

Consultation on quality and standards conditions

The Office for Students is consulting on its approach to regulating quality and standards in higher education. Since 2018, our focus has been on assessing providers seeking registration and we are proposing to develop our approach now that most providers are registered. Our interventions are designed to protect students' and taxpayers' investment in higher education by ensuring that courses are high quality and standards maintained. We would like to hear your views on the proposals in this consultation.

Read [full details of this consultation on the OfS website](#).

Who is this survey for?

Anyone with an interest in the regulation of the higher education sector.

How to respond to the consultation

Please use this form to submit your response which should be sent by email to regulation@officeforstudents.org.uk

If you have any questions about this consultation, require this document in an alternative format or need assistance with the consultation response form, please contact us on 0117 931 7305 or email regulation@officeforstudents.org.uk.

Privacy notice

Here is a short summary of how the personal information you submit will be held and used:

- Participating in the consultation is optional. If you choose to respond to the consultation, your personal information will be used in order to understand who has responded and the views that they have on our proposals, with an aim of being able to understand the different perspectives of different stakeholders
- The Data Controller of the personal information you submit will be Office for Students
- The legal basis for processing your personal information Article 6(1)(e) - public task; is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller
- It will be stored on secure servers within the UK
- It will not be routinely shared with any other organisations
- It will be retained for one year after the end of the of our published response then securely disposed of
- You have certain rights in relation to your personal information, which are set out at: <https://ico.org.uk/your-data-matters/>
- You may contact our Data Protection Officer (dp@officeforstudents.org.uk) with any queries or concerns you have about the use of your personal information.

You may also wish to [read the full privacy notice on the OfS website](#).

If you choose to provide personal information with this consultation response, you will need to consent to us processing your data in line with the privacy notice outlined above.

<input checked="" type="checkbox"/>	I consent to the OfS processing any personal data I submit in line with the privacy notice outlined above
<input type="checkbox"/>	I do not wish to provide the OfS with any personal data

If you do not wish to provide the OfS with any personal data, please skip the 'Personal information' section below.

Personal information

The questions here are all optional. You can prefer not to say for any of these categories.

What is your name?

What is your email address?

What is your organisation? (if relevant)

Nursing and Midwifery Council (NMC)

Which of the following best describes you?

<input type="checkbox"/>	An employee of a higher education provider
<input type="checkbox"/>	An employee of a local or unitary government authority
<input type="checkbox"/>	An employee of a charity or third sector organisation
<input type="checkbox"/>	An employee of a student representative body
<input type="checkbox"/>	An employee of a private company
<input type="checkbox"/>	An employee of a national government department or agency
<input type="checkbox"/>	I'm a student (school or further education)
<input type="checkbox"/>	I'm a student (higher education)
<input type="checkbox"/>	Prefer not to say
<input checked="" type="checkbox"/>	Other (please specify): Professional, statutory and regulatory body (PSRB)

Are you submitting

<input checked="" type="checkbox"/>	A collective response?
<input type="checkbox"/>	An individual response?

Unless marked confidential, all responses will be published on the OfS website. Respondents may request that their response is kept confidential. The OfS shall have regard to any such request, although notes that it may be subject to obligations to disclose information, for example, under the Freedom of Information Act 2000 or the Environmental Information Regulations 2004.

Are you happy for your response to be published on the OfS website? *

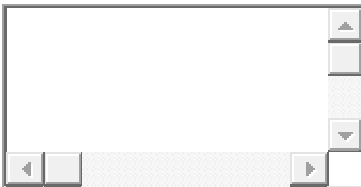
<input checked="" type="checkbox"/>	Yes, I am happy for my responses to be published
<input type="checkbox"/>	No, I would prefer my responses to stay confidential

Questions relating to proposal 1

Question 1a: Do you agree or disagree with the proposed introduction of ongoing condition B1 and associated changes to the OfS's regulatory framework as set out in Annex A?

X	Agree
	Disagree
	Neither agree nor disagree

Question 1b: Please give the reasons for your answer to Question 1a.



Annexe A is generally clear. Under the heading 'Definitions' under Condition B1: Academic experience, section f. "relevant skills" on page 43 it would be helpful if there could be signposting to standards and requirements set by professional, statutory or regulatory bodies (PSRB). The standards set by PSRBs specify the knowledge, skills and attributes which must be fully met by individuals wishing to join a professional register. We have outlined specific concerns around proposals B1.3 and B1.4 in answer to question 8b.

Question 1c: Do you have any alternative suggestions to the proposal in Question 1a?

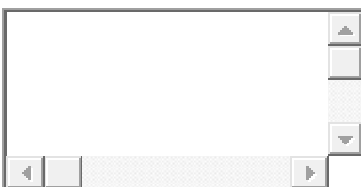


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Question 2a: Do you agree or disagree with the proposed introduction of ongoing condition B2 and associated changes to the OfS's regulatory framework as set out in Annex A?

