

A new approach to regulating access and participation in English higher education – Office for Students consultation

12 October 2018

Contact

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Universities UK response

1. To what extent do you agree or disagree with the proposal that plans should normally remain in place for a period of at least three years, rather than annually as at present?

Answer: Strongly agree

Please provide a brief explanation for your response (max 300 words)

UUK supports proposals to extend plan cycles to a period of at least three years. In principle, extended cycles would encourage strategic approaches and the alignment and embedding of Access and Participation Plans (APPs) into wider institutional strategic plans running for up to five years. It would also increase flexibility and allow providers to meaningfully monitor and evaluate progress towards tackling the long-term structural social mobility challenges faced by the sector and the partners they work with including schools, colleges and employers, not least in areas where it is challenging to measure impact meaningfully within one year. Running one plan over a longer period could also enable students and other stakeholders (including the public) to more easily understand what providers are doing to support access and participation.

The voice of universities

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The requirement for annual plans means there is not always enough time between guidance or updated priorities being published and universities having to report back on them. Extending the planning cycle can incentivise the creation of the types of programmes and interventions that require longer time periods to embed and evaluate, for instance in working with schools, particularly primary.

We agree that the accompanying impact reports should be developed with student consultation. Impact reports need to be structured appropriately so that they do not create undue burden on providers, are complimentary to the APPs and allow appropriate comparisons to be made across providers to identify good practice and initiatives. They should also: avoid the promotion of short-term thinking which the extended APP cycle could be designed to prevent; they should not be solely focused on targets (not least because of certain issues with data lag) but on some level of monitoring as well as impact, and they should be framed as being able to capture institutional progress, while acknowledging a university's specific context.

2a. How effective, if at all, would the proposed approach of annual impact reports and action plans be for...

...Assessing a provider's progress compared to the sector as a whole?

Answer: Fairly effective

...Assessing a provider's progress compared to other institutions?

Answer: Fairly effective

...Improving a provider's strategy to improve access and participation?

Answer: Very effective

...Engaging students in the monitoring of access and participation?

Answer: Very effective

...Capturing good practice, and findings from evaluation?

Answer: Fairly effective

2b. To what extent do you agree or disagree that the submission of an action plan would make providers more accountable to their students, the OfS, and the public for their performance in access and participation?

Answer: Tend to agree

Please provide a brief explanation for your response (max 300 words)

In principle, we agree that the submission of an action plan would make providers more accountable to stakeholders for their performance in access and participation and facilitate the spreading of best practice within the sector. This includes accountability to students, and there are benefits to universities in being able to direct students towards their publicly-available plan.

However, we would like more clarity on how action plans would be aligned with APPs and how comprehensive they would be. It is important that published action plans are able to be accompanied by contextual information for each provider. Providers must be able to consult appropriately on their action plans; the plans need to be flexible and more useful than a tick-box exercise.

It is vital that the detail of what is publicly-available via action plans does not discourage universities from trying and testing new types of interventions to support access and participation which might not work. Across the piece, the state of the evidence base needs to be enhanced, and this means that universities must be able to retain the flexibility to run activities that might or might not be impactful, but which could benefit the wider sector either way if evaluated robustly.

2c. To what extent do you agree or disagree that the approach of a longer-cycle plan with annual impact reporting, and ongoing OfS monitoring, will reduce the level of burden for low risk providers and apply greater scrutiny for providers at increased risk of a future breach of one or more conditions?

Answer: Tend to agree

Please provide a brief explanation for your response (max 300 words)

The consultation notes that the precise period of time during which a plan may be in force would be based on risk. While we agree that this would, theoretically, reduce burden for providers with a low risk of a future breach, it is currently difficult to understand levels of burden in practice without more detail on the risk assessment methodology. It is difficult to identify whether a provider might be considered as a 'low' or 'high risk', for example, if they perform exceptionally in terms of access to

underrepresented groups but face substantial challenges in the area of non-continuation. UUK would welcome more detailed clarity in the area of risk classification and associated timeframes.

