



Education Committee

Oral evidence: [Pre-appointment Hearing: Chair of the Office for Students, HC 731](#)

Tuesday 4 March 2025

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[Watch the meeting](#)

Members present: Helen Hayes (Chair); Jess Asato; Mrs Sureena Brackenridge; Amanda Martin; Darren Paffey; Manuela Perteghella; Mark Swards; Patrick Spencer; Caroline Voaden.

Questions 1 - 28

Witness

[I](#): Professor Edward Peck CBE, the Government's preferred candidate for Chair of the Office for Students

Examination of witness

Witness: Professor Edward Peck CBE.

Q1 **Chair:** We now come to our public proceedings of the Education Select Committee. This morning we are undertaking our pre-appointment hearing for Professor Edward Peck, the Government's nominated appointee for Chair of the Office for Students. Welcome, Professor Peck.

Professor Peck: Thank you.

Chair: I am going to begin our questioning this morning. Please could you tell the Committee what led you to apply for this role and what relevant experience you will bring to it?

Professor Peck: First of all, thank you for the invitation this morning. I see this as an important part of the appointments process for this role and I am looking forward to exploring the issues you want to raise about the OfS and the higher education system.

On my motivation, I have been a public service leader in the NHS and higher education for the best part of 40 years. During that time, I have developed a strong commitment that, wherever possible, providers of public services should put the interests of service users, whether they are patients or students, above the interests of the institution that they work for. This is particularly the case when you are dealing with people who



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come from disadvantaged backgrounds; in my case, mental health patients in the NHS and, of course, in my university a large proportion of students who come from the lowest income households. I think most public sector leaders try to do that and they do it successfully, but there is sometimes a challenge in doing it consistently and to the highest standard. That contributes to the variation in performance you see between organisations and within organisations.

Most sectors that have significant public funding, either directly or indirectly, have some regime that looks at ensuring standards and improving quality. I am familiar with the one from the NHS mostly, but when I came to higher education leadership, I saw there was no such approach. Right from the outset in 2017, I think I was the first vice-chancellor to advocate for a regulator in higher education and I did so publicly. Since then, I have supported the OfS in its activities and I have taken the view that it would have been surprising if in the introduction of a new regulatory regime it was perfectly designed in its first iteration.

We have learned a lot about the OfS in its first eight years and I think the Behan review has articulated very well what some of those challenges have been and the way forward. Having been an advocate for this activity and having such a strong commitment to, in this case, the student interest, it seemed to me that I should step forward and seek a leadership role for the OfS to take it into its next phase and deliver on that student interest as well as we can.

In terms of my experience, I have been the Vice-Chancellor of Nottingham Trent University for over a decade. Within that time, we have become renowned for the quality of our student experience and the student outcomes we deliver. We have received the TEF gold rating on both occasions it has been awarded, and we have been financially robust throughout that period, including in the last couple of years when the finances have become a little more challenging.

As a result of the success of my university, I was approached three years ago to become the DFE's higher education student support champion, a role explicitly designed to promote good practice in student support across higher education. Within that and subsequently, I am chair of the mental health taskforce, which has been promoting ways of improving mental health support for students across English higher education and which came initially with the potential for a regulatory intervention if certain standards were not met. I can talk a bit more about that if that would be of interest.

I have a very thorough knowledge of the sector. I have been a board member of UUK. I have been on the employers association and I am currently the chair of UCAS. Finally, I have been a non-exec director or trustee of over 10 organisations across three regulatory regimes in the last 15 years. I think I am well prepared to take on this role.

Q2 **Chair:** Thank you very much. What aspects of the role do you expect to



be the most challenging?

Professor Peck: The most challenging I think for me, particularly initially, is to understand the legal framework within which the OfS has been operating, its implications and the judgments it has made about the way it uses its powers in relation to the sector. I think that is what I am least sighted on, and I would want a priority briefing on that with the chief executive and the legal adviser to the OfS to fully understand the way in which so far it has pursued in particular its regulatory role and how that might be developed over the course of the next five years.

Q3 **Chair:** Thank you. If your appointment is confirmed, you will be responsible for formulating and ensuring the successful delivery of the OfS strategy. How are you planning to address the recommendations of the Lords Committee and the subsequent Behan report in your delivery of the strategy?

Professor Peck: That is an important question. The House of Lords Industry and Regulators Committee made some very important points, particularly about regulatory burden, which the OfS has to take very seriously. I would be looking, were I to be appointed, to explore the extent to which the OfS has been rigorous in taking the leanest approach it can to regulation and whether it has followed the key principle of the regulators' code, which is to be risk based. I also want to explore the extent of its activities that are currently either in train or being planned that may not be the top priority at the moment, given all the things the OfS has to do, and I will take a very clear-eyed view of what those things might be.

As for the Behan report, I very much support its recommendations. They have been well received in Government, I believe, and certainly by the sector. We need to develop those in the context of the new higher education policy that the Government are going to articulate shortly. I am also interested in how we get governing bodies and other forms of non-executive leadership of higher education more involved in the regulatory process. I am very committed to getting the right balance between quality improvement and standards regulation. There is a broad range of areas I would want to put into the next strategy for the OfS, which I see as the key document for developing and articulating what it is the OfS is going to do. I want to do that in fairly short order, particularly once clear about where the Government want to take higher education policy next and what the role of the Office for Students is in delivering that policy.