X	Agree
	Disagree
	Neither agree nor disagree

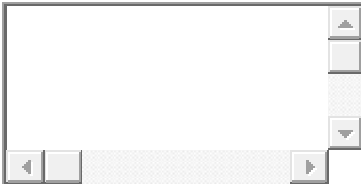
Question 2b: Please give the reasons for your answer to Question 2a.



We are generally supportive of setting conditions that require registered providers to ensure that students on courses receive the resources and support necessary to have a high academic experience. This of course is in addition to the duty on providers to make reasonable adjustment for students with disabilities as set out in equalities and human rights legislation which helps make sure students with disabilities get the same access to education as anyone else.

We agree it is helpful to provide a non-exhaustive list of examples that fall within the various definitions given.

Question 2c: Do you have any alternative suggestions to the proposal in Question 2a?




No.

Question 3a: Do you agree or disagree with the proposed introduction of ongoing condition B4 and associated changes to the OfS's regulatory framework as set out in Annex A?

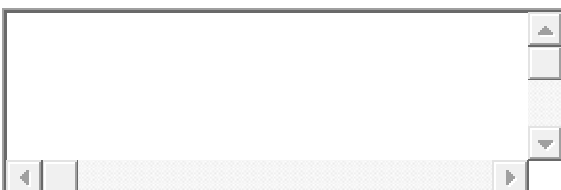
X	Agree
	Disagree
	Neither agree nor disagree

Question 3b: Please give the reasons for your answer to Question 3a.



We agree that registered providers should ensure that assessment of students is rigorous and consistent so that qualifications awarded to students are credible.

Question 3c: Do you have any alternative suggestions to the proposal in Question 3a?



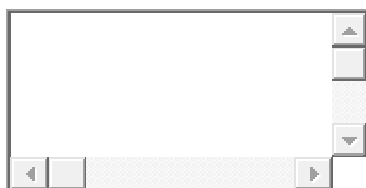
No

Questions relating to proposal 2

Question 4a: Do you agree or disagree with the proposed introduction of ongoing condition B5 and associated changes to the OfS's regulatory framework as set out in Annex B?

X	Agree
	Disagree
	Neither agree nor disagree

Question 4b: Please give the reasons for your answer to Question 4a.

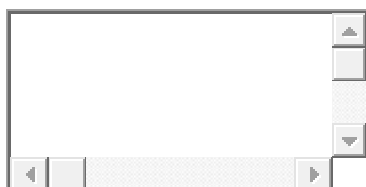


We agree providers need to ensure that higher education courses and awards granted to students are consistent with sector-recognised standards.

The Nursing and Midwifery Council (NMC) is responsible for setting and promoting high quality and consistent education and professional standards for registered nurses, midwives and nursing associates at pre- and post-registration level across all parts of the United Kingdom (UK). Our education standards apply to every education programmes we approve, including degree apprenticeships, and must be achieved by students to practise as a nursing or midwifery professional in the UK. We are pleased to see this point included in the professional competences.

The OfS is the independent regulator of higher education in England only. However, higher education and health and social care policy is a devolved matter. For this reason, you may wish to consider engaging with the devolved administrations in Scotland, Wales and Northern Ireland, if you haven't done so already. There are higher education courses which sit across borders and regulatory frameworks. For example, some providers close to the border with another devolved nation may have arrangements with learning partners to provide students with practice learning opportunities across a geographical border. It's important that regulation is proportionate, aligns with the devolved nations and avoids unnecessary duplication and burden on providers.

Question 4c: Do you have any alternative suggestions to the proposal in Question 4a?



No.

Questions relating to proposal 3

Question 5a: Do you agree or disagree with the proposed introduction of initial condition B7 and associated changes to the OfS's regulatory framework as set out in Annex C?

<input checked="" type="checkbox"/>	Agree
<input type="checkbox"/>	Disagree
<input type="checkbox"/>	Neither agree nor disagree

Question 5b: Please give the reasons for your answer to Question 5a.



The proposal is in line with what we would expect.

Question 5c: Do you have any alternative suggestions to the proposal in Question 5a?



No.

Question 6a: Do you agree or disagree with the proposed introduction of initial condition B8 and associated changes to the OfS's regulatory framework as set out in Annex C?

<input checked="" type="checkbox"/>	Agree
<input type="checkbox"/>	Disagree
<input type="checkbox"/>	Neither agree nor disagree

Question 6b: Please give the reasons for your answer to Question 6a.



The proposal is in line with what we would expect.

Question 6c: Do you have any alternative suggestions to the proposal in Question 6a?



No.

Questions relating to proposal 4a

Question 7a: Do you agree or disagree with the approach to information gathering and assessment proposed in paragraphs 85-90 above and as set out in the proposed guidance for initial conditions B7 and B8 in Annex C?

X	Agree
	Disagree
	Neither agree nor disagree

Question 7b: Please give the reasons for your answer to Question 7a.



