



# Appointment Brief

Appointment of Director of Regulation

January 2023

Reference: QAHAUI1

# An introduction

The OfS is the independent regulator of higher education in England. We regulate providers in the interests of students. Our aim is to ensure that every student, whatever their background, has a fulfilling experience of higher education that enriches their lives and careers. We do this by regulating the higher education providers on its register to make sure they are delivering positive outcomes for their students. Where they are not, we take action. We regulate to create the conditions for informed choice, competition and continuous improvement in the interests of students. We ensure value for money in higher education for students and taxpayers.

An independent public body, reporting to Parliament through the Department for Education (DfE), the OfS became fully operational on 1 April 2018 when it replaced the Higher Education Funding Council for England (HEFCE) and the Office for Fair Access (OFFA).

Our work covers all students whether undergraduate or postgraduate, home or international, young or mature, full-time or part-time, studying on a campus or by distance learning. Chaired by Lord Wharton, and led by Susan Lapworth as Chief Executive, we are also advised by a panel of current and prospective students, and recent graduates.

Our regulatory objectives describe the outcomes we are seeking to achieve for students, past, present and future. They also bring essential benefits to employers, the economy and society.



The last four years have been a start-up period during which the OfS has put in place its regulatory system and completed registration for over 400 universities and colleges. We are now moving into a more active phase of regulation and, in particular, developing our approach to investigation and enforcement.

## Our mission

We aim to ensure that every student, whatever their background, has a fulfilling experience of higher education that enriches their lives and careers.

## Our objectives

### Participation

All students, from all backgrounds, with the ability and desire to undertake higher education, are supported to access, succeed in, and progress from higher education.

### Experience

All students, from all backgrounds, receive a high quality academic experience, and their interests are protected while they study or in the event of provider, campus or course closure.

### Outcomes

All students, from all backgrounds, can progress into employment, further study, and lead fulfilling lives, in which their qualifications hold their value over time.

### Value for money

All students, from all backgrounds, receive value for money.

## Our values

Our values drive our behaviours and decision-making - how we operate and engage with students and the higher education sector, as well as within our organisation. In summary, our values should guide everything we do.



### Ambition

- We are purposeful, clear and decisive
- We challenge ourselves and are open to challenge
- We conduct our activities rigorously, building on success and learning from failure
- We are confident about making difficult decisions in the student interest
- We are forward-thinking and aim to be at the cutting edge.

### Openness

- We are transparent about what we do and why we do it
- We share wherever and whenever we can
- We are clear, plain-speaking and consistent in all communication
- We welcome scrutiny and being held to account
- We listen and engage.

### Learning

- We seek to understand and do 'what works'
- We are reflective and curious
- We are dynamic and adapt to better ways of working
- We are evidence-informed and communicate with authority
- We take responsibility for our actions and their impact.

### Diversity

- We encourage and value difference in people, thought and the provision of higher education
- We interact respectfully
- We give access to opportunity
- We take context into account.

# The role

The Director of Regulation is a pivotal member of the executive team, leading on our approach to regulation, and accountable directly to the Chief Executive. The postholder will lead the further development and implementation of our approach to regulation, including regulatory decisions, interventions, and enforcement for individual higher education providers. The line management responsibilities for this post will be agreed with the successful candidate but will include responsibility for senior staff working across a range of regulatory policy areas.

This post is vacant because the previous post holder has recently been appointed as our Chief Executive by the Secretary of State.

## KEY RESPONSIBILITIES

This role is accountable for the development, implementation and continuous improvement of the OfS's approach to regulation, as expressed in our regulatory framework.

The regulatory framework delivers in practice the functions, powers and duties given to us in the Higher Education and Research Act 2017 (HERA). It sets out the regulatory standards that higher education providers are required to meet to become and remain registered, the monitoring and intervention arrangements to ensure compliance of registered providers, and the approach we take to use our enforcement powers. The postholder is responsible for developing the content of the regulatory framework to reflect new and changed approaches to regulation.

The role is responsible for delivering effective regulation in practice, determining arrangements for effective decision-making on regulatory matters, setting risk appetite, and leading the development of regulatory capabilities across the OfS. In discharging this responsibility, the postholder exercises authority delegated from our board to make a range of significant regulatory decisions.

