


Be Connected, higher education: Spring 2025

15 May 2025  Bettina Rigg

Welcome to Be Connected, our quarterly update for higher education institutions.

We aim to provide content that offers you real value together with relevant, useful information from our national team of legal experts.

In this edition we have updates, support and resources covering:

- [Sector developments.](#)
- [New legislation and regulatory developments.](#)
- [Employment.](#)
- [Case law.](#)
- [Support and guidance.](#)
- [...and more!](#)

Don't forget, Be Connected is your space. Please help us to help you by providing your feedback and letting us know what you would like to see featured in future editions.

[**Get in touch and let us know**](#) →

Sector developments

Improving university governance: Lessons learnt

Freedom of speech and academic freedom sat at the heart of the recent decision by the Office for Students (OfS) to fine the University of Sussex a headline-grabbing £585,000 on 26 March 2025. The fallout is likely to will continue for months to come, especially as the university is planning to challenge the decision in court.

This was the first monetary penalty issued by the OfS for a university's non-compliance with conditions of registration regarding governance and it marks a stark indication of the regulator's expectations, particularly in relation to freedom of speech and academic freedom.

In this article we explore what we can learn from this development and how universities can shore up their compliance to avoid a similar regulatory penalty.

[**Find out more**](#) →

Exploring universities' role as civic leaders

What role should our universities play in civic society? What are their responsibilities when it comes to skills development, business engagement, building civic life and acting as economic drivers?

We recently hosted a round table on behalf of Business Insider that brought together leaders from higher education to look at the challenges, responsibilities and opportunities that universities face in building a greater civic role.

Given the current challenges facing the sector the insights shared were a real eye opener!

[Find out more](#) →

Lessons from the 2025 cyber security breaches survey

The government has published its annual Cyber Security Breaches Survey, which aims to explore the policies, processes and approach to cyber security, for businesses, charities and educational institutions.

Overall, 91% of higher education institutions surveyed had experienced a cyber-attack during the previous 12 months and 40% of those affected experienced a negative outcome as a result. We explore the common vulnerabilities and share support and resources to help you to mitigate these risks.

[Find out more](#) →

Introducing our new Head of Higher Education

We're pleased to welcome Kate Gallagher as our new Head of Higher Education. Kate joins us from the University of Nottingham, where she was General Counsel and Director of Legal Services, a department she established.

She's one of the higher education sector's most experienced in-house lawyers and was an active member of the Association of University Legal Practitioners (AULP) for 15 years.

[Find out more](#) →

Legal and regulatory developments

Royal assent for Martyn's Law: A guide for educational institutions

The Terrorism (Protection of Premises) Act 2025, commonly referred to as Martyn's Law, aims to enhance security measures at publicly accessible locations across the UK to prevent future terrorist attacks.

The law imposes duties on venues and events to prepare adequately, to assess their vulnerability to terrorist attacks and take appropriate actions to mitigate such risks. In this guide, we explain how Martyn's Law will significantly alter the security landscape within universities.

Campuses have traditionally been open and accessible environments but the evolving threat of terrorism necessitates a fundamental shift, introducing new, unprecedented security measures.

[Find out what this means for your campus](#) →

Navigating the new 'failure to prevent fraud' offence

The failure to prevent fraud (FTPF) offence comes into force on 1 September 2025.

Higher education institutions that are in-scope now have less than six months to review their fraud risk and implement any enhanced compliance procedures as part of internal governance.

In this guide we set out what you need to know and how best to prepare.

[Find out more](#) →

Corporate Transparency: Voluntary ID verification now available

Companies House has provided an update on the implementation of identity verification requirements under the Economic Crime and Corporate Transparency Act 2023 (ECCTA). Directors and people with significant control (PSCs) are now allowed to voluntarily verify their identity which can be done via a range of methods.

Identify verification will not become mandatory until this Autumn with further announcements expected from Companies House regarding the exact implementation date.

[Find out more](#) →

ECCTA: Additional implementation dates from Companies House

Companies House has recently given an indication of when further changes under the Economic Crime and Corporate Transparency Act 2023 (ECCTA) will be implemented.

