

# **The Office for Fair Access**

## **Advisory Group**

### **Background and terms of reference**

#### **OFFA's purpose**

1. The Office for Fair Access (OFFA) promotes and safeguards fair access to higher education for students from under-represented groups.
2. We do this primarily through access agreements with institutions that choose to charge tuition fees above the basic level. Access agreements set out institutions' commitments to access and student success, including investment, planned approaches and activity, and targets. OFFA also promotes good practice and provides advice and guidance to the higher education sector and Government on matters of fair access. We are committed to the objectives of the national strategy for access and student success<sup>1</sup>.

#### **Governance arrangements**

3. The regulatory powers relating to fair access under the Higher Education Act 2004 are vested solely in the Director of Fair Access to Higher Education. OFFA comprises the Director and supporting staff
4. OFFA is an Executive Non-Departmental Public Body which reports directly to the Secretary of State for Education and the Minister of State for Universities, Science, Research and Innovation.
5. OFFA has an Advisory Group which contributes to its governance but has no executive powers.

#### **Purpose and functions of the Advisory Group**

6. The purpose of the Advisory Group is to assist the Director of Fair Access and OFFA's staff by providing expert and impartial advice, where sought, on:
  - matters of fair access and widening participation to higher education
  - related matters of student success and progression to postgraduate study or employment

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<sup>1</sup> <http://www.offa.org.uk/about/objectives/>

- the development and implementation of OFFA policy and strategy including its partnership role in delivering the national strategy for access and student success
- regulatory processes
- communications and press relations
- OFFA's performance indicators and targets
- OFFA's [aims and objectives](#)
- matters relating to individual access agreements, where the Director deems this helpful.

7. For all of the above functions it is for the Director and OFFA staff to identify where it is either necessary or beneficial to seek the opinion of the Group. The Director may seek advice from the Group wherever he or she deems that additional expert advice would be useful, or where it might be perceived that the Director has a conflict of interest.

9. The Group reports to the Director who will normally determine its business both within and outside of formal meetings, and will normally be present at its meetings.

## **Composition**

10. The current composition of the Advisory Group is 12 members.

11. The Group has a Chair who is appointed by the Director.

12. The Group has a Clerk who is an officer of OFFA other than the Director.

## **Role of the Chair**

13. The Chair will take a lead advisory role to the Director and OFFA staff on matters relating to the conduct of the group and its members, the composition of the group and the group's business including the agenda for and timing of meetings.

14. The Chair will, in good time, receive notice of the dates of meetings, any proposals for meeting cancellations and postponements, a draft agenda for the meeting and a Chair's brief of the Advisory Group's business.

15. Alternatively, such advice may be provided by another member of the group either at the suggestion of the Chair or by request from the Director.

## Membership

16. The Director aims to ensure an appropriate balance of advice is delivered by the Group, drawing from OFFA's relevant stakeholders. Members are elected as individuals in their own right and not as representatives of their organisations. However, the Director understands that the member's impartial contribution to the group's business may embody perspectives which are held by the body or bodies to which they are affiliated. Each member's affiliations are recorded in the members' register of interests (see paragraph 24).

17. Membership is rotated to ensure that the range of skills, and the representation of stakeholder interests, is continuously maintained and refreshed.

18. Posts for appointment or reappointment will be considered by the Director in consultation with the OFFA management team and the Chair as appropriate. The Chair's appointment will be considered by the Director and the Assistant Director, with advice from other members of the OFFA management team as appropriate.

19. The appointment term shall be three years, renewable at the Director's discretion.

20. Posts may be filled:

- a. through direct appointment at the Director's discretion, or
- b. by external nomination with reference to the Group's purpose and functions as set out in paragraph 7, or
- c. through nominations sought by OFFA by approach to bodies relevant to OFFA's interests, or
- d. by application in response to an advertisement placed on the OFFA website.

21. Appointments will be made to the group every year on a rolling cycle when existing members:

- a. elect to retire, or
- b. elect to retire after a three year term of office, or
- c. are normally obliged to retire after a second three-year term of office.

22. It is estimated that the total commitment of Group members would not normally be more than six days a year (including reading, meetings and correspondence).

23. Members have indemnity for personal liability as follows:

*An individual Group member who has acted honestly and in good faith will not have to meet out of their own personal resources any personal civil liability*

*that is incurred in the execution or purported execution of their Group function, save where the person has acted recklessly and/or negligently.*

24. The Clerk to the Group maintains a register of interests of the Group which is updated for all members prior to the annual date for reappointments.

25. OFFA requests equal opportunities information from new members once appointed. This information is used only to monitor the breadth of equality and diversity within the current membership. OFFA's policy is to anonymise the information it receive from individuals, and to destroy it when analysis has been completed.

26. Remuneration and expenses

27. Members may claim remuneration at a rate of £250 per day plus reasonable expenses for attendance at meetings, or for work by correspondence, as agreed with OFFA.

## **Business of the Group**

28. The Group will normally meet on three occasions per year.

29. In view of the non-executive function of the Advisory Group there is no quorum of attendance for meetings. However members should endeavour to send apologies to the Clerk at least 20 days before the date of the meeting.

30. In the event that a member does not attend meetings with reasonable regularity or regularly fails to contribute to the work of the group, the Director may, following discussion with the member, require their resignation.

31. Normally, no less than 20 days' notice shall be given for the cancellation of any meeting of the Group. Any cancellation shall be made by agreement with the Chair and the Director. Every reasonable attempt will be made to reschedule the meeting.

32. The business of group meetings will be set out in papers supplied in advance of the meeting or tabled both by OFFA's staff and by Advisory Group members, and with the approval of the Director and Chair. Any business which arises outside of meetings may be dealt with by correspondence, likewise the Director may choose to seek the advice of members of the group individually.

33. If a member has an interest not previously declared to the Clerk, it should be declared at the meeting and recorded by the Clerk. The member shall offer to leave the meeting for any agenda item that presents a conflict of interest. Where the Chair leaves the meeting for this purpose, another person nominated by the Chair shall assume the chair until the Chair is recalled.

34. The Group meets in private with neither press nor public present. No recording or transcript is made of the discussions at Group meetings.

## **Agenda, papers and records**

35. The meeting agenda will be agreed by OFFA management with the approval of the Director or Assistant Director and normally sent to the Chair in advance of the meeting for comment.
36. The final agenda and papers will be circulated to members and OFFA management one week prior to the meeting.
37. A member wishing to put forward an agenda item should notify the Clerk in advance of the meeting. Papers may be sent for inclusion with the Group's papers (see paragraph 29) or tabled with the Clerk's prior knowledge.
38. The Clerk will prepare and circulate to members an outline forward plan for future meetings to include agenda items proposed by the Director, OFFA staff and Chair.
39. Outcomes of meetings are noted and recorded in the minutes which are not published. The minutes will be the formal record of the Group's advice to OFFA given in meetings. The minutes will be circulated to the Group for confirmation that they are a correct record.
40. Group papers and their contents will be considered to be confidential until such time as the Director decides to make them publicly available. Full details of what will be released for publication will be included in OFFA's [Guide to information](#).

## **Review of effectiveness and terms**

41. It is in the Director's discretion periodically to review the relevance and value of the group's work. Any review will be planned in advance with the Chair. These terms of reference will normally be reviewed every two years or at the discretion of the Director in consultation with the Chair.