We have no further comments on this.

Question 7c: Do you have any alternative suggestions to the proposal in Question 7a?



No.

Questions relating to proposal 4b

Question 8a: Do you agree or disagree with the approach to information gathering as part of an investigation proposed in paragraphs 91-98 above and as set out in the proposed guidance for conditions B1, B2, B4 and B5 in Annexes A and B?

	Agree
	Disagree
X	Neither agree nor disagree

Question 8b: Please give the reasons for your answer to Question 8a.



We are broadly happy with the consultation proposals but one area that is a cause for concern is the reference to subject matter experts looking at aspect of the programmes to inform decision on compliance with standards. From the detail of the proposals it is unclear who is responsible for identifying which academic experts may be suitable and the criteria that will be used for selection.

We would have concerns if PSRBs were not asked to lead this work, in particular, where like us, they have statutory powers over those programmes and set the standards and we therefore have the appropriate expertise. It would be concerning for the OfS to appoint their own experts and come to independent conclusions on a PSRB regulated programme, both raising the potential for duplication but also that the sector isn't aligned on decisions around quality.

Our understanding is that to avoid this from happening the OfS will be looking at where PSRBs are accrediting and making interventions and will be guided by the PSRB's regulatory outcomes. However, the current challenge with this is that there is currently no mechanism for the OfS and PSRBs to share this information, so if this is the proposed approach, there's work to be done to develop the relationship to enable this to work effectively.

As we would expect to see the OfS to take a risk-based approach to monitoring we are pleased to see this included in the proposals. This aligns with the data driven and risk based approach we take to our quality assurance activity for nursing and midwifery education and ensure the regulatory interventions we take are robust, targeted and proportionate.

Question 8c: Do you have any alternative suggestions to the proposal in Question 8a?



No.

Questions relating to proposal 4c

Question 9a: Do you agree or disagree with the approach to taking account of a provider's compliance history for the purpose of determining eligibility for other benefits of OfS registration proposed in paragraphs 103-126 above and as set out in the proposed guidance for conditions B1, B2, B4 and B5 in Annexes A and B?

X	Agree
	Disagree
	Neither agree nor disagree

Question 9b: Please give the reasons for your answer to Question 9a.



We have no further comments on this.

Question 9c: Do you have any alternative suggestions to the proposal in Question 9a?



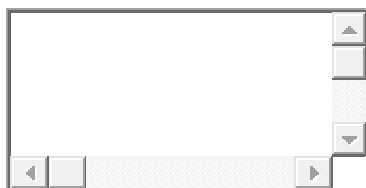
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Questions relating to proposal 5

Question 10a: Do you agree or disagree that the OfS should use its role as EQA provider to inform assessments of condition B4?

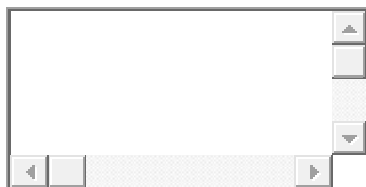
X	Agree
	Disagree
	Neither agree nor disagree

Question 10b: Please give the reasons for your answer to Question 10a.



The (NMC) supports routes that will widen access to registration as a registered nurse, midwife or nursing associate. Any route that leads to professional registration with the NMC must meet the same outcomes. Students on nursing or midwifery apprenticeships are therefore required to achieve exactly the same standards as students registering with the NMC through traditional degree routes.

Question 10c: Do you have any alternative suggestions to the proposal in Question 10a?



No.


Questions relating to all proposals

Question 11: Do you have any comments about the proposed implementation of the proposals in this consultation?

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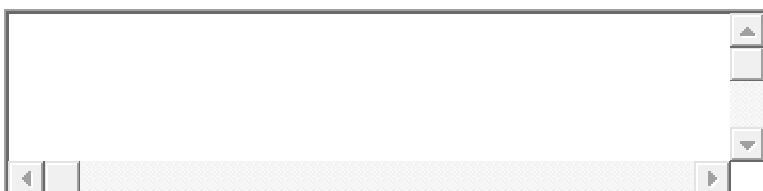
No.

Question 12: Do you have any comments about any unintended consequences of these proposals, for example for particular types of provider or for any particular types of student?

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No.

Question 13: Do you have any comments about the potential impact of these proposals on individuals on the basis of their protected characteristics?

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The NMC is committed to equality, diversity and inclusion (EDI) so we are pleased to see the emphasis on considering the needs of all people and in particular people who share protected characteristics under the Equality Act 2010. We think it would be helpful for the OfS and PSRBs to work more closely on EDI matters to ensure the higher education sector is doing all it can to promote equality and advance opportunity.

Question 14: Do you have any other comments about the proposals?

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We would welcome further discussions and ongoing strategic engagement with the OfS regarding the interplay between the OfS and PSRBs and how we can work together more closely on matters within higher education and regulation, including data collection and sharing.