

**THE OFFICE OF THE INDEPENDENT ADJUDICATOR
FOR HIGHER EDUCATION**

(Registered number: 04823842; Charity number: 1141289)

TRUSTEES' REPORT AND FINANCIAL STATEMENTS
For the year ended 31 December 2021

**THE OFFICE OF THE INDEPENDENT ADJUDICATOR
FOR HIGHER EDUCATION**

(A charity and a company limited by guarantee)

TRUSTEES' REPORT AND FINANCIAL STATEMENTS

For the year ended 31 December 2021

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(Registered number: 04823842; Charity number: 1141289)

TRUSTEES' REPORT AND FINANCIAL STATEMENTS

For the year ended 31 December 2021

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**THE OFFICE OF THE INDEPENDENT ADJUDICATOR
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CHAIR'S INTRODUCTION

I am very pleased to introduce the Trustees' Report and Financial Statements for 2021.

The coronavirus pandemic continued to have a profound impact on the higher education sector in 2021, and remained the key context for our work during the year. Despite the ongoing challenges we have sustained strong performance against the Office's key performance indicators and have resolved complaints for over 2,600 students. We have continued to share learning from complaints with the sector, particularly on issues arising from Covid-19, and to engage positively with students, their representative bodies and higher education providers. We have played our part effectively in the wider regulatory framework, using our influence to maintain focus on students' concerns and responding to the complex and challenging ongoing impacts of the pandemic.

None of our achievements this year would have been possible without the skill, commitment and resilience of everyone in our organisation. I would like to thank my colleagues on the Board, our excellent staff and particularly Felicity Mitchell Independent Adjudicator and Ben Elger Chief Executive who, together, so ably lead the organisation.

Dame Suzi Leather
Chair of the Board of Trustees/Directors

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REPORT OF THE TRUSTEES INCLUDING THE STRATEGIC REPORT *For the year ended 31 December 2021*

The Trustees, being also Directors of the charitable company, present their annual report together with the financial statements for the year ended 31 December 2021. The report complies with the Charities Act 2011, and the Directors' report as required by section 415 of the Companies Act 2006. The financial statements comply with the requirements of the Companies Act 2006, the charitable company's Articles of Association and the Charities Statement of Recommended Practice (SORP FRS 102 effective 1 January 2019).

Objectives and activities

The OIA is the designated operator of the student complaints scheme in England and Wales established under the Higher Education Act 2004, and a charity registered in England and Wales.

Charitable purpose

The OIA's charitable purpose is to advance education for public benefit through the independent review of student complaints in England and Wales and by using learning from complaints to help improve policies and practices.

Public benefit

The Trustees confirm that they have complied with their duty in the Charities Act 2011 to have due regard to the guidance issued by the Charity Commission on public benefit. The OIA brings benefit to students, higher education providers, the higher education sector and the wider public as an independent Scheme funded by higher education providers (rather than directly by taxpayers) which can be accessed free of charge by virtually all higher education students.

Activities

The principal activity is the impartial review of student complaints and sharing learning from complaints to help improve policies and practices.

The OIA's longer-term strategic priorities to fulfil our charitable purpose and work towards our vision that students are always treated fairly are set out in our strategy (see below). Detailed planning of the activities through which we advance our strategic priorities is undertaken each year and set out in an annual Operating Plan. Progress against the annual Plan is then reported in an annual Operating Report. Both documents are published on [our website](#). A summary of key areas is provided under Achievements and performance below.

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STRATEGIC REPORT

Our Strategy

Our vision

Our vision is that students are always treated fairly.

Our priorities

Our priorities are:

- to review student complaints independently, fairly and effectively.
- to share learning from complaints with higher education providers, student representative bodies, students and others, to help improve policies and practices and the student experience.
- to work effectively with others and influence policy and practice in the wider regulatory framework for higher education and in the ombuds sector.
- to continually develop our organisation so that we can do our work well.

Our values

Our values inform everything we do. We recruit people who share our values and are committed to our vision, and we reflect our values in our work. Our values are:

- Integrity and independence
- Quality
- Openness and accessibility
- Service ethos
- Engagement
- Equality and diversity



Operating Plan



Staff objectives

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Achievements and performance

The OIA brings benefit to students through reviewing their complaints and contributing to improving practice in the higher education sector. Our Scheme is independent and can be accessed by virtually all higher education students. More widely our work brings benefit to higher education providers, the higher education sector and the public.

As the Scheme is free to students there is no financial restriction on a student bringing a complaint to the OIA. The Scheme is designed so that legal representation is not needed. Students must normally have completed internal complaints or appeals procedures at their higher education provider before they bring their case to the OIA.

The OIA accepts complaints from students at higher education providers irrespective of social or economic status, background or nationality. The Scheme includes postgraduate and undergraduate students studying on a full- or part-time basis.

In 2021 we sustained strong overall performance against our key performance indicators. We exceeded our timescale targets at most stages of our case-handling process, and exceeded our target for the proportion of complaints we settled. We did not quite meet our target for the proportion of complaints closed within six months of receipt. We have continued to develop our casework processes, including introducing a bespoke process for Large Group Complaints, and to further embed kindness in our work to support students in using our service. Our performance in 2021 has been in the context of the ongoing challenges of the pandemic and a further rise in the number of complaints we received. Our achievements despite this are testament to the hard work, commitment and resilience of our staff and our continued focus on efficiency as part of providing a high-quality service.

We continued to share learning from complaints to promote good practice in the sector. Most of our good practice and outreach work took place online due to the ongoing context of the pandemic. We maintained a high level of outreach and engagement with students and student bodies and with providers across the full range of our membership.

We continued to contribute expertise from our unique role, as both an independent ombuds service and part of the higher education regulatory framework. We worked with other organisations to influence policy and practice to the benefit of students and the sector, including in relation to responding to the complex and challenging ongoing impacts of the pandemic.

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Our financial position remains sound. We have managed our finances effectively, enabling us to resource our organisational priorities appropriately. The unit cost of cases has increased somewhat to a little under £1,800.

We continue to cultivate a positive working culture, with appropriate attention paid to health and safety and to promoting diversity and inclusion. Supporting our staff has been particularly important during the pandemic, and we continued to take steps to support and promote wellbeing.

Our [Operating Report for 2021](#) reports progress against our Operating Plan 2020. It sets out what we have done during the year to advance each of our strategic priorities and includes both ongoing areas of work and new initiatives.

Financial review

Principal funding sources

The OIA is funded by compulsory subscriptions payable by higher education providers. It does not undertake any additional fundraising activities.

Results for the year and financial position

The results for the year show total income of £6,151,764 (2020: £5,881,182) and a higher than budgeted surplus on general reserves of £377,682 (2020: £528,290).

Income rose in 2021, with the rise in complaints to the OIA contributing to increased income from the case-related element of subscriptions. The higher income, together with curtailment of some expenditure including some delay to planned recruitment as a result of the coronavirus pandemic, led to the above-budget surplus on general reserves at year end. This increased surplus and the anticipated continued rise in cases have been and will continue to be factored into the budgeting process for 2022 and beyond with a view to balancing income and expenditure over a reasonable period of time anticipating a need for both increased capacity and continuing focus on efficiency.

