Sometimes it is a case of saying, “We’ve gone in this direction. Let’s check the students”. More could definitely be done to have students as a priority. Does that answer the question?

Lord Gilbert of Panteg: I think so. It seems to me that you are pointing to an organisation that understands its statutory obligations and the processes that it has established for consulting students but that does not instinctively think about students consistently, through all its regulatory and other work. Is that fair?

Chloe Field: Yes, I think so. We also have concerns about the lack of independence from the Government. Seeing the OfS in its current state, with such a lack of independence from the Government, is concerning, because it feels more and more as if students are just being used to confirm the strategic direction that the Government want for the OfS instead of to find out how students get on and what students need. We,

as the NUS, have so many resources and so much research on student engagement and stuff like that. It is all there. We can learn from student unions on that. The answer is yes, basically.

Lord Gilbert of Panteg: That is interesting. Let us talk about the individual providers for a moment. I have the same sorts of questions. It may be a picture of good, bad and indifferent, with some providers being good at engaging students and others less good. Do you think that the OfS does anything to assert minimum standards for engaging students across the sector?

Chloe Field: No, I do not think there is enough guidance on that. As I said before, there is not much incentivisation of good practice. A lot of HE providers feel that students are a tick-box exercise.

Over our 100 years of existence, the NUS is happy to have consistently lobbied universities to give student officers a seat at the table. When I was at my own university in Liverpool, I sat on many committees and so on. However, from talking to student officers, I know that it is not necessarily always about being in those rooms. It is about whether they feel comfortable about being listened to and expressing disagreement with university senior leaders. Their block grant, which is provided by the university, is sometimes used by universities as leverage. The implication is, "If you don't agree with us, we're going to take away the block grant", which is what student unions need to survive. I do not know whether there is enough student engagement there. There has definitely been massive progress over the years, but a lot more could be done by the OfS.

Lord Gilbert of Panteg: Have you seen that threat made implicitly: "Either engage with us nicely, on our terms, or we'll cut your grant"?

Chloe Field: Thankfully, it never happened at my student union or university, so I cannot say that. I cannot provide definite examples off the top of my head, and I do not know whether people have ever said explicitly, "We will literally take away your money if you don't agree with us", but student officers, especially at smaller institutions, are often afraid of going against what the university wants because they are so worried about their block grant. That may be because their university has cut their block grant in the past after something has happened to ruin the relationship or because there is the implicit indication, "We fund you, so you have to do what we say". I am not saying that that is the case at every HE institution, but it is a common theme that comes up a lot for student officers.

Q64 **Lord Cromwell:** Good morning, Chloe. Thank you for joining us. The Office for Students is supposed to represent student interests. That is one of its core functions. Do you think that it is itself clear on what the interest of students comprises—on what the ingredients of that are?

I will ask my second question at the same time, because you have touched on this. To what extent is the OfS guided by government as to

what the interests of students are? To what extent do you think that it stands alone and is independent of government?

Chloe Field: Sorry, could you repeat the first question?

Lord Cromwell: Sure. Is the OfS itself clear about what the interest of students actually means? It could be a very narrow thing, or it could be almost limitless. How do you feel about that one?

Chloe Field: I think it is driven 100% by political priorities and the direction in which those go, but we also have to understand why the OfS was first set up. It was set up by the Government and is funded by the Government. Obviously, it was never intended to be the equivalent of a representative body. It is a regulator, so it needs that arm's-length independence.

Secondly, over the last few years there has been an unprecedented level of government interference, which is going on right now.

Lord Cromwell: Could you give me an example of that?

Chloe Field: Yes. The thing that really stuck out for me the most in this job was the freedom of speech stuff. The OfS did a consultation on its NSS questions. One question that the OfS said students apparently wanted was a freedom of speech question. From talking to students and our research—we speak to many student unions daily—we know that this is definitely not a priority for students. Obviously, freedom of speech is important, but we do not believe in the way the Government have been emphasising it on campuses. I think it has often been used as a political tool to get into the right-wing media and make students out to be people they are not: snowflakes, basically, who cannot handle debate, have silly requests and should not be listened to. That is the complete opposite of what we see from our students.

There are so many genuine issues going on. There are students who are homeless right now and cannot afford to rent because of the cost of living crisis. They have very legitimate requests. We believe that freedom of speech is a really clear example.

The OfS is going to become—sorry, I have just lost track of my thought.

Lord Cromwell: That is all right.