It is important that providers are not discouraged from, or penalised for, undertaking innovative approaches to access and participation. Risk assessments need to be sophisticated enough to allow for this and prevent more risk-averse approaches. It is important that the proposed focus on risk does not discourage providers from more stretching milestones because it will impact their risk assessment, but encourages ambition and credible aims and objectives.

UUK would like more clarity on the detail and evidence required for annual impact reports and action plans. While the proposals state that requirements will be proportionate to risk, new requirements as a whole package should deliver on the expectation of reduced burden for low risk providers. We would also like more detail on the following:

- implications for providers that are deemed not to be making sufficient progress, including the notice period provided by the OfS to allow for any necessary re-strategising
- how the monitoring of providers with three and five-year plans respectively would be aligned
- how the approach to risk in access and participation is incorporated with the wider risk considerations and provider profiles developed by the OfS.

3a. To what extent do you agree or disagree, that...

...The stated OfS specified-aims are the national priority areas for access and participation?

Answer: Tend to agree

...The OfS should specify measures that we encourage providers to use when setting targets related to OfS-specified aims?

Answer: Tend to agree

...Providers should also be able to set additional targets relative to their context?

Answer: Strongly agree

...The proposal allows for comparability of performance in access and participation across the sector?

Answer: Tend to agree

...The proposal allows for progress to improve access and participation to be measured?

Answer: Tend to agree

4a. To what extent do you agree or disagree with the proposal to collect and publish, in a transparent way, access investment?

Answer: Tend to agree

Please provide a brief explanation for your response (max 300 words)

In principle, we agree with proposals to collect and publish, in a transparent way, access investment. However, any published information would need to be accompanied by sufficient provider, local and perhaps even national context to aid understanding.

Context is important, not least because it can sometimes be challenging to disaggregate spend on outreach and access initiatives from certain other expenditure (as identified by the OfS in relation to the areas of student success and progression). This would also be useful in ensuring any comparisons between providers is done so in an informed manner.

The ability to provide context would also help avoid an overt focus on inputs, which the OfS intends to move away from as an area of focus in favour of outcomes. It would be helpful to understand how publication of this data would be incorporated with other published information, and how it will be linked to data on aims and targets.

Finally, it is important that any publication of spend does not discourage providers from undertaking more resource-intensive initiatives which might be necessary to yield a more limited impact when compared alongside some less resource-intensive initiatives.

4b. To what extent do you agree or disagree with the proposal to disaggregate access spend by post-16, pre-16 and work with adults and communities?

Answer: Tend to agree

Please provide a brief explanation for your response (max 300 words)

We agree with the proposal to disaggregate access spend by post-16, pre-16 and work with adults and communities, which would better reflect different providers'

priorities within the space to improve access. However, this level of disaggregation should work to avoid any inappropriate comparisons between providers. For example, universities' expenditure on working with pre-16 prospective students will vary considerably, which might not simply be affected by their own access gaps, but by the way in which they support their local schools and how schools wish to be supported in addressing their own local challenges. The same concept would apply to working with mature learners and communities.

4c. To what extent do you agree or disagree that a strong focus on targets and outcomes alone, creates enough pressure to secure sufficient funding in access and participation to achieve change, without an expectation of spend?

Answer: Tend to agree

Please provide a brief explanation for your response (max 300 words)

An outcomes-based approach with targets, coupled with longer-term planning cycles, could facilitate the embedding of strategic approaches to access and participation and drive providers' expenditure in support of meeting their aims and objectives.

Setting expectations on spend is not always an efficient driver of access and participation activity – universities' success in their interventions and overarching strategies should not be measured by their cost but by their impact. Where feasible, this impact should be measured across the whole lifecycle.