As explained in Note 12 of the Notes forming part of the Financial Statements, the pensions reserve deficit increased by £3,005,886 to £4,757,797 due to the finalisation of a new recovery plan following the 2020 valuation and in line with a review of assumptions about future staffing requirements. The cash impact of increases in employer pension contributions are factored into the budget setting process, whilst the reserves policy is set on the pre pension reserve levels.

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Investment policy and performance

Funds surplus to short-term working capital requirements are placed in short-term deposits with appropriate UK financial institutions. The rate of interest received is regularly reviewed.

Principal risks and uncertainties

The Trustees have a risk management strategy which includes:

- An established Risk and Audit Committee which oversees the organisational approach to risk and the Risk Register
- Regular review of policies and developments relating to risk, including potential new risks, culminating in a designated meeting of the Risk and Audit Committee to fully review changes to the Register and a report on key developments to the Board
- Designated responsibility for managing and monitoring key risks on the Register
- An approach based on mitigating both the likelihood of risks occurring and the impact should they occur.

Risks relating to the impact of the coronavirus pandemic were again a dominant consideration in 2021. We continued to have in place measures to protect our people and enable us to continue our work effectively, and to respond to the risks as they evolved during the year. The impact of Covid-19 on the higher education sector more widely and on students has been very significant and we remain alert to potential further consequential impacts on our work.

Risks associated with ensuring continuing efficiency and quality in decision making and maintaining the confidence of stakeholders remain strongly identified on the Risk Register. In 2021 we proactively and largely successfully managed risks around the increase in the number of complaints coming to us. We also continued to focus on working with other organisations with a role in the higher education regulatory landscape, including in responding to the ongoing impact of coronavirus. Income has remained reliable despite the wider impact of the pandemic.

Reserves policy

The reserves policy is overseen by the Finance Committee and reviewed periodically. It is informed by Charity Commission guidance, in particular that there should be an integrated approach to reserves that takes account of key risks. Income-related risks are relatively low as our statutory basis and members' strong record of paying on time means that income is fairly predictable. Financial planning allows for proactive management of risks within planned operating expenditure. The Committee identified a number of key risks that could potentially impact reserves requirements: a sudden increase in cases; a significant

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business interruption event; an unexpected increase in financial commitments such as pensions; and exceptional judicial review costs.

In this context and in view of the ongoing pressures on the organisation and increased risk levels arising from the pandemic, required reserves levels were reviewed in 2021. The reserves requirement (excluding the pensions reserve in line with Charity Commission guidance) was increased to around three months' operating expenditure, currently about £1,450,000. The current reserves excluding the pensions reserve stand at £2,222,062 (2020: £1,844,380). The expectation based on the 2022 budget and longer-term projections is that reserves will come back towards the target level. The "free reserves" (ie those excluding the pension reserve and the carrying value of the fixed assets) stand at £2,081,166 (2020: £1,650,416).

Pensions

As noted on p7 above, there is now a very substantial deficit in the pensions reserve. Although this does not constitute a current financial risk given the nature of the USS pension scheme and the way the overall deficit is managed, we recognise that there is a significant degree of uncertainty over the medium-to long-term cost of membership of the pension scheme, both in cash terms and accounting non-cash terms. Given the uncertainty of current and future economic conditions, even following changes to the scheme over a number of years there remains a level of risk of larger deficits and increasing contribution rates in the future. We continue to carefully monitor the situation mindful of the need to be able to meet any increased contribution costs out of operational cash flows.

Plan for future periods

Our strategic priorities as set out above remain unchanged for 2022. Our [Operating Plan for 2022](#) sets out what we plan to do this year to advance each of these priorities and what we intend to have achieved by the end of the year. It includes both ongoing areas of work and new initiatives within the strategic priorities, and recognises that with the ongoing impact of the pandemic and wider developments affecting the higher education sector there will continue to be a need to respond and adapt quickly to changing circumstances. The Plan reflects the growth that we anticipate will again be a key context for the year in all aspects of our work, as we continue to respond to the sustained growth in our case receipts and to further develop our wider work towards our vision that students are treated fairly.

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Structure, governance and management

The OIA is a charitable company limited by guarantee. It was established under a [Memorandum of Association](#) and is governed under its [Articles of Association](#).

The Board

The Board comprises up to 21 members (including Alternate Trustees), all of whom are non-executive. There are six Trustees nominated by representative bodies in higher education in England and Wales (the Association of Heads of University Administration, the Committee of University Chairs, GuildHE, National Union of Students, Universities UK and Universities Wales). Some of these representative bodies have identified Alternate Trustees, who may stand in for the Nominated Trustees. The majority of voting Board members are Independent Trustees appointed through an open recruitment process. The Board is responsible for the strategic direction of the OIA, its funding and development and the oversight of its performance. It meets at least four times each year. It has established three standing committees, Finance, Risk and Audit, and Nominations and Remuneration. All standing committees are formally constituted with terms of reference, and include at least four Trustees.

The Board delegates aspects of some of its functions and decision-making to its Committees and to the executive. It has a delegations framework which identifies areas of responsibility and the key Committees and roles involved. Responsibilities are set out in more detail in documents such as Committee terms of reference and senior executive job descriptions.

New Trustees are provided with a Handbook giving guidance on their role and expectations of them as Trustees, and are signposted to Charity Commission guidance for Trustees. An induction day covers the role and responsibilities of Trustees, strategic considerations, complaints handling processes and other key aspects of OIA work. There are ongoing opportunities for development, for example through one-to-one conversations with the Chair/Deputy Chair, invited speakers and opportunities to attend Committee meetings as an observer.

Key management remuneration

The pay of the Senior Leadership Team is set and reviewed by the Nominations and Remuneration Committee of the Board of Directors. Review mechanisms take account of performance and market conditions. Benchmarking exercises are undertaken regularly, sometimes with external support and have previously included analysis from the higher education, ombuds and charity sectors.

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Reference and administrative details

The Office of the Independent Adjudicator for Higher Education is a charitable company limited by guarantee, incorporated (England & Wales) on 7 July 2003 and registered as a charity on 11 April 2011.

COMPANY NUMBER: 04823842 (England and Wales)

CHARITY NUMBER: 1141289

**REGISTERED OFFICE
AND ADDRESS:** Second Floor, Abbey Wharf
57-75 Kings Road
Reading RG1 3AB

TRUSTEES / DIRECTORS:

The Trustees of the charity and Directors of the charitable company, who served throughout 2021, unless otherwise stated, were as follows:

Independent Trustees/Directors

| | |
|------------------------------------|----------------|
| Dame S C Leather | (Chair) |
| A L Mack | (Deputy Chair) |
| A Adebisi | |
| A F Chandler | |
| Dr W V Finlay | |
| G M Fleming (to 30 September 2021) | |
| M S Kirke | |
| J N Rees | |
| S J Williams | |

Nominated and Alternate Trustees/Directors

| | |
|---|--------------------|
| <i>Nominated by the Association of Heads of University Administration</i> | |
| D Hall | Nominated Director |
| <i>Nominated by the Committee of University Chairs</i> | |
| Vacant | Nominated Director |
| <i>Nominated by GuildHE</i> | |
| J H Renyard | Nominated Director |
| <i>Nominated by the National Union of Students</i> | |
| H Gyebi-Ababio | Nominated Director |
| N Dhumma | Alternate Director |
| <i>Nominated by Universities UK</i> | |
| Professor A D Fitt | Nominated Director |
| Professor P J Layzell | Alternate Director |

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Nominated by Universities Wales

W D Callaway

Dr K Mundy

Nominated Director

Alternate Director

Trustees/Directors are appointed by the Board of Trustees. They are normally appointed for a term of three years and serve up to two terms. The Board may decide to extend a Trustee's period of service up to a maximum of nine consecutive years.

