

Education Committee

Oral evidence: Appointment of the Chair of the Office for Students, HC 1143

Tuesday 2 February 2021

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Watch the meeting

Members present: Robert Halfon (Chair); Fleur Anderson; Apsana Begum; Jonathan Gullis; Tom Hunt; Kim Johnson; David Johnston; Ian Mearns; David Simmonds; Christian Wakeford.

Questions 1-57

Witnesses

[I](#): Lord Wharton of Yarm.



Examination of witness

Witness: Lord Wharton of Yarm.

Q1 **Chair:** Good morning everybody. Welcome to our Committee. We have Lord James Wharton here. For the benefit of the tape, and for those watching on the internet, could you introduce yourself, please?

Lord Wharton: Hello, I am James Wharton. I am the Government's preferred candidate for the role of chair of the Office for Students.

Q2 **Chair:** Thank you. Department for Education data shows that there is a 19% gap in progression rates to higher education between free school meals and non-free school meals students. How would you tackle the disparity in access?

Lord Wharton: Not only is there a significant discrepancy, but I fear that it may be exacerbated. We do not yet know what the effect of the last year's public health crisis will be on education, access and participation. There are also divisions within different groups of those who are on free school meals, in terms of those who see education as something for them.

We should not, though, ignore the fact that a lot of progress has been made. Since about 2009, according to the same sort of datasets, the number of people in those groups who have decided to go into higher education has gone up by about 62%, but it is clear that there is a lot more to do. Some of that is driven by the institutions themselves and the outreach work that they do, engaging with communities, but the Office for Students clearly has a role that can be further expanded in this area.

Every university, as you, Chair, and members of the Committee will know, has an access and participation plan. Universities are mandated to work to improve those figures. While some progress has been made, as I say, more can be done. I think a lot of it comes down to going into the right schools—

Q3 **Chair:** As we have a lot to get through, may I gently ask you to be as concise as you can? What would you do to tackle the disparity in access specifically? Do you think that the £20 million reduction in funding for Uni Connect will impact on the OFS participation objective, for example?

Lord Wharton: I think it depends how Uni Connect is run. The OFS is looking at what it should be doing, which schools it should be targeting and how it should operate. The money announced for hardship is important, not just in terms of supporting students but in signalling that support will be there for those students who have doubts or fears about their financial situation when they go to university. Ultimately, we need to reassure people who have the aptitude that university is for them.



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We need to look at the admissions process. The Government are looking at post-qualification admissions, and the OFS needs to look at that very carefully—at how that might operate, and the changes that will go with it. We also need to engage heavily in those communities that are falling behind, in terms of admissions, to show young people who have the aptitude and ability to benefit from going to university and into higher education that it is for them.

- Q4 **Chair:** Progression to university varies significantly by ethnic group. White pupils are least likely to progress to higher education, at 38%; that compares with 78% of Chinese students and 64% of Asian students. You know that our Committee is leading an inquiry on left-behind, disadvantaged, white working-class boys and girls. What will you do to address the outcomes of these pupils?

Lord Wharton: As you know, Chair, my background is in representing, when I was an MP, a seat in the north-east of England—a very mixed constituency, with affluent areas and struggling and deprived areas, so I am familiar with some of these challenges. I will be interested in the work of the Committee and how that can inform the work of the OFS. I assure you and the Committee that this will be a high priority. It is fortunate that it is in line with the Government's levelling-up agenda, which I hope will be a successful programme, given all its different facets. If education is to play its role, there is no question but that we have to get into those communities that are falling behind and being left out.

The other area that I think is up and coming—you can see the numbers increasing—is degree-level apprenticeships. Clearly, there are some changes planned there. There are some challenges for the sector—for example, in the involvement of Ofsted in sections of higher education that it has not been involved in before. The OFS will have a role both in reassurance and encouragement, because this is a non-traditional route into higher education that may help to improve some of those access figures.

- Q5 **Chair:** As you have probably researched, “degree apprenticeships” are my two favourite words in the English language, as I always say. We will probably come on to degree apprenticeships. Less than half as many English adults aged 21 and over are accessing undergraduate higher education as did a decade ago. This is due to a fall of more than two thirds in the number of people accessing part-time courses. What will you do to address the decline in part-time higher education?

Lord Wharton: I think there is a real opportunity. It is in line with what we see in lifetime learning budgets, where there is some recognition that flexibility both improves access and opportunity and gives people who would not otherwise have had the chance the opportunity to further their education. A big change that will enhance that—we need to look very carefully at what the fall-out will be—will be the challenges of the last year. We have seen a lot more delivered online, with a lot more flexibility required of the system. Institutions have stepped up to that to the best of their ability, and there have been some real success stories. I want to see



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as many people as possible who can benefit from higher education able to access it. One key route in the future will be through mediums such as this, which allow much more flexibility, take much less time and are less geographically restrictive, because some of these methods are being shown to work, and the OFS can play a role in encouraging that.

- Q6 **Chair:** The Rolls-Royce of online learning and part-time learning is the Open University. What can you do to support the Open University, which not only helps part-time students but is a real ladder for those from disadvantaged backgrounds?

Lord Wharton: I am a big fan of Open University. It has provided a huge amount of opportunity. I remember my encounters with it—their public outreach work and the things that they do, and through a teacher at school who studied at Open University and opined greatly on the importance of it; to young people who would not necessarily think of that as a route, that was revealing and helpful.

I am not going to say that I have all the answers for expanding Open University. I can assure the Committee that I am a big supporter of what they have already achieved. If I am successful in the appointment process, I would love to work closely with them to improve what they can do and to support them where we can. I would look forward to meeting them. I recognise that I need to meet a wide range of stakeholders, but given the direction of travel we have discussed, I think they will be particularly important in the future.

- Q7 **Chair:** Finally, you mentioned degree apprenticeships. Not only do they boost the prestige of apprenticeships in general and create a ladder of progression, but they are a significant ladder for the disadvantaged, because there is no debt, students earn while they learn; they get a good job and they get paid while they are learning. Why not have the OFS set a target for 50% of degrees to be degree apprenticeships? If you agree with that, what would the OFS's role be in setting and monitoring that target?

Lord Wharton: I certainly agree with your comments, Chair, about their importance and utility as a method of accessing higher education for people who might otherwise not be or feel able to do so. Numbers are still really quite low, and a 50% target would be an extraordinary shift in the sector from where we are today. I do not want, not yet having even started a role at the regulator, to commit myself to something along those lines. I can assure you that I share your sentiment; I think they are an excellent route, the engagement with the apprenticeship levy is really important and tackling the debt issue is psychologically as well as practically important for a lot of people. I am sympathetic to what you say, but I do not want to make a commitment that I cannot follow through on. I would need a little bit of time to understand the lay of the land in the sector better.

- Q8 **Tom Hunt:** I want to ask a very to-the-point question: do you believe it was wrong for the previous Government to introduce a target for 50% of



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all young people to go to university, and do you agree that the current Government have moved away from that target?