However, the success of this proposed approach would rely on any OfS-specified targets and metrics being flexible enough to suit all providers and contexts, with additional recognition that the impact of some interventions/initiatives are difficult to measure. Any OfS-specified aims and targets should also be considered alongside provider-specified aims and targets.

Provider contributions should also be recognised appropriately for joint initiatives, or whereby student access activity results in entry to higher education more generally as well as to their own institution.

4d. To what extent do you agree or disagree with the principles in paragraph 140 which we propose should underpin our approach to funding and investment in access and participation?

Answer: Tend to agree

Please provide a brief explanation for your response (max 300 words)

We largely agree with the principles outlined in paragraph 140. However, we would like more clarity on how deployment of funds would be evidence-led. There must also be recognition that different providers will have different challenges within access and participation, but an improved understanding of how to address many of these challenges can come through the provision of collaborative opportunities.

We would welcome the continued support of collaboration both within and without higher education in achieving impact across the different phases of the student lifecycle. Urgent clarity is also needed on the future of NCOPs. Several UUK members have noted that they need to know about the future of NCOP funding before spring 2019 or they risk losing staff.

Addressing lifecycle issues will require collaboration with – as well as increased efforts from – schools, colleges and employers, and the OfS should work with DfE to support sustained change in access and participation by providing opportunities for collaboration based on what works.

5a. To what extent do you agree or disagree that an evaluation self-assessment tool will contribute to improvements in evaluation practice?

Answer: Don't know/ prefer not to say

Please provide a brief explanation for your response (max 300 words)

We believe that self-assessment is a vital part of any evaluation process and will help identify best evaluation practice within the sector. However, it is difficult to comment on how the self-assessment evaluation tool would contribute to improvements in evaluation practice without more information on what the tool entails and how it would be used. We would also like more clarity about the OfS' expectations for evaluation and the tool's suitability for all provider contexts. Some providers may have more limited resources, access to data and the necessary experience in evaluation required to meet these enhanced expectations. In some cases, some staff might require training. The tool itself will need to be piloted appropriately by a range of provider types and regions to ensure it is fit for purpose across the sector. Furthermore, some providers might need to gather information from several departments to inform their self-assessment and evaluation, so expectations will

need to be made clear as soon as is possible so that these departments are well-prepared in advance of any change in requirements.

We would also like more clarity on what the OfS considers to be 'good' or 'poor' evaluation. For example, some providers might already be evaluating effectively and this work should be fed into sector evaluation processes. This will need to be outlined with enough time to incorporate evaluation activities into plans.

Universities have also advised UUK that enhanced expectations around evaluation should not disincentivise work linked to their civic responsibilities, but which might be intensive, challenging to measure in terms of impact, and yield an impact that might appear low in terms of the number of students affected. An example of this would be universities' work with Pupil Referral Units.

5b. What support do you think the OfS could provide to enable more effective use of tracking services? (max 300 words)

Tracking services are growing in their importance and providers are becoming increasingly reliant on their effective use. However, some universities have noted to UUK that the OfS has a role to play in engaging with tracking service providers to help shape the future agenda for tracking needs, and work to ensure that they are best set up to serve the sector and meet provider-level and OfS-specified priorities, for example, in highlighting cold spots.

It is important that the OfS recognises that certain providers (including some small and specialist institutions) do not have the financial or technical resources necessary for tracking systems, and that they can appear prohibitively expensive. The OfS should therefore investigate and evaluate the likely sector-wide benefits to the sector of achieving greater ease of access to tracking services at more affordable costs to a wider number of providers. Services need to be appropriate, consistent and affordable for the whole sector.

The OfS should also consider how to facilitate the creation of an identifier for adult learners/mature students, and engage with the sector where there are concerns around GDPR.

6a. To what extent do you agree or disagree that OfS should undertake further work to explore whether data split by age could be included within the transparency information condition?