SENIOR LEADERSHIP TEAM: B P Elger - Chief Executive
F Mitchell - Independent Adjudicator

COMPANY SECRETARY: S L Liddell

PROFESSIONAL ADVISERS

BANKERS:

HSBC
26 Broad Street
Reading RG1 2BU

AUDITORS:

Crowe U.K. LLP
Statutory Auditors
Aquis House, 49-51 Blagrove Street
Reading RG1 1PL

SOLICITORS:

Field Seymour Parkes
1 London Street
Reading RG1 4QW

ACCOUNTANTS:

BDO LLP
R+, 2 Blagrove Street
Reading RG1 1AZ

Charity Governance Code

The OIA is committed to the seven principles identified in the Code and follows or is working towards recommended practice in almost all areas.

1. Organisational purpose

The OIA has a strong organisational purpose. It is clearly expressed in our strategic documents, and is kept under review as part of ongoing strategic planning to make sure that it remains relevant in the evolving higher education sector landscape. The public benefit is clearly defined as set out above.

2. Leadership

The Board works with the Senior Leadership Team to set a clear strategic direction for the organisation and to ensure that the OIA's values are reflected in our work.

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3. Integrity

Integrity is one of the OIA's core values. Trustees are expected to follow the Seven Principles of Public Life drawn up by the Committee on Standards in Public Life and to preserve the independence of the OIA Scheme. The OIA's values underpin all of our work and inform how we develop what we do.

4. Decision making, risk and control

The Board maintains strong oversight of the organisation, delegated where appropriate to Committees with defined terms of reference or to the executive. Key policies and procedures and organisational performance are regularly reviewed. The Board has developed a sophisticated approach to risk management as outlined above, and appropriate audit arrangements are in place.

5. Board effectiveness

The structure of and approach to recruitment to the Board ensures an appropriate balance of skills and knowledge, taking into account the OIA's evolving membership. Trustees receive a full induction. The Board and its Committees meet regularly to receive information and reports and to have full and frank discussions of important issues. The Board reviews its own effectiveness annually. The Board is undertaking a review of the OIA's governance arrangements.

6. Equality, diversity and inclusion

The Board values diversity in all its forms. It is committed to reaching out to under-represented groups when recruiting Trustees, and to removing barriers to participation. Monitoring of diversity of Board membership is undertaken alongside similar monitoring of diversity amongst staff. The Board has a strong focus on promoting equality, diversity and inclusion within the organisation and through the OIA's work, led by a Diversity Steering Group comprising Trustees with expertise in this area and relevant senior managers.

7. Openness and accountability

Openness and building trust to maintain the confidence of stakeholders is a key part of how the OIA operates. Information about our work is available on our website and published in an Annual Report and other publications. A Register of Directors' Interests and summary minutes of Board meetings are also published on the website.

We continue to engage with developments to the Charity Governance Code and recommended practice. The Board reviews annually the effectiveness of the OIA's governance practice in relation to the Code and other relevant developments, with external input as appropriate. The Code has also informed the current review of our governance arrangements.

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Trustees' responsibilities

Company law requires the Trustees to prepare financial statements for each financial year that give a true and fair view of the charitable company's state of affairs and of its incoming resources and application of resources, including income and expenditure, for the financial year. In preparing those financial statements, the Trustees are required to:

- Select suitable accounting policies and apply them consistently
- Make judgements and estimates that are reasonable and prudent
- State whether applicable accounting standards have been followed, subject to any material departures disclosed and explained in the financial statements
- Prepare the financial statements on the going concern basis unless it is inappropriate to presume that the charitable company will continue to operate.

The Trustees are responsible for maintaining proper accounting records which disclose with reasonable accuracy at any time the financial position of the charitable company and enable them to ensure that the financial statements comply with the Companies Act 2006. The Trustees are also responsible for safeguarding the assets of the charitable company, and hence for taking reasonable steps for the prevention and detection of fraud and other irregularities.

The Trustees confirm that so far as they are aware, there is no relevant audit information of which the charitable company's auditors are unaware. They have taken all the steps that they ought to have taken as Trustees in order to make themselves aware of any relevant audit information and to establish that the charitable company's auditors are aware of that information.

Auditors

A resolution to formally re-appoint Crowe U.K. LLP as the OIA's auditor for 2022 will be proposed at the Annual General Meeting.

The Report of the Trustees (incorporating the Strategic Report) was approved by the Board of Trustees on30 March 2022..... and signed on their behalf by:



.....
S Leather - Trustee

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REPORT OF THE INDEPENDENT AUDITOR TO THE TRUSTEES
For the year ended 31 December 2021

Independent Auditor's Report to the Trustees of the Office of the Independent Adjudicator

Opinion

We have audited the financial statements of The Office of the Independent Adjudicator for Higher Education for the year ended 31 December 2021 which comprise the statement of financial activities, the balance sheet, the cash flow statement and notes to the financial statements, including a summary of significant accounting policies. The financial reporting framework that has been applied in their preparation is applicable law and United Kingdom Accounting Standards, including Financial Reporting Standard 102 The Financial Reporting Standard applicable in the UK and Republic of Ireland (United Kingdom Generally Accepted Accounting Practice).

In our opinion the financial statements:

- give a true and fair view of the state of the charitable company's affairs as at 31 December 2021 and of its incoming resources and application of resources, including its income and expenditure for the year then ended;
- have been properly prepared in accordance with United Kingdom Generally Accepted Accounting Practice; and
- have been prepared in accordance with the requirements of the Companies Act 2006.

Basis for opinion

We conducted our audit in accordance with International Standards on Auditing (UK) (ISAs (UK)) and applicable law. Our responsibilities under those standards are further described in the Auditor's responsibilities for the audit of the financial statements section of our report. We are independent of the charitable company in accordance with the ethical requirements that are relevant to our audit of the financial statements in the UK, including the FRC's Ethical Standard, and we have fulfilled our other ethical responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Conclusions relating to going concern

In auditing the financial statements, we have concluded that the Trustees' use of the going concern basis of accounting in the preparation of the financial statements is appropriate. Based on the work we have performed, we have not identified any material uncertainties relating to events or conditions that, individually or collectively, may cast significant doubt on the company's ability to continue as a going concern for a period of at least twelve months from when the financial statements are authorised for issue.

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Our responsibilities and the responsibilities of the Directors with respect to going concern are described in the relevant sections of this report.