Chloe Field: That is just what we have seen over the last few years.

Lord Cromwell: Can I bring us back? Tell me if I am wrong, but I think you are saying that, essentially, the OfS does not have to worry too much about what the interests of students are because it is told by the Government what they want the OfS to focus on. Is that fair, or is that overstating it?

Chloe Field: I am not too sure whether I can say that it is 100% dictated by the Government, because I do not know what really goes on behind the scenes. However, from what we are seeing, it feels like it is being

driven by government. From speaking to other people in the higher education sector, I know that everyone is agreed on that, but I do not know whether it is fair to put it on the people who are working in the OfS. I think they are put in a very difficult position by the Government to overarch that. From what I have seen, it is happening in other areas, such as the EHRC, the Charity Commission and so on.

Q65 Lord Burns: Good morning, Chloe. The OfS and the legislation underpinning it place a lot of focus on the value for money of higher education. Do you feel that the OfS is able to discharge this remit? How does it go about it? Do you agree with its conclusions? What is the student body's view on the OfS's approach to dealing with the question of value for money?

Chloe Field: As the NUS, we have always stood strongly, especially recently, against the marketised higher education model. We do not think that it is fit for purpose.

When we talk about value for money, we are treating education, which is so important for everyone to be able to access, as this thing that is on a free market. We have to be clear that we do not agree with that in principle. You can have an arbitrary price for something and tell everyone that they are an active consumer in the market and have consumer choice, but students do not have that. You cannot move around easily in this market. There is this illusion of a free market and competition, but that does not even work. We do not agree with the principle of a free market for education, but there is this illusion of it as well. It does not work.

Asking students whether they think they get value for money is such a loaded question. It is not like buying a product in the supermarket. It is something you will hold on to for life. Your job may not be in the course in which you decided to go for a degree, but it is an experience. You are learning so many skills. It might be the first time that you have moved out of home. It is such a loaded concept to put a price on this experience at university. We are seeing that each year with debt. Not only do we not agree with it, but it is clearly not working. We really have to move on from this way of describing and talking about higher education, which is about value for money and the whole fee system.

In UK higher education, oftentimes universities will say, "We've got the best education in the entire world". Internationally, a lot of people would agree, by those metrics, but we have also dug ourselves a hole where a lot of students are being told, "This isn't worth anything", or, "Is it worth anything? What are you getting out of this? Are you getting a monetary value?" That is just not how it should work. The NUS believes that we should provide free education for all and that everyone should be able to access it in all parts of their life. We fundamentally disagree with this approach, and, especially now, we do not agree with the OfS's focus on thinking about value for money. Even now, a lot of people would agree that the current system has come to an end.

Lord Burns: Do you feel that the student experience of going through an undergraduate course varies much between providers? What would the students say about the extent of that variation? How would they measure themselves, not so much in terms of value for money but based on what the experience as a whole has been?

Chloe Field: I would say 100% that it is different institution to institution. There are overarching things that pretty much all students struggle with, such as housing, hidden course costs and so on, which fundamentally will be part of every student's experience. That is a good thing. We do not want all providers to be the same. We want different providers to provide different things.

How would students measure their time? It would be hard to ask a student, "How would you measure your time?", because there are different approaches and people go to university for different reasons. There is definitely an expectation going to university, which can sometimes be that you go to university to get a degree and a job, and there are other people who just feel they have to go because it is the done thing. It can depend on that expectation versus the actual reality. A lot of students would talk about how they value their university in terms of whether their lecturers have enough time and are on secure contracts. Are they allowed to give as much support to the students as possible? That important contact time is vital. Are they developing the skills? It is not just learning about stuff on the course; it is also about developing skills, writing essays, doing research and stuff like that.

It is also the experience. So much goes on outside the classroom, such as joining societies and getting involved politically. That is stuff that students also value so much—being allowed to have that free time to make friends, pursue interests and being given a chance to develop those interests, if that makes sense.

Lord Burns: Okay, thank you very much.

Q66 **Lord Agnew of Oulton:** Morning, Chloe.

Chloe Field: Morning.

Lord Agnew of Oulton: I am interested to understand or get your views on the amount of information that universities make available to prospective undergraduates on the quality and extent of the courses that they consider registering for. Let us take contact hours, for example. Does an undergraduate know, if he or she is going to study a certain course, the level of engagement that they will get from the institution?

