



## Department for Business, Innovation & Skills

### **Fulfilling our Potential: Teaching Excellence, Social Mobility and Student Choice - Consultation**

You can reply to this consultation online at:

<https://bisgovuk.citizenspace.com/he/fulfilling-our-potential>

A copy of this response form is available at:

<https://www.gov.uk/government/consultations/higher-education-teaching-excellence-social-mobility-and-student-choice>

The Department may, in accordance with the Code of Practice on Access to Government Information, make available, on public request, individual responses.

The closing date for this consultation is 15/01/2016

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Please tick the box that best describes you as a respondent to this consultation.

	Alternative higher education provider (with designated courses)
	Alternative higher education provider (no designated courses)
	Awarding organisation
	Business/Employer
	Central government
✓	Charity or social enterprise
	Further Education College
	Higher Education Institution
	Individual (Please describe any particular relevant interest; parent, student, teaching staff etc.)
	Legal representative
	Local Government
	Professional Body
	Representative Body
	Research Council
	Trade union or staff association
	Other (please describe)

## Public sector equality duty

Question 1:

a) What are your views on the potential equality impacts of the proposals and other plans in this consultation?

b) Are there any equality impacts that we have not considered?

Yes

No

Not sure

Please provide any further relevant evidence.

### Teaching Excellence Framework (TEF) (Part A: Chapters 1-3)

Question 2: How can information from the TEF be used to better inform student and employer decision making? Please quantify these benefits as far as you can.

Providing retention and success information for care leavers will be helpful to inform care leaver decision making. Given that care leavers can be particularly debt-adverse, being able to make a decision based on the likelihood of them being employed following their degree course would be helpful.

We would like to see a greater release of data on this – data should be made publicly available on the success and retention of care leaver students at universities.

Question 3: Do you agree that the ambition for TEF should be that it is open to all HE providers, all disciplines, all modes of delivery and all levels?

Yes

No

Not sure

Please give reasons for your answers.

The ambition should be open to all – students shouldn't have to understand which providers are part of the TEF and which are not, and what that means. It will also ensure that all providers are governed by any additional requirements of a TEF award, for example should it be decided that an approved Access Agreement be a pre-requisite for a TEF award (see question 4).

However, we do not think that the TEF should be linked to an ability to increase tuition fees. Care leavers are a vulnerable group who are often more debt-adverse than their peers. As a result, they may choose courses which have lower tuition fees, or with lower financial investment required (for example choosing institutions that are within commuting distance of their home, or that offer fee waivers or other financial support.) We believe that there is a real risk that, in conjunction with the abolition of the maintenance grant, care leavers will be put off attending universities with higher (£9,000+) fees, and that they will be put off from attending universities with high TEF scores (with teaching, student outcomes and a learning environment that are judged to be good quality).

Question 4: Where relevant, should an approved Access Agreement be a pre-requisite for a TEF award? What other mechanism might be used for different types of providers?

Yes. An approved Access Agreement **must** be a pre-requisite for a TEF award. We also believe that it **must** include what the institution is doing to support the access, retention and success of care leavers as a specific disadvantaged group.

Question 5: Do you agree with the proposals on:

a) what would constitute a 'successful' QA review

Yes       No       Not sure

b) the incentives that should be open to alternative providers for the first year of the TEF

Yes       No       Not sure

c) the proposal to move to differentiated levels of TEF from year two?

Yes       No       Not sure

Please give reasons for your answer.

Question 6: Do you agree with the proposed approach to TEF assessments on

Timing?

Yes       No       Not sure

Assessment panels?

Yes       No       Not sure

and process?

Yes       No       Not sure

Please give reasons for your answer.

Question 7: How can we minimise any administrative burdens on institutions?  
Please provide any evidence relating to the potential administrative costs and benefits to institutions of the proposals set out in this document.

Question 8: Do you agree with the proposed approach to differentiation and award as TEF develops over time?

Yes       No       Not sure

Please give reasons for your answer.

Question 9: Do you agree with the proposed approach to incentives for the different types of provider?

Yes       No       Not sure

Please give reasons for your answer.

Question 10: Do you agree with the focus on teaching quality, learning environment, student outcomes and learning gain?

Yes       No       Not sure

Please give reasons for your answer.

We are concerned that if the TEF is linked to student outcomes, universities will recruit students who are more likely to be employed in good jobs following their graduation. Care leavers are one of the groups of students who are less likely to be in graduate-level jobs following their graduation (due to a variety of barriers) and we are concerned that a TEF linked to student outcomes may be a disincentive for universities to admit care leaver students (or may put a cap on care leaver

numbers). We do not believe that this could be solved by having a blind application process, as it is vital that care leavers tick the box on UCAS forms to declare that they are a care leaver, in order that universities are aware of their care leaver status and therefore able to offer them additional support (some of which may be relevant during the application process).

Question 11: Do you agree with the proposed approach to the evidence used to make TEF assessments - common metrics derived from the national databases supported by evidence from the provider?

Yes       No       Not sure

Please give reasons for your answer.