Other information

The Trustees are responsible for the other information contained within the annual report. The other information comprises the information included in the annual report, other than the financial statements and our auditor's report thereon. Our opinion on the financial statements does not cover the other information and, except to the extent otherwise explicitly stated in our report, we do not express any form of assurance conclusion thereon.

Our responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial statements or our knowledge obtained in the audit or otherwise appears to be materially misstated. If we identify such material inconsistencies or apparent material misstatements, we are required to determine whether this gives rise to a material misstatement in the financial statements themselves. If, based on the work we have performed, we conclude that there is a material misstatement of this other information, we are required to report that fact.

We have nothing to report in this regard.

Opinions on other matters prescribed by the Companies Act 2006

In our opinion based on the work undertaken in the course of our audit

- the information given in the Trustees' report, which includes the Directors' report prepared for the purposes of company law, for the financial year for which the financial statements are prepared is consistent with the financial statements; and
- the Directors' report included within the Trustees' report has been prepared in accordance with applicable legal requirements.

Matters on which we are required to report by exception

In light of the knowledge and understanding of the charitable company and its environment obtained in the course of the audit, we have not identified material misstatements in the Directors' report included within the Trustees' report.

We have nothing to report in respect of the following matters in relation to which the Companies Act 2006 requires us to report to you if, in our opinion:

- adequate and proper accounting records have not been kept; or
- the financial statements are not in agreement with the accounting records and returns; or
- certain disclosures of Trustees' remuneration specified by law are not made; or

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- we have not received all the information and explanations we require for our audit or
- the Trustees were not entitled to prepare the financial statements in accordance with the small companies regime and take advantage of the small companies exemption in preparing the Trustees' annual report.

Responsibilities of Trustees

As explained more fully in the Trustees' responsibilities statement set out on pages 13-14, the Trustees (who are also the Directors of the charitable company for the purposes of company law) are responsible for the preparation of the financial statements and for being satisfied that they give a true and fair view, and for such internal control as the Trustees determine is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, the Trustees are responsible for assessing the charitable company's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless the Trustees either intend to liquidate the charitable company or to cease operations, or have no realistic alternative but to do so.

Auditor's responsibilities for the audit of the financial statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with ISAs (UK) will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

Details of the extent to which the audit was considered capable of detecting irregularities, including fraud and non-compliance with laws and regulations are set out below.

A further description of our responsibilities for the audit of the financial statements is located on the Financial Reporting Council's website at: www.frc.org.uk/auditorsresponsibilities. This description forms part of our auditor's report.

Extent to which the audit was considered capable of detecting irregularities, including fraud

Irregularities, including fraud, are instances of non-compliance with laws and regulations. We identified and assessed the risks of material misstatement of the financial statements

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from irregularities, whether due to fraud or error, and discussed these between our audit team. We then designed and performed audit procedures responsive to those risks, including obtaining audit evidence sufficient and appropriate to provide a basis for our opinion.

We obtained an understanding of the legal and regulatory frameworks within which the charitable company operates, focusing on those laws and regulations that have a direct effect on the determination of material amounts and disclosures in the financial statements. The laws and regulations we considered in this context were the Companies Act 2006 and Charities Act 2011, together with the Charities SORP (FRS 102) 2019. We assessed the required compliance with these laws and regulations as part of our audit procedures on the related financial statement items.

In addition, we considered provisions of other laws and regulations that do not have a direct effect on the financial statements but compliance with which might be fundamental to the charitable company's ability to operate or to avoid a material penalty. We also considered the opportunities and incentives that may exist within the charitable company for fraud. The laws and regulations we considered in this context were Charity Commission regulations, General Data Protection Regulation (GDPR) and safeguarding regulations.

Auditing standards limit the required audit procedures to identify non-compliance with these laws and regulations to enquiry of the Trustees and other management and inspection of regulatory and legal correspondence, if any.

We identified the greatest risk of material impact on the financial statements from irregularities, including fraud, to be within the recognition of income and the override of controls by management. Our audit procedures to respond to these risks included enquiries of management about their own identification and assessment of the risks of irregularities, sample testing on the posting of journals, reviewing accounting estimates for biases and reading minutes of meetings of those charged with governance.

Owing to the inherent limitations of an audit, there is an unavoidable risk that we may not have detected some material misstatements in the financial statements, even though we have properly planned and performed our audit in accordance with auditing standards. For example, the further removed non-compliance with laws and regulations (irregularities) is from the events and transactions reflected in the financial statements, the less likely the inherently limited procedures required by auditing standards would identify it. In addition, as with any audit, there remained a higher risk of non-detection of irregularities, as these may involve collusion, forgery, intentional omissions, misrepresentations, or the override

**THE OFFICE OF THE INDEPENDENT ADJUDICATOR
FOR HIGHER EDUCATION**

(Registered number: 04823842; Charity number: 1141289)

REPORT OF THE INDEPENDENT AUDITOR TO THE TRUSTEES
For the year ended 31 December 2021

of internal controls. We are not responsible for preventing non-compliance and cannot be expected to detect non-compliance with all laws and regulations.

Use of our report

This report is made solely to the charitable company's members, as a body, in accordance with Chapter 3 of Part 16 of the Companies Act 2006. Our audit work has been undertaken so that we might state to the charitable company's members those matters we are required to state to them in an auditor's report and for no other purpose. To the fullest extent permitted by law, we do not accept or assume responsibility to anyone other than the charitable company and the charitable company's members as a body, for our audit work, for this report, or for the opinions we have formed.



Janette Joyce
Senior Statutory Auditor
For and on behalf of
Crowe U.K. LLP
Statutory Auditor
Aquis House
49-51 Blagrove Street
Reading
Berkshire
RG1 1PL

Date: 12 April 2022

**THE OFFICE OF THE INDEPENDENT ADJUDICATOR
FOR HIGHER EDUCATION**

(Registered number: 04823842; Charity number: 1141289)

**STATEMENT OF FINANCIAL ACTIVITIES
(incorporating an Income & Expenditure Account)
For the year ended 31 December 2021**

| | Notes | Unrestricted Funds General Reserve £ | Pension Reserve £ | Total 2021 £ | Unrestricted Funds General Reserve £ | Pension Reserve £ | Total 2020 £ |
|---|--------|---|-------------------------|--------------------|---|-------------------------|--------------------|
| Income | | | | | | | |
| <i>Income from investments</i> | 3 | 1,460 | - | 1,460 | 11,150 | - | 11,150 |
| <i>Income from charitable activities</i> | | | | | | | |
| Subscriptions | | 6,142,557 | - | 6,142,557 | 5,864,352 | - | 5,864,352 |
| <i>Other income</i> | | 7,747 | - | 7,747 | 5,680 | - | 5,680 |
| Total income | | 6,151,764 | - | 6,151,764 | 5,881,182 | - | 5,881,182 |
| Expenditure | | | | | | | |
| <i>Charitable activities</i> | 4 | 5,774,082 | 3,005,886 | 8,779,968 | 5,352,892 | 304,482 | 5,657,374 |
| Total resources expended | | 5,774,082 | 3,005,886 | 8,779,968 | 5,352,892 | 304,482 | 5,657,374 |
| Net income/(expenditure) | | 377,682 | (3,005,886) | (2,628,204) | 528,290 | (304,482) | 223,808 |
| Net movement in funds for the year | | 377,682 | (3,005,886) | (2,628,204) | 528,290 | (304,482) | 223,808 |
| Total funds at 1 January 2021 | | 1,844,380 | (1,751,911) | 92,469 | 1,316,090 | (1,447,429) | (131,339) |
| Total funds at 31 December 2021 | 15, 16 | 2,222,062 | (4,757,797) | (2,535,735) | 1,844,380 | (1,751,911) | 92,469 |

The amounts derive from continuing activities. All gains and losses recognised in the year are included in the statement of financial activities.