Answer: Strongly agree

Please provide a brief explanation for your response (max 300 words)

We agree that the OfS should undertake further work to explore whether data split by age could be included within the transparency information condition. In principle, this could help improve understanding of, and inform the wider debate around, mature and part-time students accessing higher education and their outcomes. The statistical validity of the data is important where student populations within age groupings are small, particularly for smaller providers.

Furthermore, it is important that the OfS identifies at what stage in the reporting cycle providers will be expected to have access to the data. In some cases, the data might have to be analysed retrospectively as the data becomes available. Information must be presented in a way that avoids unintended consequences and should be in a format that is useful in practice.

6b. To what extent do you agree or disagree that OfS should undertake further work to explore whether data split by disability status should be included within the transparency information condition?

Answer: Strongly agree

Please provide a brief explanation for your response (max 300 words)

We agree that the OfS should undertake further work to explore whether data split by disability status should be included within the transparency information condition. This data should reflect a range of types of disability, beyond the Disabled Student Allowance/no Allowance split, for example distinguishing those with physical disabilities or learning difficulties.

As with 6a above, it is importance to recognise provider context and caveat where student populations are small. The data also needs to be accessible for all providers.

7a. To what extent do you agree or disagree that OfS should create and maintain an access and participation dataset?

Answer: Tend to agree

Please provide a brief explanation for your response (max 300 words)

In principle, we agree that an access and participation dataset could help collate a variety of datasets into a resource that will be clear and manageable for stakeholders and promote transparency. The OfS overseeing this role would also be helpful for providers that do not have the capacity to analyse the data independently.

However, the content and presentation of the data would be very important. As noted above, publishing data without context risks creating unintended consequences. The data should support informed debate and address concerns from students and other stakeholders. More widely, it is important that any dataset is useful to the various intended audiences, and supports rather than undermines, providers' strategies and activities to, for example, increase diversity within their student intake.

7b. To what extent do you agree or disagree that the proposed datasets would support you to hold providers to account on their performance against targets?

Answer: Tend to agree

Please provide a brief explanation for your response (max 300 words)

We agree that the datasets have the potential to allow stakeholders to monitor the performance of providers against targets. However, there are some challenges in relation to the availability of data. In some cases, data availability relies on effective engagement with schools, while in other cases data is only available at specific points in the academic year. The OfS should consider when the proposed datasets are available and align this accordingly with monitoring activities. Relatedly, the OfS should engage with DfE to ensure that datasets are aligned where it would be sensible, including with TEF and UKPIs.

Datasets should be accompanied by suitable context to assess performance holistically. Without this context, there can be unintended consequences when publishing narrow data sets, such as the production of unofficial league tables. It is important that a focus on a single data set or indicator does not deter providers and stakeholders from also looking at the bigger picture.

Furthermore, datasets need to recognise initiatives with less direct impact (e.g. outreach activities that result in access to other providers), and recognise the impact

on all types of students in terms of access and participation, such as apprenticeship students.

POLAR4 in particular is problematic, especially when used in London and other large urban areas, where high levels of population density often mask differences in socioeconomic advantage.

7c. Are there any measures you feel are missing from the dataset? (max 300 words)

As noted above, POLAR4 is problematic in large urban areas, so the OfS should consider POLAR4 along with other forms of classification. The OfS should work with DfE, UUK and the sector to identify a suitable basket of indicators of disadvantage to support providers in their measurement and tracking of access and other activities. The OfS should also work with DfE to explore the possibility of enabling greater access to free school meals information.

We are concerned about any expectations that would come with a target for 'raising school attainment' given the lack of clarity. We suggest that, if any, there is a truly flexible definition of raising school attainment, given that university-school engagement activity can be strongly informed and guided by what schools want or need depending on their local circumstances, and that identifying the impact of activities can be challenging. This is one of many areas in which the sector would benefit from access to greater information on what 'works'.

Finally, universities advised UUK that targets should incorporate data on both young and mature students, not one or the other as suggested in Figure Three of the consultation guidance.

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