



# Skills and Post-16 Education Act 2022

## 2022 CHAPTER 21

### PART 2

#### QUALITY OF PROVISION

##### *Quality assessments of higher education*

#### **18 Office for Students: power to assess the quality of higher education by reference to student outcomes**

In section 23 of the Higher Education and Research Act 2017 (assessing the quality of, and the standards applied to, higher education), at the end insert—

- “(4) The factors that may be taken into account for the purposes of an assessment, under subsection (2)(a) or (b), of the quality of higher education provided by an institution include the student outcomes of the institution.
- (5) The student outcomes of an institution may be measured by any means (whether qualitative or quantitative) that the OfS considers appropriate, including by reference to the extent to which—
- (a) persons who undertake a higher education course with the institution continue to undertake that course, or another course at the same or a similar level, after a period of time,
  - (b) persons who undertake a higher education course with the institution are granted an award of a particular description by that institution,
  - (c) persons who are granted an award by the institution undertake further study of a particular description, or
  - (d) persons who are granted an award by the institution find employment of a particular description by virtue of that award.
- (6) The OfS may, from time to time, determine and publish a minimum level in relation to a measure of student outcomes which all institutions to whom the measure is applicable are expected to meet.

---

**Changes to legislation:** Skills and Post-16 Education Act 2022, Section 18 is up to date with all changes known to be in force on or before 20 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

---

- (7) The OfS is not required to determine and publish different minimum levels in relation to a measure of student outcomes in order to reflect differences in—
- (a) particular student characteristics;
  - (b) the particular institution or type of institution which is providing higher education;
  - (c) the particular higher education course or subject being studied;
  - (d) any other such factor.
- (8) In taking into account the student outcomes of an institution as mentioned in subsection (4), account may be taken of whether the institution has met any minimum level determined and published under subsection (6) which is applicable to the institution.
- (9) In this section—
- “award” means a taught award or research award (see section 42);
  - “student outcomes”, in relation to an institution, means outcomes for persons to whom the institution provides or has provided higher education or has granted an award.”

---

#### Commencement Information

**II** S. 18 in force at 28.6.2022, see [s. 36\(2\)](#)

**Changes to legislation:**

Skills and Post-16 Education Act 2022, Section 18 is up to date with all changes known to be in force on or before 20 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 19(2)(ga) inserted by [2023 c. 55 Sch. 4 para. 222](#)
- s. 20(7)(ca) inserted by [2023 c. 55 Sch. 4 para. 223](#)