Q4 **Chair:** Before we go any further, I wonder whether there are any disclosures you want to make to the Committee about previous political activity.

Professor Peck: Yes. I was a member of the Labour party in 2019 and 2020 for 12 months. I was not particularly active and I have not been a member since.

Chair: Thank you. It is helpful to have that in the public domain.



Q5 Mark Swards: You have touched on the reports that the Chair has already outlined. If you are appointed, what steps will you take to drive organisational change?

Professor Peck: One of the key things any incoming chair will do is look at the capacity and capability of the board and the senior executive team and the extent to which we have the skills and experience across the board to deliver the priorities that have been agreed with Government over the course of the next five years.

Secondly, I would want to look at the priorities that have been set and the extent to which we can deliver those within a business plan for next year in a context where finances are liable to be constrained. I think we have to be practical about what we do in the next 12 months. However, I would want the strategy to articulate a compelling vision, for both the external stakeholders and for people inside the OfS, to be absolutely clear what it is we are going to do, why we are doing it and why it matters to students, to the sector and to Government. It seems to me that a key role of the strategy is to mobilise the commitment of people who work in the organisation to do their best to deliver it.

I think at the outset we need to look forward five years and see where we are trying to get to in five years' time. We cannot get there in one step—it will be several—but we have to be clear about the end point before we start so that everything we do over those five years builds towards that model of regulation that we think is best suited to higher education.

Q6 Mark Swards: You have set out a clear, long-term vision over five years. Are there any immediate first steps you will take should you be appointed?

Professor Peck: Yes. I want to explore the way in which we can move towards two issues, and I have raised both of them already. The first is how we get more of an emphasis on quality improvement—what I might call promoting the good to balance controlling the bad. I think there is a lot of benefit to be gained by doing more work on promoting good practice through the OfS.

The second is to engage much more with the governing bodies of institutions. They are, of course, the ultimate decision makers for universities, corporations for colleges and, of course, private sector boards for private sector providers. I am not sure of the extent to which we have engaged them in the regulatory activity and the expectation of regulation that can be discharged by those bodies. I think they are two very important priorities.

The most immediate challenge, though, is to get the business plan for next year in which we can deliver the priorities of the Government, which are around regulating and registering more providers, picking up the codes of conduct around freedom of speech and sexual harassment—



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there is a lot to do, so would we need a very clear business plan to get us through the next 12 months if I was appointed.

Q7 **Manuela Perteghella:** I need to declare that I worked as a university lecturer for the past 20 years, although I do not any more.

Professor Peck, higher education providers face an existential challenge on funding, and we have seen some of the impact in the large volume of redundancies announced by several universities. What will the Office for Students need to do to support both the sector and students through this challenge?

Professor Peck: That is a good question. Can I take a little time to explore it, Chair, because I think it is crucial?

First of all, the financial independence of higher education providers is an important feature of the system. Much of the success of the sector and its respect worldwide has derived from its independence from local or national Government oversight, which I think has been largely the case in other countries. We have to take that autonomy seriously in both good times and more challenging times.

I would seek a very urgent briefing with the chief exec of the OfS to understand what we have learned about the financial position of the institutions where we are currently, as I understand it, through the OfS, putting in consultancy support, to get a good assessment of how they are performing financially and those that are most financially precarious. I would want to know the extent to which those universities have done all the things you do as an organisation when you face financial pressures. There are five or six things that you routinely do. To what extent have they been done by those organisations? To what extent is the financial pressure they are facing particularly acute because they have not yet got through all the cost reduction measures that would have enabled them to balance income with expenditure? That is the first thing.

I think a lot of institutions are still on that journey and they will get to a point where they can balance income and expenditure. However, there may be institutions where the market has changed so much and their business model does not let them do that that there may be a requirement for further intervention. That probably would not be for the OfS, although I think we could advise on activities around reconfiguration or different forms of relationship between universities that might be beneficial. That is a Government decision about whether or not to support reconfiguration of those universities, particularly financially, although my question would be: if it is such a good plan to reconfigure and maybe merge some institutions, why won't their own banks lend to them and why do Government have to do it?

However, if an institution genuinely has a non-viable position and is not prepared to take that action, I am not sure the Government should step in with what was called at the weekend a "bailout". There is an issue in



terms of moral hazard, it seems to me. There may be questions leading further to a conversation about universities, colleges and other providers becoming public sector organisations, which I think we want to avoid. Practically, where is the cash coming from? There is a lot to think about here. It seems to me that most institutions should be able to get into a position where they balance their income and expenditure, and autonomy means doing exactly that.

The OfS's role here is to give advice and to monitor and to advise Government on what is going on. It is to make sure that any actions taken, either in the short or the medium term, around reconfiguration do not reduce the benchmark delivery of providers and, ultimately, if a provider is going to fail, to step in and make sure the students are protected through implementation of the student protection plan. The role of the OfS here is very clearly defined, although I think the OfS needs to understand the context and, to some extent, shape it, so we get the best way forward in these circumstances.