The notes on pages 23 to 32 form part of these financial statements.

THE OFFICE OF THE INDEPENDENT ADJUDICATOR FOR HIGHER EDUCATION

(Registered number: 04823842; Charity number: 1141289)

BALANCE SHEET AT 31 DECEMBER 2021

| | Notes | 2021 £ | 2020 £ |
|---|-------|---------------------------|----------------------|
| FIXED ASSETS | | | |
| Tangible assets | 8 | 140,896 | 193,964 |
| CURRENT ASSETS | | | |
| Debtors | 9 | 232,052 | 279,385 |
| Cash at bank and in hand | | 6,357,960 | 5,850,706 |
| | | <u>6,590,012</u> | <u>6,130,091</u> |
| LIABILITIES: | | | |
| Amounts falling due within one year | 10 | (4,363,219) | (4,273,452) |
| NET CURRENT ASSETS | | <u>2,226,793</u> | <u>1,856,639</u> |
| TOTAL ASSETS LESS CURRENT LIABILITIES | | <u>2,367,689</u> | <u>2,050,603</u> |
| LIABILITIES: | | | |
| Amounts falling due after one year | 11 | (145,627) | (206,223) |
| NET ASSETS EXCLUDING PENSION PROVISION | | <u>2,222,062</u> | <u>1,844,380</u> |
| Pension provision | 12 | (4,757,797) | (1,751,911) |
| TOTAL NET (LIABILITIES)/ASSETS | | <u><u>(2,535,735)</u></u> | <u><u>92,469</u></u> |
| FUNDS | | | |
| Unrestricted Funds | | | |
| General reserve | 15 | 2,222,062 | 1,844,380 |
| Pension reserve | 15 | (4,757,797) | (1,751,911) |
| | | <u><u>(2,535,735)</u></u> | <u><u>92,469</u></u> |

The financial statements were approved and authorised for issue by the Board of Trustees on 30 March 2022 and are signed on their behalf by:-



S Leather - Trustee

The notes on pages 23 to 32 form part of these financial statements.

**THE OFFICE OF THE INDEPENDENT ADJUDICATOR
FOR HIGHER EDUCATION**

(Registered number: 04823842; Charity number: 1141289)

CASH FLOW STATEMENT FOR THE YEAR ENDED 31 DECEMBER 2021

| | Notes | 2021 £ | 2020 £ |
|---|-------|-----------|-----------|
| Underlying cash provided by operating activities | | 398,285 | 582,386 |
| Increase in subscriptions received in advance | | 116,628 | 683,523 |
| Cash provided by operating activities | 19 | 514,913 | 1,265,909 |
| Cash flows from investing activities | | | |
| Interest income | | 1,460 | 11,150 |
| Purchase of tangible fixed assets | | (9,119) | - |
| Cash (used in)/provided by investing activities | | (7,659) | 11,150 |
| Increase in cash and cash equivalents in the year | | 507,254 | 1,277,059 |
| Cash and cash equivalents at the beginning of the year | | 5,850,706 | 4,573,647 |
| Total cash and cash equivalents at the end of the year | | 6,357,960 | 5,850,706 |

THE OFFICE OF THE INDEPENDENT ADJUDICATOR FOR HIGHER EDUCATION

(Registered number: 04823842; Charity number: 1141289)

NOTES FORMING PART OF THE FINANCIAL STATEMENTS *For the year ended 31 December 2021*

1 STATEMENT OF ACCOUNTING POLICIES

Basis of preparation

The Office of the Independent Adjudicator for higher education is a registered charity, number 1141289, and a charitable company limited by guarantee, number 04823842, incorporated in England and Wales. The address of its registered office is Abbey Wharf 57-75, Kings Road, Reading, England, RG1 3AB.

The financial statements of the charitable company have been prepared in accordance with Accounting and Reporting by Charities: Statement of Recommended Practice applicable to charities preparing their accounts in accordance with Financial Reporting Standard applicable in the UK and Republic of Ireland (FRS102) (effective 1 January 2019) - Charities SORP (FRS 102), the Financial Reporting Standard applicable in the UK and Republic of Ireland (FRS 102) and the Companies Act 2006. The financial statements are prepared in pound sterling (£) and the figures are rounded to the nearest £.

The charitable company meets the definition of a public benefit entity under FRS 102. Assets and liabilities are initially recognised at historical cost or transaction value unless otherwise stated in the relevant accounting policy note(s).

Going Concern Basis

As explained in the Trustees' Report, the charitable company's reserves policy is based on the general reserves before the pension provision. The charitable company made a surplus on the general reserve of £377,682 (2020: £528,290) in the year and has net current assets of £2,226,794 (2020: £2,050,603). Cash at bank, excluding subscriptions received in advance, was £2,542,310 (2020: £2,151,684). However due to a new recovery rate plan being agreed for the USS pension scheme during the year there was an increase in the pension reserve of £3,005,886 (2020: £304,482) resulting in net expenditure of £2,628,204 (2020: net income £223,806) and net liabilities of £2,535,735 (net assets £92,469).

The charitable company continually evaluates its operating environment including this year the ongoing impact of the Covid-19 pandemic on the organisation itself, its Scheme members and wider stakeholders. An assessment of the current financial position, cash flow and future income has been made to demonstrate the ongoing viability of the organisation and its ability to carry out its work in this context. The charitable company remains confident that financial resources are sufficient to ensure the ability to continue as a going concern for the foreseeable future, being at least twelve months from the date of approval of these financial statements and therefore have prepared the financial statements on a going concern basis.

Fund accounting

General funds are unrestricted funds that are available for use at the discretion of the Trustees in furtherance of the general objectives of the charitable company and have not been designated for other purposes.

Income

All income is included in the statement of financial activities when the charitable company is legally entitled to the income and the amount can be quantified with reasonable accuracy.

Subscriptions

Subscription income is receivable from higher education providers in England and Wales.

Expenditure

Expenditure is accounted for on an accruals basis. The irrecoverable element of VAT is included with the item of expense to which it relates. Support costs include office functions including finance, human resources and general management. Governance costs include costs such as Board and Committee meetings, and costs of preparing statutory accounts and satisfying public accountability.

The calculations of support and governance costs include, where practical, an estimated split of employees' time but no allocation of general overheads such as premises costs.