Lord Wharton: I think the target is too arbitrary and blunt, but at the same time I want to be very clear that we want as many people as possible who could benefit from higher education to feel that they can access it, and to be able to access it. Part of the role of the Office for Students is to encourage and enable that, but also to ensure that quality is retained. Sometimes, targets such as the 50% target can distract from other important issues: if you are going to go into higher education, you have to get not just value for money, but a qualification at the end of it that will enhance your opportunities, and it must have been a worthwhile way of spending your time. I do not support the target, but I do support the sentiment behind it, which is that everyone should have the opportunity if they have the aptitude.

Q9 **Kim Johnson:** Good morning, James. The Chair asked you a question about the under-representation of white working-class people in higher education, but we know that there is still a significant problem for young black children entering higher education; there is a much higher level of fall-out and disproportionately lower level of degrees. How would you tackle the systemic racism that still exists in a lot of these higher education institutions?

Lord Wharton: That is a very fair point, and it is one of the challenges. When you look at any one group, there are a number of ways you can divide people up; sometimes that is helpful in understanding push and pull factors, and sometimes it is not. The truth is that there are multiple groups of people and, most importantly, many individuals who could benefit from access to higher education who, for whatever reason, do not feel it is for them, or choose not to or are not able to take that on. Some of the issues I discussed with the Chair about degree-level apprenticeships can be part of the answer to this.

If you look at the context of debates we have seen the last year, we have seen the BLM movement, which has really grabbed public attention. That is an opportunity to shine a light on these issues, to understand them better and to see where we can make positive change.

The OFS, as a regulator, has a role in that. Institutions are autonomous, but they have to have regard to equality, to improving access and to the quality of the outcomes they deliver, and there has rarely been a better time than this—sadly, for the reasons of the debates we have seen in the past 12 months or so—to really get to grips with some of these issues, engage with the sector and see where improvements can be made. I cannot sit here and tell you that I have all the answers on BAME access to HE, or on access to HE for people on free school meals. What I can assure you is that these are things that I am very well aware of and would see as priorities, were I appointed to the role.

Q10 **Fleur Anderson:** Good morning. Is there anything specific that you think the Office for Students is doing well that you would ensure continues, or



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that you would change, on issues of widening access—specific policy changes? Also, access for black and minority ethnic young people is specifically different in the Russell Group. There are far fewer of them in Russell Group universities than in Roehampton University in my constituency, which does very well on this, yet is facing a disproportionate funding decrease because of Covid-19. Will you look at the funding of universities in relation to their access to participation, and question the Government's funding priorities?

Lord Wharton: The short answer is yes. Particularly after the last year, a lot of things need to be re-examined. One challenge any regulator would have in this sort of sector is in recognising that the amount of regulation and involvement in institutions that is appropriate will vary from institution to institution. In some ways, some of our top universities will not need and should not need to be monitored closely on quality of academic output. We tend to focus on that in the regulator and the sector. But there are other areas in which some of those universities are not doing as well as they should, and in which other universities that may be looked at for other factors are over-achieving. We need to look at that carefully and draw distinctions.

My personal perception of part of the problem—this is not a statement of hard fact, because I do not pretend that I have all of the answers—is that we need to ensure that everybody, whatever their background, feels that top institutions are institutions that could be for them, if that is where they want to go and they have the academic ability. There is a challenge that some universities are seen as unattainable, or “Not where people like me go,” whoever “people like me” might be. We can go further to address that.

We can try to find positives in what has been a difficult year for the sector, and to draw from changes we have seen in the way that university and higher education is being delivered. There are lessons that we can take into the future to enhance access and open up the sector to people who have not found it accessible before. Part of that consideration has to be funding, but most funding comes from fees for universities.

Chair: Try to do stuff in a nutshell, if you can. I realise there is loads to say.

Lord Wharton: Of course, Chair.

Q11 **Apsana Begum:** Good morning, James. Thanks for joining us today. The Committee has been informed of your professional and political background. My first question is: how did you come across this role, and were you encouraged to apply for it?

Lord Wharton: Having been an MP, I was very involved in education issues locally. A lot of that focused on secondary education, as constituency work often does, but I also worked closely with a number of big universities in the north-east. In particular, I had regular meetings with Durham and Teesside. Durham had a campus in my constituency. Teesside was the local big university, and was very important to the



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economy. I worked with them on reports on the economic regeneration issues around Teesside when we lost the SSI steelworks there.

I always had an interest, but I will be quite open and say that I was in public service as a Member of Parliament, and was not re-elected in 2017, but I loved many aspects of that job and I missed them. Part of that is being involved in public organisations and institutions, and public service per se. I was looking for public appointments that came up that might interest me—and this is one to which I felt I would have a contribution to make, so I applied for it. Everyone I have spoken to has been encouraging and supportive throughout that process. I guess that is why I am sat here in front of you.

- Q12 **Apsana Begum:** A lot of your career experience is outside higher education. What skills and experience can you bring to this role, which is specifically on higher education?

Lord Wharton: That is a fair question. I am conscious of time, but I have talked a little bit about the work I did with universities as an MP. I think all MPs will have quite significant engagement with their local universities, if they have them. Beyond that, I hope that some of the commercial work that I do and the skills that I have will be helpful. I also have an understanding, having been a Minister in two Departments, of how Government works and, having been a Member of Parliament myself, of how Parliament works that I hope will better inform the sector and the regulator on its engagement with decision makers and stakeholders. The fact that I am not from within the higher education establishment, as it were, will hopefully be a good thing, because I intend absolutely to work with stakeholders and listen carefully to views, but also to bring a fresh perspective to the role.

- Q13 **Apsana Begum:** One aspect of the role is to have a good knowledge and understanding of the operation of regulatory activity and, I suppose, the strengths and limitations of regulators. What is your understanding of those functions?

Lord Wharton: I have quite a lot of experience with regulators: at the ministerial end, overseeing them from a Government perspective; and at the receiving end, working for and with and advising companies that are subject to regulation. A regulator has to have the confidence of the sector. Particularly in higher education, we have to recognise the importance of the autonomy of universities. At the same time, the role of the regulator, especially in the changing space that is higher education, is to ensure that those who engage with the higher education process get value for money, good qualifications and the standards of service that they should be able to expect from providers. I see the OFS's role as light-touch where things are going well, but willing to intervene where things are not. I hope that by taking that approach we can reduce bureaucracy and improve quality.

- Q14 **Apsana Begum:** I have two more questions. You emerged as the strongest candidate among a very competitive field. Are there any areas where you believe that you do not necessarily have the skills and



experience, as yet, that you seek to develop in the role?

My second question is about what approach you would take towards the student panel and, in particular, what approach you would take in terms of international students. There have been reports, especially throughout the pandemic, on the living conditions of international students in particular—the deprivation and the struggle to gain access to any sort of publicly funded resource. I want to get a bit of perspective on what your approach towards international students would be, and student panels as well—and, as I said earlier, anything that you feel you do not quite have experience of yet, but you seek to develop in the role.