Q8 **Manuela Perteghella:** You have described an impressive turnaround of the finances of Nottingham Trent University under your vice-chancellorship. What lessons can you derive from your experience for the sector's finances? That is my first question. My second is: how can providers diversify away from over-reliance on international student fees?

Professor Peck: The experience we have had at Nottingham Trent University has been to be clear with all our colleagues, including the trade unions, about the nature of the situation we face and the choices we have to take. We have a monthly Q&A where we are asked anything that colleagues want to ask us and we will answer them in real time. That is often about the financial position and particularly the pressure we faced. We had a 10% reduction in student numbers between last year and this year. That is significant. That is 4,000 students. That meant about a 10% reduction in income. We have gone for a 10% reduction broadly in our staff base, but we explained clearly why we were doing that. We did it through ways that were timely. We got there early so we had plenty of time to plan and think and design what we did. It has all been done through voluntary means, largely through deleting vacancies. You start to think about your capital programme and how you reduce it. You think about non-staff expenditure. You talk to your banks about how you can reschedule against a plan that gets you to a viable position over a period of time. There are lots of ways of doing this that I think universities are becoming very familiar with.

That is the first part of the question. Sorry, what was the second part?

Manuela Perteghella: It was about how providers can diversify away from over-reliance on international student fees.

Professor Peck: Yes. This is a difficult one because there are certain institutions that can probably assume that, notwithstanding the current decline in international students overall, they will probably still recruit a



fair number of them. Therefore, they can probably forecast those in a reasonable way.

Part of the problem we have had in the past is that the OfS has received projections, it says, of student numbers—particularly international student numbers—that have not been realistic from some providers. I think that providers need to be very clear-eyed, again, as do their governing bodies, about the realism of what is underpinning their financial projections. Those that cannot assume they can recruit international student numbers to anything like the extent they used to should be clear that they can sustain their viability based on undergraduate student numbers and other forms of income they might generate.

There are some new ways coming along that providers are trying to use to generate more income. Franchising is an example. That can be a great way of putting in place provision that encourages people in HE cold spots or from more deprived backgrounds or more mature students to get into HE, but the National Audit Office has raised some issues around potential fraud. They have to be very careful in maintaining the reputation of the sector when they are diversifying.

Q9 **Mark Swards:** Thank you for your answers so far. Obviously, there is a climate of intense financial pressure in the sector. How can the sector protect the quality of courses that are offered and what do you see as the role of the OfS in that?

Professor Peck: I would imagine that the decline in student numbers is occurring in a certain range of subjects, and it is important that institutions look to balance their books and think about the number of staff they need to deliver that particular range of courses to a particular quality. Certainly, in my university we use as one of our benchmarks how many colleagues we had teaching this subject the last time we had this many students studying. That goes back five years. You have to adjust the number of people you have working in the institution to the number of students you have. If you do that, you should find the quality should not be affected, because in a way you still have the same resource base to teach those students. That is certainly the approach that we have taken. That is the major thing that I would ask institutions to think about, and I am sure most of the institutions are thinking about that.

The other thing that is starting to happen, I think, is that institutions are talking to each other more about those courses that maybe we are all doing that cannot be sustained across three or four universities but might be sustainable across one. I think there are far more conversations about collaborative provision, either teaching different parts of a course together or passing certain courses to one university so they can carry on with a viable cohort where they cannot across three or four. We have to make sure the OfS has sensible guidance that derives from the Competition and Markets Authority to make that possible, but it seems to



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me a practical way forward because many universities are often in quite close geographical proximity.

It is those two things that I will be asking institutions to think about as the OfS Chair if I am appointed.

Mark Sewards: That makes sense.

Q10 **Chair:** Can I follow up on that in two respects? The first is that there are some issues with the Competition and Markets Authority at the moment that prevent exactly that collaboration between universities from happening. I wonder what your approach would be to engagement with them on that set of issues.

Secondly, we are seeing a great deal of alarm being raised from many people within the universities sector at the moment and a further announcement of 5,000 more redundancies today. The measures that you describe are sensible business planning measures for a large organisation in a normal environment. Are you concerned that the universities sector is no longer in a normal environment and that there is a risk of something more significant, in terms of a range of institutions toppling over the edge of financial viability, with much more widespread implications, in the current scenario?

Professor Peck: I find it hard to answer that question without fully understanding the briefing I want to receive from the chief exec about where we are. If you look at the projections the OfS put out last November about what would happen on current trajectories of financial plans submitted, it did not include all the mitigations that I know higher education providers are putting in place to reduce the amount that they may lose in year or in future years. It is very hard to judge the nature of the potential crisis until I am very clear about that picture. I would not want to say too much more about that at this stage; I think it would be premature.

However, you can rest assured that once I had seen the position, I would be making it clear to the Government what the nature of the challenge is that we are facing and how many of those providers face the existential crisis you mentioned earlier. I think that is an important question. I just do not think that at the moment I know sufficient about where we are to be able to answer that question authoritatively.

Chair: And on the Competition and Markets Authority question?