THE OFFICE OF THE INDEPENDENT ADJUDICATOR FOR HIGHER EDUCATION

(Registered number: 04823842; Charity number: 1141289)

NOTES FORMING PART OF THE FINANCIAL STATEMENTS (CONTINUED) *For the year ended 31 December 2021*

Tangible fixed assets and depreciation

Depreciation is provided on all tangible assets in order to write off their cost less residual value over their estimated useful lives at the following annual rates:-

| | |
|-----------------------------------|--|
| Leasehold improvements | Straight line over the term of the lease |
| Furniture, fixtures and equipment | 25% straight line |
| IT equipment | 25% straight line |
| Infrastructure costs | Straight line over the term of the lease |

Individual assets under £1,000 are not capitalised.

Financial instruments

Basic financial instruments include debtors and creditors and the pension liability. Debtors and creditors are initially recognised at transaction value and subsequently measured at amortised cost. The pension liability is measured at fair value. Note 14 provides more information on financial instruments where future cash flows are anticipated, with financial assets referring to debtor balances excluding prepayments and deferred expenditure, and financial liabilities referring to all creditor balances excluding deferred income and other taxes and social security.

Pension schemes

The charitable company participates in the Universities Superannuation Scheme (the scheme). The scheme was a defined benefit only pension scheme until 31 March 2016 which was contracted out of the State Second Pension (S2P). The assets of the scheme are held in a separate trustee-administered fund. Because of the mutual nature of the scheme, the scheme's assets are not hypothecated to individual institutions and a scheme-wide contribution rate is set. The charitable company is therefore exposed to actuarial risks associated with other institutions' employees and is unable to identify its share of the underlying assets and liabilities of the scheme on a consistent and reasonable basis and therefore, as required by Section 28 of FRS 102 "Employee benefits", accounts for the scheme as if it were a defined contribution scheme. As a result, the amount charged to the income and expenditure account represents the contributions payable to the scheme in respect of the accounting period. Since the charitable company has entered into an agreement (the recovery plan that determines how each employer within the scheme will fund the overall deficit), the charitable company recognises a liability for the contributions payable that arise from the agreement to the extent that they relate to the deficit and the resulting expense in the income and expenditure account.

Operating leases - as the lessee

Rentals paid under operating leases are charged to the Statement of Financial Activities on a straight line basis over the lease term.

2 JUDGMENTS IN APPLYING ACCOUNTING POLICIES AND KEY SOURCES OF ESTIMATION UNCERTAINTY

In the application of the charity's accounting policies, which are described in note 1, Trustees are required to make judgments, estimates and assumptions about the carrying values of assets and liabilities that are not readily apparent from other sources. The estimates and underlying assumptions are based on historical experience and other factors that are considered to be relevant. Actual results may differ from these estimates.

The estimates and underlying assumptions are reviewed on an ongoing basis. Revisions to accounting estimates are recognised in the period in which the estimate is revised if the revision affects only that period or in the period of the revision and future periods if the revision affects the current and future periods.

The calculation of the pension reserve provision has relied on the actuary's overall view of the funding of the scheme and the OIA's assumptions on future salary costs and the most appropriate discount rate to be applied. Variations in these estimates could lead to a significant change in the provision.

**THE OFFICE OF THE INDEPENDENT ADJUDICATOR
FOR HIGHER EDUCATION**

(Registered number: 04823842; Charity number: 1141289)

NOTES FORMING PART OF THE FINANCIAL STATEMENTS (CONTINUED)

For the year ended 31 December 2021

3 BANK AND OTHER INTEREST

| | 2021 | 2020 |
|--------------------------|-------------------|-------------------|
| | £ | £ |
| Bank interest receivable | 1,460 | 11,150 |
| | <u> </u> | <u> </u> |

4 TOTAL RESOURCES EXPENDED

| | Total 2021 | Total 2020 |
|---------------------------------|-----------------------|-----------------------|
| | £ | £ |
| General Reserves | | |
| Charitable activities | | |
| Direct charitable activities | 5,174,859 | 4,801,623 |
| Support costs | 498,369 | 459,817 |
| Governance costs | 100,854 | 91,452 |
| | <u>5,774,082</u> | <u>5,352,892</u> |
| Pension Reserve movement | 3,005,886 | 304,482 |
| | <u>8,779,968</u> | <u>5,657,374</u> |

5 EXPENDITURE

| | 2021 | 2020 |
|--|-------------------|-------------------|
| | £ | £ |
| Direct charitable activities include: | | |
| Operating lease charges | 221,972 | 221,972 |
| Depreciation | 49,850 | 71,633 |
| Trustee / Director costs | 38,100 | 32,320 |
| Pension costs | 696,516 | 633,371 |
| Governance costs include: | | |
| Auditors' remuneration (net of VAT) | 11,300 | 10,750 |
| | <u> </u> | <u> </u> |

6 TAXATION

The company is a registered charity. It has no liability to corporation tax on bank interest received or its charitable activities. The company is exempt from Corporation Tax on its charitable activities. The charity is exempt from tax on income and gains falling within section 505 of the Taxes Act 1988 or section 256 of the Taxation of Chargeable Gains Act 1992 to the extent that these are applied to its charitable objects.

THE OFFICE OF THE INDEPENDENT ADJUDICATOR FOR HIGHER EDUCATION

(Registered number: 04823842; Charity number: 1141289)

NOTES FORMING PART OF THE FINANCIAL STATEMENTS (CONTINUED)

For the year ended 31 December 2021

7 STAFF COSTS

| | 2021 £ | 2020 £ |
|---|------------------|------------------|
| Wages and salaries | 3,612,370 | 3,219,565 |
| Social security costs | 348,780 | 318,744 |
| Pension contributions paid | 696,516 | 633,371 |
| | <u>4,657,666</u> | <u>4,171,680</u> |
| Movement in the pension provision | 3,005,886 | 304,482 |
| | <u>7,663,552</u> | <u>4,476,162</u> |
| The average number of employees during the year was: | No. | No. |
| | <u>98</u> | <u>90</u> |
| The numbers of employees whose emoluments (being all remuneration, benefits and payments made but excluding employer's pension contributions and employer's national insurance contributions) exceeded £60,000 during the year, were: | | |
| £60,000 - £70,000 | 7 | 5 |
| £70,000 - £80,000 | 2 | 1 |
| £100,000 - £110,000 | - | 1 |
| £110,000 - £120,000 | 1 | - |
| £130,000 - £140,000 | 1 | 1 |
| | <u>11</u> | <u>8</u> |
| The number of those higher paid employees who accrued benefits under a defined benefit pension scheme during the year, were: | | |
| | <u>11</u> | <u>8</u> |
| Pension contributions for above employees | 177,890 | 135,504 |
| | <u>177,890</u> | <u>135,504</u> |

The Senior Leadership Team comprises two posts and are paid equally (one is pro-rated for part time). The total of employee benefits (including employer's pension contributions and employer's national insurance contributions) paid to the Senior Leadership Team in the year totalled £333,529 (2020: £321,942).

A grading structure and job evaluation framework are in place to set the appropriate pay grade for each role. As last year, around three quarters of staff are female, and the proportion in senior roles is similar. The median gender pay gap at 31 December 2021 was 6.4% (2020: 11.4%) in favour of men. This figure is likely to vary over time due to the small size of the organisation. The Board and relevant Committees monitor this annually.