The role is responsible for the translation of the regulatory framework into effective operational systems as these relate to the registration and ongoing regulation of individual providers, to the award of degree awarding powers and university title, and to the development and implementation of quality and standards policy.

In discharging these responsibilities, the postholder is expected to:

- Ensure that the OfS considers the principles of best regulatory practice, including the principles that regulatory activities should be (i) transparent, accountable, proportionate and consistent, and (ii) targeted only at cases in which action is needed.
- Use the OfS's resources in an efficient, effective and economic way.

As a member of the executive team, the postholder will lead the organisation to develop, implement and deliver our strategy and business plan.





# Person specification

The postholder is required to demonstrate:

## **KNOWLEDGE AND EXPERIENCE**

- Extensive experience and a sophisticated understanding of the theory and practice of regulation, and the ability to think innovatively about this and apply it to our work.
- A sophisticated understanding of the higher education sector in England and beyond, or the ability to develop this quickly.
- A sophisticated understanding of the legal context for regulators and the ability to apply this to our work.
- Extensive experience of developing, leading and managing a team of expert regulators, in a complex and ambiguous environment to make reliable judgements about regulatory risk.
- Extensive experience of leading regulatory operations to deliver significant regulatory interventions.
- Extensive experience of leading across professional functions beyond the postholder's own expertise.
- Extensive experience of developing and maintaining strong and effective relationships with stakeholders, including in a regulated sector, and in government.

## **SKILLS AND PERSONAL QUALITIES**

- Good regulatory judgement, including in relation to risk, and the ability to work creatively with qualified lawyers.

- Ability to reach and convey impartial, reliable and legally-robust judgements on the basis of complex and imperfect information, and in novel circumstances, and where the risks to students, providers and the OfS are significant.
- Intellectual credibility, analytical capability, with the ability to think strategically and take a broad view of issues, events and activities and understand their likely impact or wider implications for students, the higher education sector and the OfS.
- Highly credible and persuasive public speaker, in both internal and external settings, including in the media.
- Strong, accurate and fluent writing style, and experience of setting and enforcing high standards of written English in others.
- Ability to develop quickly a comprehensive and sophisticated technical knowledge and understanding of the areas in which we regulate individual providers, including but not limited to:
  - access and participation of students to and through higher education
  - quality and standards in higher education
  - freedom of speech and equality matters
  - consumer protection law
  - student protection
  - financial viability and sustainability of higher education providers
  - management and governance of higher education providers
  - information and data about higher education students and courses
  - the requirements of the student loan system in England
  - the Treasury's requirements for Managing Public Money
  - the requirements of the Charities Act 2011 for those higher education providers that are exempt charities
  - the requirements of the Counter-Terrorism and Security Act 2015 that relate to higher education providers

## Valuing diversity

The OfS regulates the higher education sector on behalf of all students. We value diversity and the wealth of perspectives, experience and ideas that it brings to our work and we strive to embed equality of opportunity in everything we do.

We recruit based on fair and open competition and welcome applications from candidates regardless of age, disability, race and ethnicity, gender reassignment, marriage and civil partnership, pregnancy and maternity, religion or belief, sex, sexual orientation and socio-economic background. To attract the widest possible field of qualified applicants, we will be open to flexible working arrangements for this role.

# Terms of appointment

Full time position.

**Location:** Bristol (or London with a significant presence in Bristol).

**Remuneration:** £120,000

**Reports to:** Chief Executive

## How to apply

Saxton Bampfylde Ltd is acting as an employment agency advisor to the Office for Students on this appointment.

Candidates should apply for this role through our website at [www.saxbam.com/appointments](http://www.saxbam.com/appointments) using code **QAHUI1**

Click on the 'apply' button and follow the instructions to upload a CV and cover letter, and complete the online equal opportunities monitoring\* form.

The closing date for applications is noon on **14<sup>th</sup> February 2023**.

\* The equal opportunities monitoring online form will not be shared with anyone involved in assessing your application. Please complete as part of the application process.



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