Professor Peck: I think the position I would take in the conversation with them if I was chair is to say, "The approach here is to maintain choice within a geographical area." What we do not want is three or four institutions, all of which are struggling, to carry on teaching, say, modern languages—which is a subject that often comes under pressure due to small numbers of applications—to withdraw. We want to maintain the choice of doing modern foreign languages in that locality. A way of doing that is to collaborate or to make sure one is specialising in it if different



institutions specialise in something else. That is a conversation I think the CMA would be open to. It is about protecting choice.

- Q11 **Amanda Martin:** I am going to ask a few questions about relationships with providers, the workforce and students. The OfS has been criticised in recent years for being “an instrument of the Government’s policy agenda”. How, in practice, will you achieve and demonstrate the independence of the OfS from Government Ministers?

Professor Peck: This is something that the Behan report looked at in some detail. He came to the conclusion that that criticism probably was not entirely justified in the evidence that he had seen, and that the OfS was more independent of Government than perhaps some providers were suggesting. Having said that, I want to be crystal clear that as chair I would want to work with the Government on setting a clear context and policy framework for the OfS, making sure that we understand some of the challenges that we will face in delivering that and keeping a clear line of communication open. However, when it comes to operational decision making, the OfS is an independent organisation. It is important that it is, and I would protect that independence and certainly patrol that independence.

- Q12 **Amanda Martin:** You have told us of your extensive experience in the sector, which brings a lot of value, but how would you use your expertise to establish effective relationships with a wide range of senior HE stakeholders, including former colleagues that you would have worked with, while preserving the independence of the OfS?

Professor Peck: I am glad you asked that question. I am sure that it is on lots of people’s minds and I welcome the chance to deal with it.

One of the things I bring is a wide range of networks across the sector. I have had lots of emails saying to me that people welcome my potential appointment because they want to build a better relationship between the sector and the OfS. I think that is an important starting point and I will certainly work very hard to do that. However, I go back to my point about the student interest being what must drive the OfS. I come to higher education from another sector, which I think brings objectivity. I have done lots of consultancy in my career about how organisations can improve and where they might need to develop.

The evidence I point to for my independence is my contribution to the Augar review—the fees and funding review—in 2018-19, which came out with a series of recommendations that were clearly in the student interest. The one that attracted the most attention was the reduction in the headline fee from £9,250 to £7,500 but there were others. One was around integrated foundation years and how their growth was not in the interest of students because there were other ways in which students could access that course without paying a full fee for undergraduate provision. The fee regime for classroom-based integration in foundation years is going down next year by £4,000, and that is partly the



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consequence of both the Augar review and me keeping on championing that policy over the last four or five years, in truth. I think that shows my independence. I will put the interests of students above the interests of institutions, which is the right thing to do.

Q13 Amanda Martin: Thank you. That leads me on to another question about students. How do you suggest that the OfS improves its relationship with students?

Professor Peck: This is a challenging one for the OfS because there is such a diverse range of students and there is such a diverse range of institutions. It has made a good start in doing that. The student panels have been revamped recently. It uses a lot more student media these days—social media—to try to engage with students in ways that students are used to being engaged with. It is running surveys. The current one on sexual harassment I think will be very revealing about the experiences of students around that particular topic. Of course, it has the national student survey.

The one that I would add is the relationship with the National Union of Students and students' unions. I think the view of Government now is that the NUS has sorted out its issues around antisemitism. It is under new management. It is now an organisation that I think can be dealt with and consulted by Government. Its view represents a very broad and deep range of student opinion that I think we need to take on board as the OfS.

There is a range of ways of doing it and I think we have to triangulate or co-ordinate those various perspectives to make sure we reflect all the views of students and their different needs in higher education.

Q14 Amanda Martin: Thank you. Finally from me, how will you mitigate the unpopularity of the rise in the OfS registration fee for providers?

Professor Peck: We have to be clear what the sector gets for registration and about the benefit of having the ability to say to the public, the press and politicians that providers of higher education that are receiving Government money meet certain standards. The sector has to recognise that it is fundamentally in its interest that that happens. Clearly, I would want to make sure it was reasonable in the current circumstances.

It goes back to the legal framework point I made at the start. There may be ways in which the OfS could deliver some of its registration and other activities in a leaner way. It is worth bearing in mind, of course, that some things that are a cost burden to the providers are probably also a cost burden to the OfS, so there is a mutual interest in making these processes efficient and lean for both parties.

Q15 Darren Paffey: I, too, am proud to point back to a 20-year career in higher education. I am a previous member of the UCU.



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Carrying on in the same vein, this Education Committee in its previous iteration heard evidence that suggested the OfS did not have “particular presence or standing in the minds of students”. Before I ask you how you are going to tackle that, in applying for this job, what convinces you that the OfS is fit for purpose?

Professor Peck: It has achieved some successes in the course of the last eight years. It has registered all the providers that, up until a certain recent date, had applied. It has done very effective work around the teaching excellence framework, which is well respected in the sector. The access and participation plans I think are making a difference to the ways in which universities and colleges and other providers address how they enable students from disadvantaged backgrounds to enter and to thrive in higher education.