In accordance with the company's Articles of Association and Charity Commission guidance, meeting attendance allowances of £340 per meeting totalling £30,600 (2020: £24,820) were paid to 9 Trustees during the year (S Leather 15, S Williams 8, J Rees 7, A Adebisi 11, M Kirke 14, A Chandler 8, G Fleming 7, A Mack 12 and WV Finlay 8). In addition the Chair received an annual allowance of £7,500 (2020: £7,500). No expenses were reimbursed to any Trustees in the year (2020: £888 to 6 Trustees).

THE OFFICE OF THE INDEPENDENT ADJUDICATOR FOR HIGHER EDUCATION

(Registered number: 04823842; Charity number: 1141289)

NOTES FORMING PART OF THE FINANCIAL STATEMENTS (CONTINUED)

For the year ended 31 December 2021

8 TANGIBLE ASSETS

| | Fixtures, infrastructure and IT equipment £ | Leasehold improvements £ | Total £ |
|------------------------|---|--------------------------------|----------------|
| Cost | | | |
| At 1 January 2021 | 226,665 | 497,807 | 724,472 |
| Additions | 9,119 | - | 9,119 |
| Disposals | (120,607) | (13,925) | (134,532) |
| | <u>115,177</u> | <u>483,882</u> | <u>599,059</u> |
| At 31 December 2021 | <u>115,177</u> | <u>483,882</u> | <u>599,059</u> |
| Depreciation | | | |
| At 1 January 2021 | 208,752 | 321,756 | 530,508 |
| Charge for the year | 10,404 | 39,446 | 49,850 |
| Eliminated on disposal | (113,028) | (9,167) | (122,195) |
| | <u>106,128</u> | <u>352,035</u> | <u>458,163</u> |
| At 31 December 2021 | <u>106,128</u> | <u>352,035</u> | <u>458,163</u> |
| Net Book Value | | | |
| At 31 December 2020 | <u>17,913</u> | <u>176,051</u> | <u>193,964</u> |
| At 31 December 2021 | <u>9,049</u> | <u>131,847</u> | <u>140,896</u> |

9 DEBTORS

| | 2021 £ | 2020 £ |
|---------------|----------------|----------------|
| Trade debtors | 306 | 47,021 |
| Other debtors | 231,746 | 232,364 |
| | <u>232,052</u> | <u>279,385</u> |

10 LIABILITIES

Amounts falling due within one year

| | 2021 £ | 2020 £ |
|-----------------------------------|------------------|------------------|
| Trade creditors | 42,707 | 166,376 |
| Social security and other taxes | 98,436 | 86,965 |
| Other creditors | 406,426 | 321,089 |
| Subscriptions received in advance | 3,815,650 | 3,699,022 |
| | <u>4,363,219</u> | <u>4,273,452</u> |

Subscriptions received in advance relate to the payment of subscriptions for the calendar year 2022.

THE OFFICE OF THE INDEPENDENT ADJUDICATOR FOR HIGHER EDUCATION

(Registered number: 04823842; Charity number: 1141289)

NOTES FORMING PART OF THE FINANCIAL STATEMENTS (CONTINUED) For the year ended 31 December 2021

11 LIABILITIES

Amounts falling due after one year

| | 2021 £ | 2020 £ |
|-----------------|-----------|-----------|
| Other creditors | 145,627 | 206,223 |

12 PENSION PROVISION

| | 2021 £ | 2020 £ |
|--|-----------|-----------|
| Provision b/fwd | 1,751,911 | 1,447,429 |
| Employer contributions relating to the recovery plan | (173,292) | (49,396) |
| Unwinding of the discount rate | 20,062 | 28,949 |
| Impact of changes in assumptions during the year | 100,983 | 324,929 |
| Impact of change in recovery plan | 3,058,133 | - |
| Net movement | 3,005,886 | 304,482 |
| Provision c/fwd | 4,757,797 | 1,751,911 |

The obligation to fund the past deficit on the Universities Superannuation Scheme (USS) has arisen from the contractual obligation of employers within the scheme, including the OIA, to make additional contributions to reduce the overall deficit arising from past performance. An assessment has been made of the expected future OIA employees within the scheme and the salary payments over the period of the contracted obligation in assessing the value of this provision.

During 2021 a revised recovery plan was approved based on the March 2020 actuarial valuation which showed a deficit of £14.1bn. The revised plan requires deficit payments of 6.3% of salaries from 1 April 2022 to 31 March 2038. The above recovery plan payments are included within the overall employer contribution rates which have been factored into the OIA budgeting process.

13 OPERATING LEASE COMMITMENT

The following total lease payments are committed to be paid under non-cancellable operating leases:

| | 2021 £ | 2020 £ |
|--|-----------|-----------|
| Within one year | 282,479 | 282,479 |
| Within two to five years inclusive from the balance sheet date | 678,862 | 961,341 |

14 FINANCIAL INSTRUMENTS

Financial instruments included in the accounts comprise:

| | 2021 £ | 2020 £ |
|--|-------------|-------------|
| Financial liabilities measured at fair value | (4,757,797) | (1,751,911) |

THE OFFICE OF THE INDEPENDENT ADJUDICATOR FOR HIGHER EDUCATION

(Registered number: 04823842; Charity number: 1141289)

NOTES FORMING PART OF THE FINANCIAL STATEMENTS (CONTINUED)

For the year ended 31 December 2021

15 ANALYSIS OF NET ASSETS BETWEEN FUNDS

At 31 December 2021

| | Fixed Assets £ | Net Current Assets / (Liabilities) £ | Long term Liabilities £ | Total £ |
|---------------------------|----------------------|---|-------------------------------|--------------------|
| Unrestricted Funds | | | | |
| General Reserves | 140,896 | 2,226,793 | (145,627) | 2,222,062 |
| Pension Reserve | - | - | (4,757,797) | (4,757,797) |
| | <u>140,896</u> | <u>2,226,793</u> | <u>(4,903,424)</u> | <u>(2,535,735)</u> |

At 31 December 2020

| | Fixed Assets £ | Net Current Assets / (Liabilities) £ | Long term Liabilities £ | Total £ |
|---------------------------|----------------------|---|-------------------------------|---------------|
| Unrestricted Funds | | | | |
| General Reserves | 193,964 | 1,856,639 | (206,223) | 1,844,380 |
| Pension Reserve | - | - | (1,751,911) | (1,751,911) |
| | <u>193,964</u> | <u>1,856,639</u> | <u>(1,958,134)</u> | <u>92,469</u> |

16 UNRESTRICTED FUNDS

At 31 December 2021

| | Balance 1 January 2021 £ | Income £ | Expenditure £ | Balance 31 December 2021 £ |
|-------------------------|--------------------------------|------------------|--------------------|----------------------------------|
| General Reserves | 1,844,380 | 6,151,764 | (5,774,082) | 2,222,062 |
| Pension Reserve | (1,751,911) | - | (3,005,886) | (4,757,797) |
| | <u>92,469</u> | <u>6,151,764</u> | <u>(8,779,968)</u> | <u>(2,535,735)</u> |