Lord Wharton: I hope and believe that I have the skills for the role. I recognise that, if appointed, as I settle into the role I need to engage widely with stakeholders and learn about, in a granular and individual sense, some of the issues faced by the sector. There is no hiding from it. Anybody going for a role like this should—and I intend to—spend a period of time talking to people, learning about the operation and the individuals who either run the OFS or are in the institutions that are regulated by the OFS. It is an area where I intend to improve my knowledge by active engagement.

On the issue of some of the challenges for students, and international students in particular, I saw—like you, I suspect—either in a programme or in something I read only a couple of days ago some horrific examples of the conditions that international students found themselves in, and the challenges that they had through covid. We need to look very carefully at that—not just quite urgently for some of those who may be struggling now, but it raises questions about our long-term approach and how we treat people who come with expectations of a certain quality of standards, life, accommodation, education and support. I say this based only on the media coverage that I have seen, because I have not yet had the opportunity to have personal experience of engagement, but it appears that some of those international students have been let down and left in really quite difficult situations, and that should not happen.

Q15 **Apsana Begum:** My other question was about the student panel. Do you have any particular vision in terms of your approach to the student panel?

Lord Wharton: Everything I have heard about the student panel has been positive. In terms of its engagement and the individuals on it, I think that there is a good story there already. I look forward—again, if appointed—to meeting them and working with them and the new student panel that comes through.

I do not have a definitive answer on what this looks like, but one of my concerns is those students who should or would go to university but for some reason do not. We spend a lot of time talking to those students who are in the system, and rightly so. I think we should spend a bit more time also looking at those students who ought to be in the system, or could be in the system imminently, and are not. I think that is something that could enhance the engagement that the OFS as a regulator has.



Q16 David Johnston: I have a supplementary on the access topic. I have had a concern for a while that some of our universities devote much more time to chasing international students—because that means higher fees and low contact time—than to widening access to disadvantaged young people at home. Often, you see that those with the highest proportion of international students have the lowest proportion of disadvantaged students from this country. I just wonder whether you have any views on that.

Lord Wharton: I think it is a legitimate concern; I am sure there will be examples where it is the case. Every university, of course, has to have an access and participation plan as a condition of its regulation and the fees that it charges. I think we need to look very carefully at this issue within those plans, because they are individual to institutions, so there is the possibility, the opportunity, to look at those institutions where the figures appear to be out of line with what you would expect and to look specifically at how they are implementing their plan or whether there is content missing from the plan that ought to be there when it is reviewed and renewed.

Clearly, the attraction for universities and higher education institutions is often the money that can come with international students. Having a large number of international students, far from being an excuse for having poor participation—if anything, it should be the other way round: if you have additional funding coming in because of the way you have structured your student body, you have additional opportunities to widen participation among those groups least well represented. So I think this needs to be looked at institution by institution. It's a very valid point and one that I think very appropriately should be looked at by the regulator, and that I would look to take forward and take up, were I to be appointed.

Chair: David Simmonds, please.

Q17 David Simmonds: Welcome, James. I want to ask about how you are going to manage potential conflicts of political interests. You are a Conservative peer, so the question has to be asked. Are you going to retain the Conservative party Whip? Are you proposing to step away from it? What will be your approach in the event that legislation in the House of Lords that is subject to a Whip brings about a conflict with your role?

Lord Wharton: I approach this with an open mind. In anticipation not just of the question but of the very real issue that sits behind it, I have had a discussion with the Whips in the Lords already. What I have made clear, and they have agreed, is that if issues arise where there is conflict with my role at the OFS—if I am appointed—they will give me more latitude and understand that I may need to vote against or speak against some of the things that the party in government could bring forward. At the same time, the House of Lords is more independent generally, I find, from my—obviously limited—experience so far, so I don't think that is going to be a problem. However, I can absolutely assure the Committee that I recognise the crucial importance of the regulator being independent. I intend to uphold that and, where it comes into conflict, my first duty will



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be ensuring that that independence is given paramount importance and upheld.

Chair: David Simmonds, do you have any further questions on that?

David Simmonds: No, I think that answers it more than satisfactorily, Chairman.

Q18 **Tom Hunt:** This is a little off-piste; it's just to do with free speech. Many students whom I have spoken with are concerned about the lack of free speech that there is at universities very often, and it has been quite a big issue in the media. I just want to know what your views on that are and whether you believe that the Office for Students has any role in trying to encourage free speech and, potentially, speak out or make moves if student unions or universities take steps that are not good for freedom of speech.

Lord Wharton: I think this is an important issue, because it is all part of the university experience. People go to university in order to be able to experience difference of views, debate and discussion and to advance learning in the broadest sense, not necessarily just within the confines of the course that they are taking. At the same time, university has to be a place in which everyone feels safe, and there are elements of this that could, in extremis, impact on some of the access questions that we have already discussed. Free speech does not mean inappropriate speech, hate speech or things that make people legitimately feel excluded. At the same time, it is a crucially important principle and one that I want to see upheld. I think this is a space in which the regulator should be active. If some of the media reports are to be believed—I would like to take the time to engage properly with some of the individuals and institutions concerned before coming to a judgment—some mistakes have been made, and I don't like moves away from free speech in an environment that should actually have it absolutely at the core of what it is about.

Q19 **Fleur Anderson:** Going back to the questions about independence while holding the Whip, and as a former Tory MP being able to be independent, will you give an example of where you would be criticising and questioning the Government on policy? For example, the current handling of covid in universities, which many students have concerns about—would you be speaking up for them?

Lord Wharton: I think students have legitimate concerns. I was pleased to see the announcement, just this morning I think, of the additional £50 million for the hardship funds to support students. There are some big questions that go beyond the role of the regulator—the funding decisions that would have to be taken to meet some of the things that are being asked for in that space—but all I can assure you of is that I will be independent and open and that I will say what I think when issues arise. If that brings me into conflict with Government, so be it, and if it does not, it does not.

That will range from potentially big issues, like those you touched on, to relatively small things, like the detail of post-qualification admissions,



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which I broadly support but have concerns about. I would want to listen to the sector on removal of personal statements, for example, and how that will impact on opportunities for students, which is part of the possible plan that we can see going forward.

I can assure you that I will not be hesitant to speak out. At the same time, the role of the regulator is to regulate; the role of macro policy decisions is for Government. A balance needs to be appropriate.

Q20 Fleur Anderson: May I push you for an example of what you would like to take up with the Government, if you were appointed?

Lord Wharton: An example is the personal statements issue. I know that is not as big as the live debates at the moment about fee refunds and accommodation refunds—those are, as it stands from a regulator’s point of view, for the contract between students and individual institutions. We need to ensure that those contracts are appropriate and properly done, but whether the broader debate is taken forward is not directly in the control of the regulator. All I can assure you is that I am cognisant of the issues and that there are areas in which I am sure that I will have disagreements with Ministers and Government policy.