I do not think it is entirely a picture of not achieving some of the key things the sector needs it to achieve. The question becomes one of the relationships, where the OfS perhaps has misunderstood independence as meaning distance. That is something that the House of Lords report also reflected upon. There is no need to be that distant. As long as you are independent, you can collaborate. You can build a common consensus about what the best way is, but you still retain your independence.

There is also a question—and it goes back to the Behan review’s conclusion about an integrated quality system—about the extent to which the teaching excellence framework and some of the inspection-based activity constitutes a coherent and co-ordinated approach to both inspection and quality assurance. I would be very keen to make sure we get that right. When you start to build those things into the picture, you can build a regulator that has real impact and will be respected and, in fact, an asset to the sector. It needs a body that can say authoritatively to the press, politicians and public that the sector is doing these things to a standard that we can be confident about.

Q16 Darren Paffey: You will understand the challenge when an Office for Students is not seen to have the confidence of or engagement with students. I would be interested to know, from the picture that you have just painted, how you intend to use your experience to build back that credibility, both with providers and with the students themselves. That credibility, as you have rightly said, depends on its perception as an independent body, so how would you go about achieving that?

Professor Peck: I hope I have dealt with the bit about the providers. I do think there are steps where we can build upon what has been respected by providers, but recognising that there will always be an issue, and there should be an issue, of grit in the oyster between a regulator and providers. We are not going to get away from that and I do not think it would be necessarily beneficial if we always did.

On students, I am not sure that the view is that the OfS has not worked hard to get the student view. It has re-thought its student panels. It is



using social media. It is using surveys. If there are other ways that providers would like to enable the OfS to access their students and get a better student view, I would be open to hearing that as the Chair of the OfS. I am committed to working with the NUS. I have been doing that with the mental health taskforce and as student support champion. It has been very responsive, constructive and open to having detailed conversations about the interests of students as it sees them based on the network of student unions that make up its membership.

It just needs hard and determined work because, of course, the student group also turns over every three to four years. You have to keep bringing through students who are able and confident to articulate their views and the views of their peers. It is not an easy thing to do, particularly given the range of students in higher education. I am determined that we have to make it as effective as we can. Certainly, when I have been working as the student support champion and in the mental health taskforce, we have agendas that have been shaped by students and we have been delivering those with a collaborative, multi-agency approach.

Q17 Darren Paffey: You will be aware that the Behan report made recommendations around strengthening the voice of students, particularly in the OfS's governance. You have touched on it a bit, but could you say a bit more about the concrete deliverables that you would seek to achieve within the first couple of years?

Professor Peck: We face a similar issue at UCAS about how you get the applicant voice and the student voice represented. You need to make a connection between a group of students who are well supported, well briefed and understand the role they have, and their ability to feed in directly to the governance arrangements of UCAS, in my current discussions, but in future of the OfS. I have also learned that you need to ask students for their broad views about a range of issues, but often it is best to ask them a specific question: "What is your view of this? What could make this particular aspect of provision more effective?" Ask some very focused questions and make sure you take those responses into the governance arrangements of the OfS. That is what I would commit to doing. I would want to meet with the student panel myself regularly. I would want to go out and meet student unions on my visits to institutions. I would want to engage with the NUS and ask its view about how we could do this better and what students believe is the best way of getting the organisation to respond to their concerns.

I think you are right to challenge it, because it is a difficult thing to get right, but I am very committed to making sure that we do. I can point to where in my previous career I have very much wanted to engage and have shaped what I have done on the views of students or, earlier in my career, other forms of service users in the NHS. I have a long track record of doing this.

Q18 Darren Paffey: I have one quick supplementary question. I appreciate



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what you have been setting out in terms of re-engaging with students, but for providers there are still concerns about the regulatory burden, and that the OfS is not going to remove any of its current regulation but has plans to add to it. What are your thoughts on dealing with that? A lot of what happens next will affect the credibility of OfS in the eyes of providers.

Professor Peck: It is an important theme for providers. As I noted, if something is a burden to providers, it is probably a burden to the OfS as well, so there is a mutual interest in getting this right.

I do want to look again at how risk based the OfS is in every intervention it designs. I think there may be ways of doing things more leanly, which is why I want to explore the legal framework, as I noted. There may be some things that at the moment just are not a priority. The one that has been raised with me by the sector is the interest in more regulatory activity around transnational education. I would want to explore with the OfS why that was thought to be a priority at this moment, given everything else that is going on. So I do have some ideas about areas to explore with the OfS as to whether they need to be done now, important as they may be.

Q19 **Patrick Spencer:** Thank you, Professor Peck, for coming here and putting yourself forward for the role. My question is about freedom of speech on campuses. The Office for Students has always had the power to intervene on free speech on campuses, but it has not always used that. How important do you feel the OfS's role in defending freedom of speech on campuses is? Will you give us an idea where, in your own personal hierarchy of importance, that responsibility sits?

Professor Peck: I think it is crucial. Universities, colleges and other providers should be places where ideas can be explored, examined and challenged, where disagreement can be facilitated, where new viewpoints can be discovered. It is crucial. Without that, I do not think we would have a university sector that is the envy of the world, as it is now. That is my starting point.