UNRESTRICTED FUNDS

At 31 December 2020

| | Balance 1 January 2020 £ | Income £ | Expenditure £ | Balance 31 December 2020 £ |
|-------------------------|--------------------------------|------------------|--------------------|----------------------------------|
| General Reserves | 1,316,090 | 5,881,182 | (5,352,892) | 1,844,380 |
| Pension Reserve | (1,447,429) | - | (304,482) | (1,751,911) |
| | <u>(131,339)</u> | <u>5,881,182</u> | <u>(5,657,375)</u> | <u>92,469</u> |

THE OFFICE OF THE INDEPENDENT ADJUDICATOR FOR HIGHER EDUCATION

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NOTES FORMING PART OF THE FINANCIAL STATEMENTS (CONTINUED)

For the year ended 31 December 2021

17 RECONCILIATION IN MOVEMENT IN FUNDS

| | 2021 £ | 2020 £ |
|-------------------------------|--------------------|---------------|
| Retained surplus for the year | 377,682 | 528,290 |
| (Increase) in pension reserve | (3,005,886) | (304,482) |
| Funds at 1 January 2021 | 92,469 | (131,339) |
| | <hr/> | <hr/> |
| Funds at 31 December 2021 | <u>(2,535,735)</u> | <u>92,469</u> |

18 PENSIONS

The OIA participates in the Universities Superannuation Scheme (USS). In 2016 the scheme changed from a defined benefit only scheme to a hybrid pension scheme, providing defined benefits (for all members) as well as defined contribution benefits. The assets of the scheme are held in a separate fund administered by the trustee, Universities Superannuation Scheme Limited. The charitable company is required to contribute a specified percentage of payroll costs to the pension scheme to fund the benefits payable to the charitable company's employees. In 2021 the percentage was 21.1% to 30/09/2021 and 21.4% from 01/10/2021. The charitable company is unable to identify its share of the underlying assets and liabilities of the scheme on a consistent and reasonable basis and therefore accounts for the scheme as if it were a defined contribution scheme.

The total cost charged to the profit and loss account is £696,516 (2020: £633,371) as shown in note 7. There was neither a prepayment nor an accrual at the end of the financial year in respect of these contributions. The disclosure below represents the position from the scheme's financial statements.

THE OFFICE OF THE INDEPENDENT ADJUDICATOR FOR HIGHER EDUCATION

(Registered number: 04823842; Charity number: 1141289)

NOTES FORMING PART OF THE FINANCIAL STATEMENTS (CONTINUED)

For the year ended 31 December 2021

18 PENSIONS (continued)

As at the year end the latest available complete actuarial valuation of the Retirement Income Builder section of the scheme was at 31 March 2020 (the valuation date), which was carried out using the projected unit method.

Since the OIA cannot identify its share of the USS Retirement Income Builder Section of the Scheme assets and liabilities, the following disclosures reflect those relevant for the section as a whole.

The 2020 valuation was the sixth valuation for USS under the scheme-specific funding regime introduced by the Pensions Act 2004, which requires schemes to adopt a statutory funding objective, which is to have sufficient and appropriate assets to cover their technical provisions.

| Actuarial valuation date | 31 March 2020 | 31 March 2018 |
|-------------------------------|---------------|---------------|
| Valuation method | | |
| Value of scheme assets | £66.5bn | £63.7bn |
| Value of technical provisions | £80.6bn | £67.3bn |
| Net pension deficit | £14.1bn | £3.6bn |

The key assumptions used in the 2020 valuation are described below:

| Financial assumptions | 31 March 2020 | 31 March 2018 |
|--------------------------------|---|---|
| Market derived price inflation | In line with the difference between Fixed Interest & Index-Linked yield curves | |
| Inflation Risk Premium (IRP) | 0.0% p.a. | 0.3% p.a. |
| Price inflation (RPI) | Market derived price inflation less IRP | |
| RPI / CPI gap | 1.1% p.a. | 1.0% p.a. |
| Price inflation (CPI) | RPI less RPI / CPI gap | |
| Pension increases in payment | CPI assumption + 5bps (for both pre and post 2011 benefits) | |
| Discount rate: | Fixed Interest gilt yield curve plus: Pre-retirement: With anticipated benefit reform 2.75% Without anticipated benefit reform Post-retirement: 1.0% | Years 1-10: CPI +0.14% reducing linearly to CPI -0.73% Years 11-20: CPI +2.52% reducing linearly to CPI +1.55% by year 21 Years 21+: CPI +1.55% |

| Demographic assumptions | 31 March 2020 | 31 March 2018 |
|-------------------------|--|--|
| Mortality - base table | 101% of S2PMA "light" for males and 95% of S3PFA for females | Pre-retirement: 71% of AMC00 (duration 0) for males and 112% of AFC00 (duration 0) for females Post-retirement: 96.5% of SAPS S1NMA "light" for males and 101.3% of RFV00 for females |

**THE OFFICE OF THE INDEPENDENT ADJUDICATOR
FOR HIGHER EDUCATION**

(Registered number: 04823842; Charity number: 1141289)

NOTES FORMING PART OF THE FINANCIAL STATEMENTS (CONTINUED)
For the year ended 31 December 2021

18 PENSIONS (continued)

As disclosed in note 12, a provision of £4,757,797 has been made at 31 December 2021 (2020: £1,751,911) for the present value of the estimated future deficit funding element of the contributions payable under the recovery plan agreement. Budgeted and forecasted headcount increases and that the relevant earnings of these employees will increase in line with the OIA's projected long-term salary rate increases have been included in determining the level of this provision.

19 RECONCILIATION OF NET (EXPENDITURE)/INCOME TO NET CASH INFLOWS FROM OPERATIONS

| | 2021 £ | 2020 £ |
|---|----------------|------------------|
| Net movement in funds | (2,628,204) | 223,807 |
| Add back depreciation charge | 49,850 | 71,633 |
| Add back loss on disposal of fixed assets | 12,337 | 7,800 |
| Deduct investment income shown in investing activities | (1,460) | (11,150) |
| Increase/(decrease) debtors | 47,333 | (73,500) |
| (Decrease)/Increase in creditors | (87,457) | 59,314 |
| Increase in pension provision | 3,005,886 | 304,482 |
| Underlying cash provided by operating activities | 398,285 | 582,386 |
| Increase in subscriptions in advance | 116,628 | 683,523 |
| Net cash provided / (used) by operating activities | 514,913 | 1,265,909 |

20 ANALYSIS OF MOVEMENT IN NET DEBT

| | At 1 January 2021 £ | Cashflow £ | At 31 December 2021 £ |
|--------------------------|---------------------------|---------------|-----------------------------|
| Cash at bank and in hand | 5,850,706 | 507,254 | 6,357,960 |

21 RELATED PARTY DISCLOSURES

Payments to Trustees are disclosed in note 7.

Some Trustees also hold senior positions at higher education providers. During the year in accordance with the requirements of the Higher Education Act (2004) these providers paid subscriptions to the charitable company. These fees are calculated on an arms length basis and in accordance with a defined formula.

The Board of Trustees has no involvement in the administration or adjudication of individual cases.

There were no other related party transactions during the current or preceding year.