Q21 Fleur Anderson: You will be familiar with the Students Deserve Better campaign, in which the National Union of Students ask questions about quality of education and accommodation, and other issues. Do you support the aims of the Students Deserve Better campaign? Will you be working with the National Union of Students?

Lord Wharton: You cut out a little there, but I think I got that. Let me respond, and if I am missing bits, please—I am sure you will—come back.

Of course, I will look to work with the National Union of Students. I was a student union officer myself, when I was at university. I absolutely have full regard for the role that they play as representatives of the student body. They are not the sole representatives or the sole voice of students, but they have an important role and are a strong and articulate advocate.

In a broad sense, I support many of the aims that they have. We all want to see improved accommodation, improved student experience and better student relations and contracts, as students are the customers of the institutions that support them. That does not mean that I am in a position to give carte blanche to and 100% support for everything that the union come out with, but the principle of where they want to go is a good one. I am looking forward, if I am successful in being appointed to this role, to working with them and engaging with them to further some of those broader aims, on which we should all be able to agree, I think.

Chair: Fleur, have you finished?

Fleur Anderson: For now, yes.

Chair: Thank you. Ian Mearns, please.

Q22 Ian Mearns: James, going back to potential conflicts of interest, have



you completely filled out or updated your register of interest in the Lords?

Lord Wharton: Yes. I updated my Lords interests about two weeks ago—it is up to date. I have also looked at everything I am doing. I am not aware of any conflict with my current work in the House of Lords. However, were a conflict to arise, my priority would be the OFS. It would of course be declared and registered, but there is an additional registration requirement for public roles, as you will be aware, that is published on the OFS website, which would cover those issues as well.

Q23 **Ian Mearns:** Thank you very much. In answer to earlier questions about what your priorities would be—I would like to take you to what you would be faced with if you started the job this morning. The pandemic is providing a fairly raw deal for many students in our universities and education settings. What would be your priority now to promote further and protect the interests of students, if you were chair of the Office for Students from this morning?

Lord Wharton: If I were chair this morning, the first thing I would do would be to ask for the detail of how we intend to spend the additional money—the £50 million that has just been announced for hardship. I would also ask whether that is sufficient to meet some of the key challenges at the hard edge of the environment in which students find themselves. It is a terrible time to have found yourself in higher education for all sorts of reasons, just as many sectors of society have been impacted by covid-19.

I would want to look specifically at the quality of teaching and the quality of outcomes in terms of the qualifications that people will receive at the end of this period, because it is vitally important that we do not undermine the degrees and qualifications that will be awarded to students because they just happened to be students during the time when all this happened. That could have an impact on future job prospects and fundamentally undermine a huge part of why people go into higher education. The quality of outcomes, how we support those in hardship and, within the hardship piece, the mental health question, which clearly has been significantly impacted, would be priorities were I to be sat in the office in Bristol this morning—or indeed on Zoom pretending to be sat in the office—trying to engage with some of these challenges.

Q24 **Ian Mearns:** Have you any idea, before you before you move into the role, how many universities currently have food banks, for instance? I have just read in the press in the last couple of days about one project—I think it is Newham Community Project—feeding 1,300 students a week. An awful lot of those, by the way, might well be overseas students, so these are really big, significant problems. As we know with children in schools, hungry children find it difficult to learn, and I am sure that is exactly the same for students.

Lord Wharton: Absolutely right. I don't know exactly how many food banks are active in universities, but I am familiar with the Newham project; I think it is the one Ms Begum was referring to, or at least it is the one I had in mind when I responded to her question earlier about having



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seen coverage of the challenges international students face. As I said in that answer, clearly that is not acceptable, whether it is international students or not. An army marches on its stomach, as Napoleon said, and that is a truism in education as well. You cannot learn and focus properly on your higher education if you are hungry. No one should be going hungry in this country, and that of course includes students. There is the hardship fund, which can play a role in mitigating that, but if I were appointed this morning, as you asked, this would be one of the areas that would be very high up on, if not top of, the priority list as an immediate concern.

- Q25 Ian Mearns:** The £50 million might not go very far if recent research among students is proved to be absolutely valid. It showed that something like 40% of students, both nationally and internationally—it is an international study—are very concerned that they will be hungry before the end of term. That is a study involving Dr Christian Reynolds at the University of Sheffield—now at City, University of London—and Professor Paul Stretesky at Northumbria University. As a local MP here in the north-east, with Northumbria and Newcastle Universities just across the water from me, I am trying to find out directly from the vice-chancellors of the universities what they are currently being confronted with in terms of student poverty, because it is real poverty if students literally cannot feed themselves week to week.

Lord Wharton: That is absolutely true. Students inevitably do not have the largest personal incomes at the best of times, and at times like this, when part-time jobs are much less available, the pressures can be very much greater, so I absolutely understand the purpose of and recognise the importance of the question. I cannot comment on the international student question, but, if I were appointed here, I would be very keen, if you were successful in that, Mr Mearns, and if you were willing to share some of that information with me, to look at it. Where it is a real problem, it needs to be tackled, and the way the hardship fund and funding are shaped and delivered should prioritise issues such as that. If more funding is needed because those issues cannot be resolved within the funding envelope that is available, that must be looked at and the case must be made.

- Q26 Ian Mearns:** I take your point about international students, but the significant point there is that the study found that 40% of students had those concerns, and that is a significant number when you look at the overall student body in the United Kingdom, or in England.

Lord Wharton: Very much so. I agree, Mr Mearns.

- Q27 Christian Wakeford:** I have two quick questions. The first goes back to the topic of freedom of speech and accessibility. You will hopefully be aware of the campaign by the Union of Jewish Students to make sure that the issue of antisemitism is treated with the respect that it deserves on university campuses. While a lot have been adopting the IHRA definition of antisemitism, adopting it is one thing; actually living up to the tenets of it is another. How would you, in the role, make sure that those policies are actually adhered to, and our Jewish students are safe



on campus?

Lord Wharton: That is a very good question, Mr Wakeford—thank you. I am very familiar with the IHRA definition of antisemitism. I will be quite honest: I do not understand why any university would not have adopted it, and I would want to look at those universities that have not, particularly given the very strong steer that they have had from the Government and the Secretary of State. The OFS has been supportive of that. I think that there is a real question to be asked where it has not been adopted, because I do not think that free speech includes hate speech.

Once it is adopted—actually, regardless of whether it is adopted—clearly any instances of antisemitic behaviour are entirely unacceptable and would need to be addressed. It is appropriate for a regulator to have concern for that, as it is part of the overall student experience. Respecting the autonomy of universities and other higher education institutions does not include the autonomy to allow things to happen in their environments that would conflict with IHRA and with other equalities issues and discrimination issues. I can give you a strong indication that this is an issue that I am familiar with and care about, and I want to see more done in the area. That is what I intend to look at.

Q28 **Christian Wakeford:** Thank you, James. Moving on to a different topic, obviously public confidence in the OFS as an independent regulator may require you, as its chair, to robustly challenge Ministers, especially to speak up as a voice for students. Do you see any areas where Government policy and the OFS’s regulatory objectives may not align, and how would you deal with that particular instance?