It is a contested area. It is one that is difficult sometimes to get right, but I think where the Government have landed on the freedom of speech legislation, as it is proposed to be amended, gets the balance right between the need to ensure freedom of speech but also to make sure that we are dealing with speech that is unacceptable and goes beyond the law or, indeed, is discriminatory or in other ways causes harassment. That is the thing we are trying to achieve.

The OfS has a duty now to say to providers, "Produce a code of practice." I think that is going to be implemented from the summer. Providers are obliged to secure and promote free speech. I think that is really important, and there is some guidance on what that code of practice requires institutions to do. Beyond that, students have the right to take a complaint to the Office of the Independent Adjudicator, and staff and



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visiting speakers will have the right to bring a complaint to the OfS if the legislation passes in the way it has been proposed.

The next key role for the OfS is to design that complaints process and to set clear criteria for the complaints it is going to consider as significant and warranting an investigation. Once the OfS has done that, as chair I would want to make sure we take robust regulatory action if we find that the code of practice of institutions has not been followed and that complaints from staff or visiting speakers are justified.

Q20 Patrick Spencer: I have one follow-up question, and please understand that it comes from experience on campuses in America. What would you say and what would the OfS do if you woke up one morning and it transpired that there was a protest on a campus at a university in the UK in which students had said, "From the river to the sea," and called for an intifada?

Professor Peck: I would expect that university to take robust action to investigate those accusations and, if they were found to be upheld, to take action in line with their own disciplinary processes.

Q21 Patrick Spencer: And you would come down on that university if it did not pursue it as you saw that the legislation sees fit.

Professor Peck: I think we would want to see that the code of practice had been observed and implemented. If a complaint came forward from a member of staff or a visiting speaker, where the OfS was enabled to do an investigation, that is what we would do, if it was serious enough to warrant meeting the criteria we had set.

I am very committed to this. It is very important that every student feels safe, secure and respected as they study on campus, and some of the activities over the last 18 months have not always, I think, made particularly Jewish students feel that. It is important that universities work with the IHRA definition of antisemitism. It is important they include some of the Union of Jewish Students materials in their induction for students so people understand what antisemitism is, how to recognise it and how sometimes to recognise it in yourself as well as in others.

These are all really important steps that create the atmosphere on campus where I would hope some of the incidents you have seen in the US would not take place in the UK. However, if students are using language that is discriminatory and can be perceived as harassing people or, indeed, in some cases is beyond what the law allows, then, of course, universities must deal with that under their own disciplinary procedures.

Q22 Mrs Brackenridge: I would like now to consider widening access and participation in higher education. We can see that your achievements at Nottingham Trent University for students from disadvantaged backgrounds culminated in a social mobility prize. Can you draw on your experiences to help pivot other HE providers, particularly those that are highly selective, towards improving access and participation for



disadvantaged and under-represented groups?

Professor Peck: Thank you for the recognition of the work we have been doing at the university. The way we have approached this is to be very open in the way that we make offers to applicants. In particular, we have made extensive use of contextual offers, where we look at the social circumstances of applicants, be they care leavers, from low income backgrounds or from certain groups with protected characteristics, and made sure that we make those students offers that reflect their potential as well as their attainment, given some of the challenges they might have faced in their lives to that date. That is a key part of this.

That goes alongside very active outreach work in our local communities and schools, and beyond that, to make applicants from those backgrounds understand that that is what we will do if they apply: “We will make you an offer that we hope meets your reasonable attainment, given your background, but we will also have significant amounts of support for you when you arrive.” We put a lot of thought into induction, transition and welcome. We put a lot of thought into student support. I guess that is why I became student support champion. Nottingham Trent and my colleagues are very good at this. They have taken personalisation of support to a very developed level. Despite its being a big university, every student should have the opportunity to get the support they need to meet their particular challenges.

The other thing we have done—and this is a more structural approach—is opened a campus in Mansfield. We did that because it is one of the places that has the lowest level of social mobility of any town in the UK. It is 15 miles up the road from Nottingham, and while we did not feel responsible for it, we felt we had an opportunity to shift that. Over the course of the last five years we have seen significant numbers of local people and mature students studying for level 4, level 5 and full degree qualifications at Mansfield and then going into work in engineering, computing and nursing. We have changed the way in which we make the offer accessible to people from those backgrounds and I think that is crucial if we are going to move the dial in the future.

The next two steps we want to take at NTU are things I would want to do for the OfS. First, we want to make sure that how we regulate modular provision at the OfS enables providers to put in place modular, flexible and agile courses that fit around the work lives and caring lives of people who currently are not going to university, whether they are 18 or 35. I think that is important.

The other thing I want to explore is the gap between the 1.2 million people every year who register with UCAS and express an interest in going into higher education in the UK, and the 600,000 who accept a place. What happens to the other 600,000? If we got more details of them and what stopped them applying or stopped them getting a place, I think we could get much more progress in targeting modular provision of vocational skills-based courses that meet local employer needs into those



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communities where traditionally people have thought university is not for them.

It is not just about getting more people to come and do traditional degrees; it is about changing what it means and where it means to do higher education. If we do that, we start to turn the dial on getting more people from a diverse range of backgrounds into higher education. I am passionate about this, as you may have just picked up.