## Social mobility and widening participation (Part A: Chapter 4)

Question 12:

a) Do you agree with the proposals to further improve access and success for students from disadvantaged backgrounds and black and minority ethnic (BME) backgrounds?

Yes       No       Not sure

Please give reasons for your answer.

(see our response to 12c.)

b) Do you agree that the Office for Students should have the power to set targets where providers are failing to make progress?

Yes       No       Not sure

Please give reasons for your answer.

c) What other groups or measures should the Government consider?

Care leavers should be a named disadvantaged group that universities should be supporting. Care leavers are a unique group, in that they are the only student group

that has the Department for Business, Innovation and Skills as its corporate parent, and therefore the department should act as a good parent would, by protecting this group of students and ensuring that all care leavers who want to attend university (and are academically inclined) do not face additional barriers that arise from their care leaver status. This Green Paper does not go far enough to protect and support this group of students, and we are concerned that some of the proposals may even go so far as to deter and prevent care-experienced students from attending, and succeeding, at university.

The Green Paper states that there have been record entry rates from young people from disadvantaged backgrounds of 18.2%, suggesting that young people from disadvantaged backgrounds are not put off from attending university by higher fees. However, this cannot be said for care leavers as a specific sub-set of the larger group of young people from disadvantaged backgrounds.

In 2015, 5% of care leavers aged 19 were in higher education<sup>1</sup> (compared with 38% of all young people). This shockingly low figure has seen a slight year on year decrease - 6% of 19 year old care leavers were in HE in 2014<sup>2</sup> and 2013, and 7% in 2012<sup>3</sup>. Furthermore, we do not know how many of this 5% drop out or succeed at university (anecdotal evidence suggests a higher dropout rate for care leavers linked to lack of pastoral and family support and to financial difficulties). The reduction of financial support combined with the proposed increase in tuition fees linked to inflation and freezing of the loan repayment threshold have the potential to act as further deterrents to care leavers considering entering HE. Care leavers do not have access to additional support from their parents that many students benefit from, and many make decisions that are heavily influenced by financial considerations. While local authorities do have a duty to support care leavers with some expenses relating to education, local authority funding overall is reducing. This reduction will inevitably put at risk their ability to support care leavers adequately in this regard.

#### Question 13:

- a) What potential benefits for decision and policy making in relation to improving access might arise from additional data being available?

Additional data being available on the admission, retention, success and progression of care leavers will be incredibly useful for policy making. It will help policy makers and institutions to understand what works for care leavers in terms of

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<sup>1</sup> Department for Education, Children looked after in England including adoption: 2014 to 2015 National tables: SFR34/2015, Table F1, available at: <https://www.gov.uk/government/statistics/children-looked-after-in-england-including-adoption-2014-to-2015> accessed on 14th January 2016.

<sup>2</sup> Ibid.

<sup>3</sup> Department for Education, Children looked after in England including adoption, National tables: SFR36/2013, Table F1, available at: <https://www.gov.uk/government/statistics/children-looked-after-in-england-including-adoption> accessed on 14th January 2016.

the support that is offered to them that meets their particular needs. For example, many universities offer a variety of pastoral and financial support to care leavers, but there has been no research done on how much they affect a student's success or retention at university (although we can assume that excellent pastoral support, if accessed, will play a protective role).

- b) What additional administrative burdens might this place on organisations? If additional costs are expected to be associated with this, please quantify them.

### Opening up the sector to new providers (Part B: Chapter 1)

Question 14: Do you agree with the proposed single route into the higher education sector?

- Yes       No       Not sure

Please give reasons for your answer, including information quantifying how the potential cost of entry would change as a result of these proposals.

Question 15:

- a) Do you agree with the proposed risk-based approach to eligibility for degree awarding powers (DAPs) and university title?

- Yes       No       Not sure

Please give reasons for your answer.



- b) What are your views on the options identified for validation of courses delivered by providers who do not hold DAPs?

Question 16: Do you agree with the proposed immediate actions intended to speed up entry?

Yes       No       Not sure

Please give reasons for your answer.

### Provider exit and student protection (Part B: Chapter 2)

Question 17: Do you agree with the proposal to introduce a requirement for all providers to have contingency arrangements to support students in the event that their course cannot be completed?

Yes       No       Not sure

Please give reasons for your answer, including evidence on the costs and benefits associated with having a contingency plan in place? Please quantify these costs where possible.

We are not able to agree or disagree about the proposal to introduce a requirement for all providers to have contingency arrangements. However, if a university were to fail, this could have significant implications for care leavers beyond the continuity of provision (of studies) and financial implications that are stated in the green paper. Many care leavers receive additional support provided by their university that they rely on, such as mental health support, financial support and accommodation that is their only means of such support. It is imperative that if a university fails, that this support continues.

Care leavers have to get agreement about the support that their local authority will give them while they are at university written into their pathway plan. This should detail how their home local authority will ensure that they are financially and practically able to study at university. This decision should be made based on an assessment of each care leaver's needs, and their circumstances. In addition, care leavers may be encouraged by their local authority to remain in the local area in order to save money on accommodation, or indeed to save money overall. This can also mean that care leavers are limited in their choice of university as they are unable or reluctant to travel far from their home authority.