Lord Wharton: It is too early to say. As I say, if I feel that we do not align then I will not be shy in coming forward. It is my intention to absolutely respect the role of the independent regulator, and I recognise the importance of the voice. There are a number of areas where the Government give guidance to the OFS, and it is for the OFS to interpret that guidance and implement it. I think that is the space in which disagreements like that may arise, primarily between what the Government perhaps meant in their guidance and how the OFS interpreted and delivered it. If I believe what the OFS is doing in its interpretation to be the right thing, I will not be shy in coming forward and saying so.

Q29 **Christian Wakeford:** As a very quick follow-up, in doing so would you be prepared to be very public and on the record in robustly challenging Ministers with regard to those issues, where they arise?

Lord Wharton: If necessary, yes. My experience as a Minister is that it is much better if people are able to bring issues to you first and to see whether they can be resolved before going public on them, but if you cannot find a resolution by appropriate informal engagement, I am not afraid of the media. I have had a fair share of it in my time in politics in the past.

Q30 **David Johnston:** Your answer to Christian was about the future, but you will know that there is a constant debate about the balance between



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regulating universities and protecting their autonomy. I wonder whether you feel that balance is right at the moment, or whether there are changes that you would like to see to the regulatory framework as it stands.

Lord Wharton: In broad terms, I think that it is about right. That does not mean that all the detail is. There are questions about, for example, how well we differentiate as a regulator between universities that are behaving and performing to different levels. I would like to see a further focus on risk-based regulation, where those universities that are not of concern, in those areas about which we are not concerned, are given more latitude, and we can reduce, as a result, the regulatory burden. Then we can focus resources on those areas or institutions where there are concerns.

I think that, broadly, while of course nothing is perfect, the regulator is behaving as a regulator should, and the sector—from the feedback that I have had and what I have looked at so far—is respectful of that, although always willing to voice its concerns. I do not rule out that in the future that could change.

Q31 **David Johnston:** Could you give us a hypothetical example, not naming any institutions, of what you describe there—areas that, if a university was doing well in them, it might be given greater latitude, and if it was not doing well in those areas, it would not be—just so we can understand your thinking on that?

Lord Wharton: For example, with some of our top universities, I do not think that the quality of the qualifications that they are giving will need to be subject to the same level of scrutiny as for some of those universities where there are genuine questions about the value of the degree that they award at the end of a student's time there. The quality of qualifications would be an area where I would want a bespoke, risk-based approach, and where institutions are not coming up to standard, we should be robust with them.

Q32 **Fleur Anderson:** Following on from that, on value for money and the difficult balance that universities have at the moment—they have stepped up and are doing all the online teaching, and some are doing it absolutely brilliantly; I commend all the academics doing that—some students are saying that they are not getting value for money. They are not getting the teaching or support. Going online has meant that their degree is of less value and quality, but they are still paying over £9,000 a year for it. Would you impose monetary penalties, as the Office for Students can, on universities where the academic rigour is not up to it because of that moving online? What conversations would you have and where would you go with that? The university may be lacking in funding, so a financial penalty may be more detrimental to students. How will you find that balance? What are you likely to do if pushed to the most extreme circumstances, with a university really failing to provide value for money, academically?



Lord Wharton: It is the old rule of regulators: speak softly and carry a big stick. You want to have a good, constructive working relationship with the organisations and institutions that are regulated. I would hope that measures such as financial penalties should not be necessary other than in extremis. However, if the institution is not engaging with concerns that are raised and is not looking to genuinely address problems that might arise—we have to be cognisant of the particular challenges of the last 12 months or so when considering this—the OFS should be willing and ready to use all the tools at its disposal. It shouldn't do it lightly, but in the most extreme circumstances that would include removing regulation from an institution and effectively stopping it from giving degrees. That is something that the OFS can do.

There have been some challenges around that with recent court cases on a new registration, which you will be aware of—the Bloomsbury case. I think we need to look at ensuring that the procedures of the regulator are up to scratch, particularly for the environment that we are about to enter into, so that if it does that, it sticks. It should be willing to do that, but it should be a last resort.

Q33 **Chair:** Thank you. In a nutshell, if students are not getting the right quality of learning, which they are paying nine grand-plus a year for, should they be getting their money back, or part of their money, or a discount off the following year if they have one?

Lord Wharton: It is a difficult question for the regulator, because a student's contract with a university is between the student and the university. The regulator's role has to be to ensure that those contracts are fit for purpose. One question that legitimately arises from the circumstances we have seen is whether those contracts are fit for purpose and give students the rights they should have—effectively, in this sense—as consumers of the product that the institutions are providing. It is difficult to answer that in the abstract, Chair, but I think there is a strong case for looking at that contractual student-university relationship. That is an entirely appropriate space for the regulator to consider.

Q34 **Chair:** But if a student feels that they are not getting a quality education and have paid for something that they are not getting, what should they do?

Lord Wharton: There is a process by which they can challenge the university on that and can ultimately get a refund on their fees. I think the truth is that that process is currently bureaucratic and cumbersome and slow, and that most students do not feel that it is something that, were they to want to access it, is easily and readily available to them. If they really feel that today, they should look at that process, because that is what exists. The OFS, as the regulator, will need to look at that process and see if it is fit for purpose, which is one of the things I want to take forward if appointed.

Q35 **Chair:** Are you saying that students should be able individually to apply to you as the regulator? Would you make it simpler and easier for them to



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do that?

Lord Wharton: What I am saying is that it should be simpler and more straightforward to do that. The current system is as it is. The student has a contractual relationship with the institution. There is only so much the regulator can do about that effectively and retrospectively when we are talking about the contracts that exist. Students who do feel that is the case have a route they can take. I am not saying that is the perfect answer, because that process is clearly overly bureaucratic and slow, and many students do not feel that they can access it, but that is the one that exists today. A light has been shone on this area as a result of the last year. I think the regulator should consider whether the current system is fit for purpose.

Q36 **Chair:** If you go down to Currys and you buy a computer, you have a contractual relationship with Currys, but you also know that you will get your money back if you only get half a computer, because the keyboard doesn't arrive, the computer doesn't work or whatever the case may be. I just want to understand, so I can respond to students in my constituency, who write in quite frequently, and tell them that there is a fair procedure, in which if they believe they are not getting what they paid for, there is a simple and easy procedure for them to get some kind of refund or a credit of some sort.

Lord Wharton: As far as I can see, today there is no simple and easy procedure. There is a procedure and there is a route they can take. I cannot tell you what should or should not be the case retrospectively for a role that I have not taken up. If I am appointed, I can assure you that that is something I will look at. My starting point, subject to the process that would have to be undertaken to look at this properly, is that the procedure is not sufficiently straightforward, it is overly bureaucratic and too many students feel that it is not available to them. There are challenges, because defining that quality of education or whether students have the experience that they feel they are contractually entitled to is more difficult than saying whether you have a keyboard. But the point you raise is a fair one. This area needs to be examined and it has been highlighted by recent events.