Mrs Brackenridge: Yes. Thank you.

Q23 Caroline Voaden: Excuse me for arriving late. How will the board drive the OfS to ensure that students are getting the best value for money from higher education providers, particularly as it is becoming more and more expensive to complete higher education?

Professor Peck: Yes. One of the key objectives of the Office for Students is to ensure value for money, and I think that should remain. The autonomy of providers means that they can run the courses they want to run with the curriculum they want to provide, and the choice students can make is to go and study those courses. I think we should keep that. It is an important part of our system.

Most providers provide a high-quality level of input to their students and support over the three or four years that students may be with them. However, because they are being funded with a significant amount of public money, both directly and indirectly, it is entirely right that the OfS has the ability to set some absolute benchmarks for levels of provision below which providers must not fall. They are based on metrics to do with continuation, completion and those sorts of issues. Sometimes you might want to look at other factors. I think that is crucial. The way in which those benchmarks are set, the level at which they are set and what happens when they are breached is something I want to explore with the OfS and, indeed, with wider stakeholders. Are we doing enough at the moment with the power of the OfS to really call to account low-quality provision?

The other thing it can do is make sure its codes of practice are being observed, particularly on student support, things like the code of practice on sexual harassment or making sure that students are not just getting the academic input they deserve but are getting an environment in which they feel supported, respected and safe. That is important because that is one of the things you are paying for as well if you go to university or college.

The other factor is the quality improvement path—this thing about promoting the good I was talking about earlier. We need to do much more through the OfS to promote good practice across our campuses. Institutions, by and large, want to do the right thing but do not always know how or recognise what best practice is. It means looking at things like the “what works” evidence that is being produced in the sector. There



are a whole range of things that I think the OfS can do in quality improvement activity to encourage and support better value for money for students, but holding on to that code of practice and those baseline standards.

Q24 **Caroline Voaden:** Would benchmarking the level of provision to students include in-person tuition? We know that in many places that has dropped off quite considerably since covid, yet people are still paying full whack for the course.

Professor Peck: It is a good question, and it is a real concern, I know, of many students and many parents when they talk about contact hours. The way in which colleges, universities and private providers deliver their curriculum is part of their autonomy. Our task is to make sure that the standards are met, that the codes of practice are being observed, and that the quality improvement is being engaged with. I may have views personally about contact hours, but they are not directly relevant to my mandate as the Chair of the OfS.

Q25 **Jess Asato:** We know that university students are more at risk of experiencing depression and anxiety than their working peers. Up to two thirds of female students have experienced sexual harassment at university. How will you deploy OfS tools to create momentum on improving the wider student experience, including on issues such as mental health and sexual harassment?

Professor Peck: I have been doing a lot of work as chair of the mental health taskforce for the last couple of years. The agenda we were set derived largely from the views of students, but also from bereaved parents, who had some real concerns about the experiences that their family members had had while at university. These related to a range of issues that the taskforce has been taking forward. It is how good universities are at recognising the mental health of students who do not declare a vulnerability, disability or illness, and how they can get much better at doing that. There are three or four things we are doing now with the sector to make them better at recognising students who may be exhibiting distress.

We have worked a lot on information sharing. There was a real concern from bereaved parents that some parts of the university were not sharing information with other parts of the university or with accommodation providers or student unions who were dealing with that, and that communications were often insensitive—that they were just not thinking about students who might be vulnerable in the way in which they wrote them. Universities have really got behind sorting that out and reviewing all their policies and communications. That is making progress.

We have also commissioned a national review of local suicide investigations for the last academic year. That has been a very thorough piece of work. A large number of universities have submitted a large number of reports. That will be a major contribution to understanding



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where we are. That will be published in about a month's time, I understand. Then we are doing some work on guidance to help the NHS and higher education providers create a better relationship—a more structured relationship—so that students who have serious mental illness get the support they need quickly and effectively.

The challenge of bereaved parents has been: "You say these things are happening; how can you show me?" There are three things we are working on. The first is the university mental health charter. We have the vast majority of UK member universities now signed up; about 92% of English students are now covered by institutions in the mental health charter. That means they will be assessed on their mental health provision over the course of the next three to five years.

Secondly, we are working with the Committee of University Chairs to see how a focus on mental health could be much better woven into the governance arrangements that it is going to put in place to oversee the quality and effectiveness of mental health provision. That is an important piece of work from the CUC, and other mission groups in other parts of the sector are also working on that to reflect their particular governance arrangements. It goes back to my earlier point about making governance much more central to ensuring the standards in our universities.

Finally, the bereaved parents have asked why we could not put more of an emphasis on mental health into the teaching excellence framework the next time it is run. That is an interesting suggestion that, as Chair of the OfS, I would want to explore.

On sexual harassment, I am committed to the steps that are going to be taken with the code of practice. I think it is overdue. Certainly, in my university we have been very clear about the unacceptability of sexual harassment. We have run consent training for many years. We have a clear policy that we do not accept relationships between staff and students because we do not think that is appropriate. We are unequivocal about those things and the code of practice will bring that same rigour across the sector. I would not say that I am looking forward to the outcome of the sexual harassment survey that the OfS is currently undertaking, because it might contain some very difficult messages, but we have to see what they say to us in that survey and then look at the code of practice again and see whether we are going far enough to protect our students from sexual harassment.