Chloe Field: Again, that differs from institution to institution. As I mentioned, so much goes on around the university experience that is not always due to contact hours. The important thing is quality contact hours; it is not about the amount of time you see your lecturer. Do you get that one on one? Do you get to be able to talk to them about your concerns and struggles, and stuff like that? I would not say, from my experience, that the transparency on contact hours has been a massive

issue that students bring up, but I would say the biggest issue is whether the staff are able to provide those contact hours.

It is shown in the number of strikes from the University and College Union over the last five years. A lot of staff are just so overworked. They are on very precarious contracts. When universities advertise a course and the contact hours, they may not even know which lecturers will be teaching that course because the contracts of lecturers right now can be so precarious. That especially impacts PGR students, who often have to fill in the spaces when lecturers cannot be there or are not on a secure contract. That really puts pressure on a lot of students. When we talk about contact hours, we really have to talk about the big picture, in that quality contact hours are declining because of the lack of protections for the staff who work there.

Lord Agnew of Oulton: You are happy that the universities are allowed to make the kinds of commitments and promises they make in exchange for what ends up being about £50,000-worth of debt. I just worry that undergraduates are not given the information they need to make such a huge financial commitment so early in their adulthood.

Take the cross-subsidisation of courses, for example. If they are going to register for a certain course, do they really understand that maybe half of their fees are getting moved across to a course in a different faculty because that one is much more expensive to deliver? That is the kind of information that I am just curious to hear from you. Having been in the machine very recently, do you feel that prospective undergraduates are getting the information they need and are able to make decisions on the correct information?

Chloe Field: I would not say that I am happy with the transparency, because that is definitely something that universities struggle with. When we are talking about transparency, the biggest issue from speaking to students is not necessarily transparency on contact hours; it is more on hidden course costs. Especially for students doing science and so on, they might go into a course and, as you said, they are going to end up with tons of debt and are then expected to spend £100 on just one textbook.

If we are talking about transparency, that is one of the biggest issues that students face. Again, it is talking about value for money and the marketisation that they struggle with. We do not believe that putting a monetary value on one hour of teaching is how we should treat it. It should be about the experience for students and what they get out of it. I do not think you can put a monetary value on it. From speaking to students, the student unions and student officers on a regular basis, transparency on the contact hours has not been commonly raised.

On debt and stuff like that, the debt is bad, but the general issue is not necessarily being dumped with the debt at the end. I cannot remember what the stat is, but a lot of students do not actually end up paying back that debt anyway. It is more about how the university functions due to that fee system. Are they prioritising getting income from students over

the actual experience of students in education? That is the key problem there.

Lord Agnew of Oulton: You are saying that they are more interested in just getting numbers of students on to their campus. I want to make sure I understood what you were saying there.

Chloe Field: Yes.

Lord Agnew of Oulton: Quantity over quality.

Chloe Field: Yes, 100%. That is a product of the system that has been created through fees and treating it like a market, basically.

Lord Agnew of Oulton: Thank you very much.

Chloe Field: Obviously, fees were created because the Government did not fund universities properly, and that is still a big problem now.

Lord Agnew of Oulton: Thank you.

Q67 **The Chair:** Chloe, thank you very much for the information that you have given us. Is there any point that you would like to mention that we have not raised with you? Do you think there is something else that we should be aware of about the NUS and OfS? Is there anything else you want to end on?

Chloe Field: Because a lot of this is about student engagement, I would just like to emphasise—I mentioned it quite a lot—the fact that we as the NUS talk to about 400-odd student unions. Obviously, we cannot talk to all of them on a daily basis, but we talk to them regularly. We bring in feedback and we have a lot of understanding about the student experience, and very specific student experience, because it changes year by year, especially after Covid. The student unions do tireless work with individual students on their campuses. If we are talking about student engagement, we have such a wealth of information and so do student unions. I would basically emphasise that we have a lot of resources, and we can provide a lot of information on student engagement and the student experience as it is.

Q68 **Lord Burns:** This is a very general question. The organisation is called the Office for Students. Do you think that it is doing a good job of working for students?

Chloe Field: That is a big question. Currently, it has been forced into a position where it is working for the government interest. Currently, it has lost that focus on students. As I said before, it was set up by the Government as an arm's-length, independent, government-created body. Basically, it is not prioritising students. It has been forced into this position.

The Chair: Thank you very much indeed. It has been good of you to give us your time, and I am glad we were able to do this remotely so that we could have the evidence from you. Thank you very much for your time

this morning.

Chloe Field: Thank you. Thank you for having me.