Chair: If Fleur has no more questions, I will bring in Ian.

Q37 **Ian Mearns:** On the contractual thing, James, the chief executive of the OFS, Nicola Dandridge, has said, "The pandemic is having a profound and ongoing impact on students who are still facing exceptional challenges." It is about the universities charging rent for accommodation that the students cannot stay in. Nicola said, "Students will also be rightly concerned where they are being charged rent for properties they can't currently occupy. Some universities have decided not to charge full rent in these circumstances. We are encouraging all universities and colleges who are not already doing so to consider carefully what the appropriate response is to these unprecedented circumstances where students have been asked not to return to that accommodation this term"—or last term, as well, in some circumstances. How do I pursue that? Some universities,



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sadly, are still charging students for accommodation that the individual cannot occupy.

Lord Wharton: It is a fair point, Mr Mearns. We need to look at what the appropriate role for the regulator is in examining those contracts, so that the student will have an individual contract with their university as a provider of accommodation. The rights that they have will depend on what is in that individual contract. It is legitimate to ask the question whether those contracts are fit for purpose, whether they are properly accounting for things that might happen in extremis. We have seen a series of events in the past year, which are unprecedented and have clearly caused problems and shown potential shortcomings in those contracts. They exist as they are today.

Individual contracts contain the rights or otherwise that students have, as well as the entitlements that students have. We need to encourage institutions to be flexible and supportive of the students, where they can, especially given some of the financial challenges that students face, which we have already talked about in this hearing. I cannot sit here, however, and tell you that if I am appointed as Chair of the OFS, I can undo or unpick legally binding contracts between individual students and institutions. That is not something I can do. The regulator can look at how it should oversee them in the future.

Chair: Thank you. David Johnston, did you have any more questions? No. Tom Hunt, please.

Q38 **Tom Hunt:** I personally have huge sympathy with students at the moment, and I think the public have too. For this academic year in particular, I really struggle to see the case for them being charged the full whack for tuition fees. I know that some institutions are struggling financially, but others are sitting on huge funds. There was a study published recently about the number of staff at a certain university on over six figures a year—it was a very large number. I have huge sympathy with students, and there is a case for almost an automatic reduction of the tuition fees that they are paying for this year.

My question is to do with the FE White Paper, which was recently published by the Government. I think it is a very good document, and a move in the right direction. At the heart of it is increasing the role of local business in shaping some of the courses and the direction of travel that some of the FE colleges are taking in their areas. Do you think that kind of approach could be extended to universities? I know, particularly with some universities, that local business would like there to be more engagement and for more courses to be offered at those universities to help fill the skills needs in the local economy.

If it is the case that there is a desire to push some of these universities in a direction that involves more degree apprenticeships, more of a skills focus and feeding the needs of the local economy, in what practical ways do you think the Government could do that? What role do you think the Office for Students might have in promoting that? Of course, it is in the interests of students that they are learning on a course that is going to



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lead to them getting a good job. Often, that might be aided by local businesses in their area having a greater voice than they have had in the past.

Lord Wharton: That is a very good point, and a very legitimate one to consider to see where things might be improved. There are a number of ways in which you could potentially intervene. One is providing better quality information on the outcomes of employability and income as a result of different courses, and allowing students to have the depth of information that will enable them to make the right sort of decisions about where they want to go. That varies from teaching quality to what it actually means if you get this degree and what are you going to earn in five or 10 years' time.

There are also some of the more direct interventionist approaches that an organisation like the OFS can take through the grants that it gives. We can look at the courses that should be funded more generously and courses that perhaps should be less funded, having due regard to local and national needs for the skills in the economy.

I don't see any reason why universities shouldn't be engaging with local business groups and representative groups in the way that is envisaged for further education in the White Paper. That would be a very positive thing. Of course, many do that already, but to see them go further would be very good. I am fully in sympathy with what you describe as the ambitions or aims that are in the White Paper for FE, and I think HE can take some of that on board and should be doing so.

Q39 Tom Hunt: This is on the national student survey and the moves to put slightly less weight on it and the student perspective. There has been some criticism of the national student survey and the role it has played in influencing things like league tables. There has been some suggestion that the significant influence of the national student survey has created slightly negative pressure, in terms of the quality of teaching. I just wanted to know whether you would agree with the Department's assessment that the national student survey has exerted downward pressure on standards.

Lord Wharton: I am not sure, but I can see the argument for it. Again, I need to look in detail and take a wide range of engagement in order to fully understand where the sector sees this. Clearly, students are going to be happier if they get better-quality degrees, so if you place great weight on how pleased students are with their course, there will be pressure to give more of them good-quality degrees. That may be a factor in what we have seen as quite dramatic grade inflation, which needs to be seriously considered and addressed.

At the same time, the NSS is being reviewed. It is a complex process, and it has a number of real positives about it. I think engagement with it is about 70% now for final-year students—a very high level of engagement with what can be an important tool for informing the regulator and, more



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broadly, potential students and those who might look at it about the institutions and their performance.

We need to look at the questions that are asked and how the NSS is used. I think that is absolutely right. I do not think that I should pre-empt the review and the work that is being done to look at that, but I do not dismiss the concerns that have been raised, and it is important to ensure that there are not unintended negative consequences that flow from giving weight, or whatever weight we choose to give at the end of this process, to the NSS outcome.

- Q40 **Kim Johnson:** James, you have already stated that you understand the independent role of the regulator, but can you tell us if you currently have any other business, financial or non-pecuniary interests or commitments that might be considered a conflict of interest if you were appointed as the chair?

Lord Wharton: I believe I have none. My business interests are listed on my register. I do not believe that any of them come into conflict in any way with the role. If things were to change, as I said in my discussion with Mr Mearns earlier, I would give the OFS role priority and look to openly and transparently resolve any conflict that might arise.

- Q41 **Kim Johnson:** On your CV you didn't mention your role as campaign manager for Boris Johnson in the 2019 general election. Can you explain why you do not believe that that is a conflict of interest?

Lord Wharton: Probably because I was not the campaign manager for Boris Johnson in the 2019 general election. I assume what that refers to is that in 2017, I was the manager for Boris Johnson's leadership campaign of the Conservative party. I have not discussed this role in any way with the Prime Minister, and I do not see how that brings me into conflict.

- Q42 **Kim Johnson:** You were also involved in Policy Exchange, a right-wing think-tank that was set up by Michael Gove. Again, do you not believe that that could be considered a conflict of interest?

Lord Wharton: I only have an advisory role at Policy Exchange, which is an independent think-tank, and I have not contributed to any education policy discussions at Policy Exchange, so I do not see that there is any conflict there, no.

- Q43 **Fleur Anderson:** I have a supplementary to Kim's questions. You are a working peer, newly appointed, and are taking up this position, which is also a full-time position. Will you be stepping back from being a working peer in order to do this job? How many days a week do you think it will entail? How will you do both of them—or will it just be one?