The overarching aim in the long term is that anyone setting up, running, owning or controlling a company in the UK will need to verify their identity to prove they are who they say they are. From 25 March 2025, individuals should be able to voluntarily verify their identity.

We explain why you might want to get ahead of the curve and what you need to know to prepare for these legislative changes.

[Find out more](#) →

Response to the Subsidy Control Regime consultation

The Department for Business and Trade recently ran a consultation on the Subsidy Control Act, focusing on amending the threshold at which subsidies are designated Subsidies and Schemes of Particular Interest (SSoPI), and the creation of new Streamlined Routes under which certain subsidies do not require an assessment against subsidy control principles.

The results of this consultation have now been released.

[Find out more](#) →

Preventing sexual harassment in universities

A recent survey conducted by the Office for Students (OfS) found that 20% of students experienced sexual harassment during the 2022-2023 academic year (OfS, 2023) and there's clearly an onus on universities to do more.

The Equality and Human Rights Commission's (EHRC) 'Sexual harassment and harassment' guidance makes it clear that all universities should be conducting risk assessments. The EHRC has also published an eight-step guide on preventing sexual harassment which will help universities to understand their preventative duty, but we've gone several steps further by developing a toolkit to equip you with everything you need to get in place to be compliant.

[Find out more](#) →

Employment

Amendments to the Employment Rights Bill

The Employment Rights Bill (the Bill) is now with the House of Lords, it's been through its First and Second Readings and is at the committee stage.

A range of amendments are currently under consideration, which start to give more detail about the Bill's proposed changes. In this article we share the headline amendments and explore the implications for employers.

[Find out more](#) →

Case law

Charities and freedom of expression

Freedom of speech remains a hot topic of debate in the sector and was also the basis in a recent decision regarding the disqualification of a charity trustee. In *Mond v The Charity Commission for England and Wales*, the First-Tier Tribunal quashed an order of the Charity Commission disqualifying a charity trustee, Mr Mond, from holding office as a trustee over a period of 2.5 years.

The First-Tier Tribunal found that Mr. Mond's social media conduct was capable of damaging public trust and confidence in charities but was insufficient to establish unfitness to be a charity trustee.

[Find out more](#) →

The concept of sex is binary: Supreme Court case explained

The Supreme Court has ruled that for the purposes of interpretation of gender terms under the Equality Act 2010, the sex of a person is either biologically a man or a woman, but stressed that this was not a “victory” of one viewpoint over another on gender identity and also the fact that trans rights remain protected under the gender reassignment and, in certain instances, the sex discrimination provisions of the Equality Act.

[Read more](#) →

High Court decision on when a café is a bar, for VAT purposes

The recent High Court judgment in the case of Anglia Ruskin Students' Union v HMRC [2025] EWHC 296 (Admin) provides a significant clarification to the application of VAT on alcohol sales by student unions. The decision will be of particular importance to student unions across the UK.

[Read more](#) →

Support and guidance

Hyper-personalisation: Key considerations when using AI

In the saturated world of digital marketing, hyper-personalisation stands out as a vital strategy to reach the right customers for your product. By delivering highly contextualised advertising, hyper-personalisation offers unique, personalised customer experiences that can significantly enhance business opportunities.

Customers expect more personalised service through different channels and effortless shopping experience with as little friction as possible. This is why the use of artificial intelligence (AI) and hyper-personalisation are growing rapidly.

However, this approach presents notable legal and regulatory challenges, particularly concerning data protection and AI governance.

[Find out more](#) →

Building bridges in edtech: AI governance and educational needs

The ongoing debates surrounding educational methodologies – such as the reliance on exams to benchmark student performance, and the balance between STEM subjects and the arts – have only been made more complex and urgent when considering the challenges of integrating AI responsibly into traditional educational frameworks.

However, in the realm of AI and edtech, there's a notable gap between the focus areas of AI governance professionals and educators. This article explores that gap and considers both the transformative potential and the practical means of addressing the challenges of successfully implementing new technologies in education.

[Find out more](#) →

Learning from the Chambers Cloud Computing Global Practice

In recent years the legal landscape has undergone a digital revolution by moving towards the use of cloud systems. Cloud computing has become an essential part of modern business operations.