Q26 Caroline Voaden: I would like to ask a supplementary question on that. In my previous role, I worked supporting survivors of sexual violence and rape. Students made up quite a significant proportion of the people we were supporting. Working with the survivor community across the UK, it was apparent that many universities were much more concerned about their reputation and their ranking than even admitting there was a problem and far less trying to eradicate it or properly supporting students, using NDAs and bringing in the lawyers and the publicity people



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before even taking the mental health support seriously. What do you think the Office for Students can do to make sure that student victims of sexual violence on campus are the priority, rather than the reputation of the university? The reality is that it is happening in every single university, so for a university to try to pretend it is not happening should not be the priority. It is not the reality.

Professor Peck: I agree with that. It is happening at every university, as are student suicides—they are no respecter of social gradient. It is important that universities are as open as they feel they can be. One of the things that is being talked about in public services more broadly, but in particular around universities, is what it will look like to have a duty of candour in the way there is in the NHS, so the assumption is that institutions are open about what has happened, what they have done about it and how it can be prevented in the future. Certainly, in mental health, I think there would be real benefit in doing that.

Universities struggle—and it is a parallel issue to sexual violence—with engaging with families. I hear this a lot from bereaved families. They struggle to engage with bereaved families quickly enough or openly enough. I think universities would admit that. I can see there would be similar issues around some elements of sexual violence, and we need to make sure we get that openness and honesty across the whole range of institutions. Only if we have managed to do that will we learn and will people feel reassured that if it does happen it will be sorted out in the immediate case and that lessons will be learned and we will try to prevent it in the future. I am very much with you on that issue about what I would frame as candour.

Q27 Chair: Can I come back to the issue of mental health and ask whether you think universities should be more alive to the disjointed nature of the ways in which mental health issues might present themselves? I should put on record that I am the parent of a first-year university student. It strikes me that often in cases of tragic suicides of students, there is evidence during the inquest that concerns were raised about that young person by their family or their friends that may not have come to the attention of the professionals within the university with whom the student had the most direct contact—those who were teaching them. There may have been evidence of distress through a failure to attend or those kinds of things.

Do you think that universities need to strike a better balance between respecting the adulthood of the students on their campus and recognising that those adults are at a particularly vulnerable phase in their adulthood, and make it easier for friends, family members and anyone else who might have concerns about the wellbeing of a student to raise those concerns and have a pathway to support, in the way that we recognise the ability of others to raise concerns for others in our society with a level of vulnerability, so that fewer universities have to have conversations with bereaved families because they might have listened to them a bit more ahead of the issue escalating?



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Professor Peck: Yes, I do. This has been a major focus of the mental health taskforce. We are developing an approach around student analytics. Many universities, for many years, have been looking at how well students engage with their studies and then intervening with those students who are not engaging. We know that if they do not engage, they are more likely to leave. Now we are developing those to look at some of the indicators that may suggest that students are developing mental distress. We have increasingly robust data points that we can use to do that. There are three or four universities piloting this, one of which is my own. We are going to start doing this from the next academic year. Of course, once you have the information you have to know what you are going to do with it and who is going to respond. I will come back to that in a second.

The other area we have been looking at in some depth is how we get non-specialist staff to be more confident in recognising and responding to signals of mental distress or mental illness. We have just published a competency framework that has been picked up by a number of stakeholder groups and institutions to inform the training they give to those non-specialist staff to be confident in doing what they need to do. The other thing we have been championing—in fact, this is a UUK initiative, to be fair. It has put out guidance on information sharing between universities, families and other agencies. There used to be a belief that universities could not share information with families about students with which they were concerned. It is clear from the ICO that you can if you are genuinely worried about the welfare of the individual, and most universities now do. Every university is now being encouraged to have a key contact that they verify when a student registers. So all that is going on.

The next thing we are working on is what I am calling a case management system. You have to bring that information together into one place so that somebody or a small group of people can see, “We are picking up that from the analytics. We are getting this from the reports of their tutors or perhaps the staff in accommodation. This is starting to look like a student who needs some more intensive support.” In that case management system you decide who is the best person to intervene, what we are going to do and how we are going to monitor it.

It is work in progress, but institutions are understanding now and, more broadly, they are understanding that student support is as important to many students as the academic input they receive. That will require rigour and thoughtfulness about those systems, which universities want to provide. It is just a challenge to move from where we are to where we want to be, but a lot of universities now are very serious about that journey. In the mental health taskforce, we have been giving them tools and approaches that help them move along and make their campuses safer places for their students. We are never going to prevent every student suicide, but I think we can reduce the number and we can make



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every student feel they can be as well supported with their mental health problems as is possible.

Q28 **Chair:** Is there anything else that you would like to share with the Committee this morning?

Professor Peck: That feels like quite a lot, so no, there is not. It has been a great discussion. Thank you for your time and for your very well-informed and challenging questions. It has been a pleasure.

Chair: Thank you very much, Professor Peck.