Lord Wharton: I would not be stepping back. My intention is to give this position, as I say, priority and the time that it requires. My understanding is that the role was advertised as a two-day-a-week role, not a full-time role, but I suspect that it will not take only two days a week; I know how these things work. I can assure you that this will be my No. 1 priority. It is a very important role. If I am fortunate enough to be appointed to it and I



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get to a stage where time pressures are such that any other role that I am doing conflicts, or I am not able to perform properly, this will be the role that I focus on and other things will have to go.

- Q44 **Fleur Anderson:** Thank you. Moving on, I have a question relating to the teaching excellence and student outcomes framework. Only 22% of higher education applicants actively use the teaching excellence framework to make decisions, although it was brought in to give more informed decision-making powers to students. Over half of applicants haven't heard of it at all. As the OFS takes forward its new excellence framework, how will you ensure that the ratings are actually of value to students and actually used, or would you change the framework?

Lord Wharton: I have seen conflicting statistics on how many students use it but, taking it at face value, I think the heart of the question is: if we are going to continue with the TEF, how do we give it more weight and ensure that it is as relevant to students as it can be? That is something that we are now reviewing. As you will be aware, a number of recommendations flowed from the Pearce review of the TEF. The OFS is looking at that. I think that it has the potential to be a really powerful and important tool, and that it has achieved some but not all of that potential so far. There is a challenge in balancing that against the bureaucracy that it could create.

We do not want to burden institutions with yet more bureaucratic work unless there is real value to it. I want to, where I can, reduce the bureaucratic burden on institutions, but I think that there is a need to assess teaching quality. It is a key part of what students are effectively contracting with the university to receive. While I don't want to pre-empt the outcome of the consultation and the work that the OFS is doing, I want to make clear that I think it is important. In some form, it needs to stay. I recognise that if we can improve it, we can significantly enhance the value that it adds to the sector and the decisions that students take.

- Q45 **Fleur Anderson:** Thank you very much. Going back to the student funding, and the fact that some universities have a lot of funding and others don't, some universities feel that they are being set up to fail by the Government and that they are not receiving proportionate funding for the losses they have incurred. Would you agree with that? Is there anything that the Office for Students could do to stop that happening?

Lord Wharton: I don't think I would agree with that, insofar as that is not a concern that has been directly raised with me in such stark terms. Clearly, there are differentials in funding, but it has not been previously registered with me that some universities feel that way. Of course, I would look to engage with those institutions and see what specific concerns they have.

At the same time, you have talked to me about the importance of the quality of outcomes and the opportunities that follow from higher education qualification for people who choose to be students. It is important that within the funding framework we look to support



institutions that are behaving in a responsible way, whether that is to do with access and participation, quality outcomes or the types of courses that they offer.

It is legitimate to prioritise funding of those institution that are giving the best value for money, which we talked about earlier, but I would be concerned if the statement that you make, about institutions feeling that somebody wants to see them fail, were to be the case. I would look to engage with them and find out what is at the heart of those problems. It may be that, with a few small changes, they can feel that everybody wants them to succeed, which is how things should be.

Fleur Anderson: Thank you.

Q46 **David Johnston:** My question is about the number of universities. There is a view that we already have too many and there are too many people going, but there is another view that in those areas that don't have a university anywhere close, that has a negative impact on what happens in schools and colleges, in terms of aspiration and labour market outcomes. Some parts of the country would really quite like a university that was nearer. What is your view about the number of universities that we have? Is it right? Is there a case for more or for fewer of them?

Lord Wharton: I do not have a fixed view on the number per se. It is a bit like the question about the 50% target. It is not the number; it is what it means, and what sits beneath it. If we had a larger number of smaller universities or higher education institutions, which provided courses that were better suited to local economies and improved access as a result, getting people into better jobs than they might otherwise have had, I would be relaxed about that.

From what I understand, the OFS regulates fewer institutions than was envisaged when it was first set up. It seems that the thinking at one point was to go more in that direction. I need to better understand what has happened and changed within that.

One of the challenges that sits behind your question is that some universities play an absolutely crucial role in local economies. I talked about my time as an MP in the north-east. Teesside University was the local university in Tees Valley. Without Teesside University, there would be a serious hit to the local economy. It is very important, particularly to the town of Middlesbrough. It is a big institution.

I don't want to give the impression that I think that every university or higher education institution should be, or needs to be, of that scale or size. Part of the challenge on the economic side of your question, which is almost whether more towns should have them because of the benefit that they bring, is that if they were all of that size it would be a dramatic expansion in the size of the sector. You would have to start to question whether it was value for money, which is one of the key aims of the OFS. But I am very open-minded about larger numbers of smaller institutions. I think that might be a positive development, if it is one we can foster in the



right way.

Chair: Thank you. David Simmonds, please.

Q47 **David Simmonds:** I want to pick up the finance question that Fleur touched on. What is your view about the appropriateness or otherwise of the Government providing bail-out loans to higher education institutions that find themselves facing financial difficulty?

Lord Wharton: I think it depends on circumstances, again. All sorts of challenges flow from a bail-out of a higher education institution. How appropriate it is, and what conditions should be attached to, would vary depending on the circumstances. We have to recognise that in the last year or so, circumstances have been exceptional, different and unique.

Let's hope things get back to normal in a year, or two or three years' time. When things are back to normal, a bail-out should be something that is only done as a last resort. There should be interventions before that stage is reached. If something like that was considered both necessary and appropriate, you would need to see significant reforms to put universities and HE institutions on a long-standing, sustainable financial footing, or you are throwing good money after bad.

One of the real questions that we also have to think about is the impact on students. You can't really close an institution overnight if people are in the middle of their courses—people who have invested time and cost in trying to get a better education and opportunities for themselves. There does need to be an intervention mechanism to make sure things don't just shut down over a weekend, and you don't walk in and find you have half a degree and nowhere to go. There is definitely a role for Government in this space.

Q48 **Kim Johnson:** James, we have talked this morning about the financial crisis that a lot of universities find themselves in, particularly as a result of the situation regarding international students. I would like to ask your opinion of the increasing marketisation of higher education, the casualisation of academics—more universities are making these posts redundant—and the fact that students are now considered a commodity.

Lord Wharton: That is a really interesting question. Clearly, there has been a move over a long time under different Governments to introduce what is effectively a market in education. I don't think that market is functioning as a market should. While I don't want to comment on individual decisions, and I respect the autonomy of institutions, as I have said, if institutions decide they are moving away from one course to another area of study for good reasons, it is not for the regulator to say, "You are forbidden from doing that." I can't sit here and say that every lecturer should retain their job forever; the world just doesn't work that way.

At the same time, the market in higher education is not functioning correctly, as I say. You can see that in the fees that were set. You can see that sometimes in some of the challenges on the quality of qualifications



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awarded. Grade inflation is a warning indicator, I would suggest, that the market is not functioning in the way that it ought. That is something that the regulator needs to take very seriously.