We're pleased to present the Chambers Cloud Computing Global Practice Guide, which explores the key legal considerations that organisations must consider when using cloud computing services. This includes compliance with data protection and privacy laws, the protection of intellectual property rights, and the negotiation of effective cloud computing contracts.

[Find out more](#) →

Commercialising university research and innovation

The Financial Times recently published an article exploring the potential of spinouts from technology and life sciences research as a means to plug the financial gap universities are facing.

"The good news is that despite the financial challenges facing universities, once a few bets on technologies turn into an ecosystem in which a university's researchers can easily and consistently turn ideas into ventures, it starts to become ingrained."

If you're at this stage of exploration and grappling with the risks involved and the most effective route to market, we can help.

Capitalise on your institution's research, innovation and industry partnerships with the innovation lifecycle. The innovation lifecycle is a free resource designed to take university projects from research concept to commercial success, with step-by-step expert guidance from our experienced lawyers.

[Find out more](#) →

Leadership insights from education influencers

Our popular #EdInfluence podcast continues to attract influential leaders from across the sector. This series features esteemed vice chancellors from award winning universities, the former chair of the TEF and board members of HEPI, Universities UK and Jisc, sharing their personal journeys and insights with host and our head of education, Nick MacKenzie.

The latest episode features Sara Burks, founder and managing director of Adaptis, a team of consultants, coaches, learning designers and facilitators combining psychology expertise with leadership experience across public and private sector organisations.

[Listen now](#) for leadership insights from across the sector and subscribe to future episodes via [your preferred podcast channel](#).

[Find out more](#) →

Upcoming events

Social Mobility Incubator webinar: Recruiting for diverse socio-economic backgrounds

20 May 2025, 2pm - 3pm, Online

Explore strategies to increase diverse talent across every stage of your talent pipeline, from apprentices and school leavers to senior hires. This webinar is free to attend and open to anyone involved in driving social mobility within their organisation.

[Find out more](#) →

Ascensus and O Shaped workshop: Ethics in the spotlight

3 June 2025, 10am - 1pm, Cardiff

Free to attend, this ethics and regulatory training workshop is for in-house lawyers and will be delivered in collaboration with our partner, O Shaped.

[Find out more](#) →

Social Mobility Incubator webinar: The power of networks increasing culture and belonging

7 July 2025, 2pm - 3pm, Online

Employee resource groups are a powerful way to bring together employees with a shared experience. This session will navigate some of the practicalities of setting up a social mobility network, as well as how they can be a powerful influencer in the culture of your workforce.

[Find out more](#) →

Catch us at the following sector events

- [LUPC and SUPC Conference 2025.](#)
- [UHR Annual Conference 2025.](#)
- [Knowledge Exchange UK Conference.](#)
- [Senior HR Summit 2025.](#)
- [AULP Annual Conference 2025.](#)

You may also be interested in

Trailblazing social mobility approach discussed at House of Lords

We recently provided insights on social mobility policies to a House of Lords select committee, sharing how we've rolled out successful initiatives to improve access to legal careers for people who are traditionally under-represented in the legal profession.

[Find out more](#) →

Launch of 2025 REACH programme to support aspiring Black lawyers

Thirteen aspiring Black lawyers have been offered the opportunity to kickstart their careers in the legal profession after signing up to a pioneering mentoring programme run by Browne Jacobson.

We recently launched the 2025 cohort of our award-winning REACH (Race, Equality and Cultural Heritage) mentoring programme. REACH aims to address the disproportionate under-representation of Black lawyers working in UK law firms, which stands at just 3%, by growing, nurturing and creating a sustainable pipeline of future Black talent.

[Find out more](#) →

Double win for Browne Jacobson at Legal 500 ESG Awards

We've been recognised at the Legal 500 ESG Awards for the work our people are doing to champion diversity, equity and inclusion (DEI) in the legal sector.

We were awarded the Best Initiative to Attract and Retain Talent in the Ethnicity category for our REACH (Race, Equality and Cultural Heritage) mentoring programme, while Caroline Green, Senior Partner, won the Social Mobility Champion award.

[Find out more](#) →

Key contact

Bettina Rigg

Partner

Bettina.Rigg@brownejacobson.com

+44 (0)330 045 2268

