

## RESPONSE

### Franchising in higher education

Vanessa O'Donnell, Head of Policy & Research

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**1. Do you agree with our proposal to require franchise delivery partners with more than a specified number of students to register with the OfS?**

Yes

**2. Do you agree that a threshold of 300 students is appropriate?**

Yes,

We welcome further clarity from government on how this will be applied. For example, headcount or FTE and annual intake or total provision including both new and continuing students.

**3. What, if any, risks might there be from these changes?**

MillionPlus is fully supportive of the government's commitment to safeguarding public money and protecting student outcomes. We support the government's proposals to bring franchised providers under the regulatory remit of the Office for Students (OfS) and urge the government to ensure that students remain at the heart of the new system.

MillionPlus member universities are committed to ensuring high quality provision across their institutions, including any provision delivered by franchised partners. Modern universities regard franchised provision as a key part of their widening access mission, and it supports their role as placemakers in the regions. It is one of a number of ways in which they can help to address cold spots in the sector.

There is a risk that these changes may have a negative long-term impact on the continued delivery of a diverse range of subjects across the regions and particularly in cold spots. This could have an unintended knock-on impact to access, particularly for disadvantaged students and negatively affect attempts to address higher education cold spots across the country.

MillionPlus fully supports the proposal to review the impact of these regulatory changes, and we urge the government to ensure that this review includes consideration of any impact on the subjects offered across different regions.

It is important to recognise that these changes will require the lead university to provide additional support to their delivery partners in navigating the registration process. It is vital that this is balanced alongside other regulatory demands and MillionPlus urges the government and OfS to ensure these changes are acknowledged in their wider regulatory work.

We recognise that OfS registration for franchise providers is only part of the solution to the challenges identified and lead providers will retain responsibility for oversight of any partnership provision.

4. **Do you agree with our proposal that state-funded schools, the statutory further education sector, NHS Trusts, Councils, and Police and Crime Commissioners should be exempt from the requirement to register with the OfS?**

Yes

5. **Do you agree that providers should not be exempt from registering with the OfS if their provision is regulated by an appropriate PSRB?**

Yes

6. **Do you agree with our proposed approach to implementation?**

MillionPlus welcomes the commitment from the government to continue to support the innovative and specialised provision that franchising can deliver, while addressing individual cases of concern.

We urge the government to retain this approach throughout the implementation process to ensure that the high-quality franchised provision, which supports widening access and is vital to the government opportunity mission, is protected.

We would particularly welcome free support and guidance for franchised institutions who provide an essential, high quality widening participation role to support their navigation of the registration process.

7. **Are there any obstacles to submitting registrations to the OfS within the proposed timeframes?**

Yes.

MillionPlus is concerned about the capacity of the OfS to register franchised providers in the timeframes proposed. The current pause on the OfS registration activity (which will not be reinstated until August 2025) will have created a backlog in the system and we therefore encourage the government and the OfS to give careful consideration as to how this will affect timeframes set out in this consultation.

MillionPlus urges the OfS to communicate how they intend to address this challenge and recommend that contingencies are built into the system in case these issues cannot be mitigated.

8. **Do you agree that we should continue to fund any existing students who began their courses before 2028/29?**

Yes.

**Do you agree with the proposed ground for appeal?**

Yes

9. **Do you agree that there should be consequences for providers who exceed the threshold without being registered with the OfS?**

Yes

10. **Do you agree with our proposal to publishing each year a list of franchised providers whose courses will be designated for student finance the following year?**

Yes

11. **Do you agree with our proposed timeline?**

Yes.

MillionPlus recognises the government's desire to make progress on these changes and therefore, on balance, agrees with the proposed timeline. However, this is with the significant caveat that our concerns

regarding the OfS's capacity and ability to deliver these changes are addressed ahead of any changes being taken forward