- Q49 **Tom Hunt:** I want to probe a bit further on the role that universities play in the local economy. We are hearing much more about a national industrial strategy and local industrial strategies. It is very clear that if the Government are going to meet their objective with regard to the skills agenda, there may be an issue about the autonomy of universities if some universities don't want to play ball. There could be pushback from the HE establishment, which might, for its own reasons, feel threatened by a slightly new approach to higher education.

Would you see your role in those debates, if there was tension between the Government and the HE sector, as always being the voice of students, and always asking yourself that question, and not being the cheerleader for either the HE establishment or the Government? Would you see your role as a champion for students if there were those sorts of tensions?

Lord Wharton: I think it is absolutely a priority, but I also want to be clear that if the appropriate direction of travel is to change some of the courses that are offered and the shape of higher education to give students better outcomes in terms of employability and the opportunities that flow from having a better higher education, I am not against that.

At the same time, we absolutely have to respect the autonomy of universities and have due regard to it. We've come back a bit to the market question. If a market functions properly, then those universities that offer courses that are of value in whatever way would be able to offer them independently. It is the distortion to the market that lies at the heart of your question, and that is a concern.

- Q50 **Apsana Begum:** I have a question about a different area of work that the office leads on: the Prevent duty and compliance. What are your thoughts about the office's approach to the Prevent duty? The most recent report that I have read talked about 97% compliance, which is really high. What would be your approach on compliance, taking into particular account the experiences of Muslim and BAME students? Policy Exchange, which was mentioned earlier, produced a report at the end of 2019 saying that even the APPG definition of Islamophobia would cripple Government Departments and would lead to them being labelled institutionally Islamophobic. A lot of Muslim student groups would not necessarily think that the APPG definition encompasses the definition of Islamophobia, but that is one of the views of Policy Exchange, which obviously has a huge influence on policy. Where do you think the OFS needs to progress in that area, and what would be your approach to that?

Lord Wharton: First, thank you for giving me the opportunity to state, restate and clarify for the record my broader view, which is that all students, of whatever background, should feel safe and welcome, and that higher education is accessible for them. As I said earlier, if people have the aptitude, it should be a place for everybody. Any sort of discrimination



in the university context, along the sort of lines that you describe, is unacceptable. I do not think that I can be clearer on that. That is something that I want to guard against, and I have some experience of that in the university context from my time in the student union when I was a student at Durham; I worked particularly in that sort of space.

The high compliance rate that you point to is a positive. So far, I have not heard much criticism of the OFS approach to Prevent, or to that area of work. Of course, it is one that I would look at, and I would be interested in taking any concerns into account. I want to understand more about what happens there. Other than stating the important fundamental that universities and higher education institutions must be welcoming and open to everybody, and blind to background in terms of access and outcome, I am not sure that there is more I can add, but I am happy for you to ask—with the Chair's indulgence of course—anything more specific of me in that space, if you would find it helpful, Ms Begum.

Apsana Begum: Thank you. I have no further questions at this stage.

Q51 **Chair:** Can I go back to the access fund? Given that it has pretty mixed results in terms of disadvantaged students getting into university, would it be worth looking at that money and perhaps spending it on disadvantaged students doing degree apprenticeships, working to help fund the businesses to employ them? Would that not be a better targeted way for more disadvantaged people to get university experience as well as a higher apprenticeship?

Lord Wharton: That is perfectly possible. As I say, we should recognise that the rate of those from disadvantaged backgrounds going to university has increased quite dramatically. From the figures that I have from 2009—

Q52 **Chair:** They are more likely to drop out and they do not go to Russell Group universities. We know that many students from disadvantaged backgrounds study part-time, so the decline in part-time has had an enormous effect. That is why I am asking you specifically about whether the access fund could be used for funding degree apprenticeships for disadvantaged students.

Lord Wharton: My understanding is that, as it stands, a large number of degree apprenticeships are funded by the apprenticeship levy, but in principle I have no objection to looking at that. I think we can increase the number and scale of degree apprenticeships—that can only be a good thing, for all the reasons that we have already discussed. All I can say at this point, Chair, is that I am very happy to take that away and look at it if I am appointed. I would value further discussion with you on that issue.

Q53 **Chair:** From the way that universities are marketed, people tend to go to Russell Group universities because they regard them as the most prestigious, and they are judged on that basis in many ways, even though many Russell Group universities underperform compared with non-Russell Group universities. Is the way that we look at universities wrong, and does it exacerbate the divide between advantaged and disadvantaged students? We should judge a university on its education



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experience—absolutely—but should we not also judge it on its employment outcomes, on the work that it does to encourage disadvantaged students to join, and on whether it meets our country's skills needs? Has the whole way that we judge universities in essence got to be turned on its head and looked at in a very different way?

Lord Wharton: I think there are certainly flaws in the way that some people look at and assess universities, and the question is how we can address that. One of the examples from my time at university, which feels longer ago now than I would like, was that you can have a very good university, but its place in the league tables can vary quite dramatically for different subjects. You could have a university that is not seen as prestigious, but is really a leading institution in one subject or another, or a collection of subjects and specialisations.

The truth is that it is much more granular, but the challenge, as you rightly identify, Chair, is that brand is powerful, and people have overarching perceptions about universities and higher education institutions based on their brand. One of the things we can hopefully do to address that can come through the work we are doing in TEF. One of the key measures will clearly be what the outcome means for your employability afterwards. Progress can definitely be made, but challenging brands is difficult, so we should not pretend that there is an easy solution to the question you pose.

Q54 **Chair:** When you leave office, subject to your getting the chair, what would you regard as the single most important thing that you will have achieved? I am talking about many years hence, obviously—not your priority, but the thing that you would have achieved?

Lord Wharton: I hope it will be a combination of improved access for those who have previously been left behind, and high-quality outcomes, particularly for those students and young people. I want to meld improving access for left-behind groups with good quality qualifications when they leave the system.

Q55 **Chair:** Hopefully that will improve more skills and apprenticeships, presumably.

Lord Wharton: Absolutely.

Q56 **Kim Johnson:** One very quick question, picking up on Apsana's question. You state on your CV that you used to be the race officer at university. Can you tell us a little bit about what that entailed, and whether you ever experienced any racism on campus?

Lord Wharton: Gosh, that is going back a while. I was the race awareness officer when I was at university—that was my role in the students' union—and we did have instances. Obviously, all individual cases were confidential at the time. I have to say there were not a large number, but we combined taking up grievances on behalf of students who felt that they had been discriminated against in one way or another by different aspects of the university structure or their engagement with it with various training days for union officers, both sabbatical and non-



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sabbatical. There was also awareness-raising about the services available to students who felt that they had issues or wanted support that was appropriate for the area that I was in.

Chair: Thank you very much. I really appreciate your coming today and the way you have answered the questions. Obviously the Committee will make its judgment now, and we will let you know accordingly, as the procedure suggests.

Lord Wharton: Thank you, Chair and Committee.