Should a university fail and a young care leaver be forced to relocate, change universities and thus incur additional costs, local authorities **must** be obliged to fully support care leavers with this process and to continue to provide at least the same level of support that has been agreed in the earlier pathway plan. Care leavers should be confident that any decisions that they are forced to make, due to a university's failure, will not unfairly penalise them by being offered a lower level of support by their local authority.

In addition, some care leavers are offered support by the university, which relieves the financial and practical burden on their home local authority (for example some universities offer care leavers 365 day accommodation and access to counselling services). There should be a guarantee that if, by the failure of the university, these areas of support cease, the home local authority is obliged to continue offering the same level of support immediately, by fast-tracking access to mental health support, offering suitable accommodation as required, or by meeting any other needs that are identified as having been met by the university.

As such, there needs to be a clear part of the contingency plan that identifies how these needs will be met, and a clear duty on local authorities to ensure that they are required to continue to meet those needs that are met by university provision, and support a care leaver's transition to another university.

### Simplifying the higher education architecture (Part C)

Question 18:

a) Do you agree with the proposed changes to the higher education architecture?

Yes                       No                       Not sure

Please give reasons for your answer.

b) To what extent should the Office for Students (OfS) have the power to contract out its functions to separate bodies?

Fully                       Partially                       Not at all

c) If you agree, which functions should the OfS be able to contract out?

Central and local government have a unique relationship with children in care and care leavers as they are their 'corporate parents'. As an arms-length public body, with a requirement to report to parliament, the Office of Students should not be able to contract out any function that would relate to a corporate parenting function.

d) What are your views on the proposed options for allocating Teaching Grant?

Option 1: BIS Ministers set strategic priorities and BIS officials determine formula.

Agree

Disagree

Not sure

Option 2: BIS Minister sets strategic priorities and allocation responsibilities divested to OfS

Agree

Disagree

Not sure

Please give reasons for your answer,

Question 19: Do you agree with the proposal for a single, transparent and light touch regulatory framework for every higher education provider?

Yes

No

Not sure

Please give reasons for your answer, including how the proposed framework would change the burden on providers. Please quantify the benefits and/or costs where possible.

Question 20: What steps could be taken to increase the transparency of student unions and strengthen unions' accountability to their student members?

Question 21:

a) Do you agree with the proposed duties and powers of the Office for Students?

Yes

No

Not sure

Please give reasons for your answer.

b) Do you agree with the proposed subscription funding model?

Yes       No       Not sure

Please give reasons for your answer.

Question 22:

a) Do you agree with the proposed powers for OfS and the Secretary of State to manage risk?

Yes       No       Not sure

Please give reasons for your answer.

b) What safeguards for providers should be considered to limit the use of such powers?

Question 23: Do you agree with the proposed deregulatory measures?

Yes       No       Not sure

Please give reasons for your answer, including how the proposals would change the burden on providers. Please quantify the benefits and/or costs where possible.

## Reducing complexity and bureaucracy in research funding (Part D)

Question 24: In light of the proposed changes to the institutional framework for higher education, and the forthcoming Nurse Review, what are your views on the future design of the institutional research landscape?

Question 25:

a) What safeguards would you want to see in place in the event that dual funding was operated within a single organisation?

b) Would you favour a degree of hypothecation to ensure that dual funding streams, along with their distinctive characteristics, could not be changed by that organisation?

Yes

No

Not sure

Please give reasons for your answer

Question 26: What are the benefits of the REF to a) your institution and b) to the wider sector? How can we ensure they are preserved?

Question 27: How would you suggest the burden of REF exercises is reduced?

Question 28: How could the data infrastructure underpinning research information management be improved?

**Do you have any other comments that might aid the consultation process as a whole?**

Please use this space for any general comments that you may have, comments on the layout of this consultation would also be welcomed.

The Green Paper has not considered the needs of mature or part time students. Many care leavers do not follow the traditional educational trajectory and many enter university as mature, or part time (or both) students. We are concerned that this lack of consideration for these two important groups means that any negative impact will not be fully taken into account and their ability to participate in higher education may be affected. Mature and part time students are highly committed students, often juggling work and family commitments at the same time as engaging in higher education. Their commitment and access should be supported and we would like to see more consideration given to their needs.

We are strongly against any rise in tuition fees. With the abolition of the maintenance grant, any rise in tuition fees will raise the financial burden on an already vulnerable group of students. We are concerned that, while the general participation of disadvantaged groups is rising despite the fee increase, the participation rate of care leavers is falling, and this does not appear to be taken into account.

Buttle UK's Quality Mark for Care Leavers ended in 2015. There are organisations – including The Who Cares? Trust and the National Network for Care Leavers – who are working to keep momentum up on work to increase the number of care leavers who access HE, but it is imperative that the transformative agenda that Buttle UK set, and its legacy, are not allowed to fall by the wayside, resulting in a further decline in the number of care leavers going into HE.

The Department for Business, Innovation and Skills is a corporate parent to care leavers. It has a responsibility to be a good parent and to support its children to achieve the best outcomes they can. In 2015, at the Conservative Party Conference, the Prime Minister said “These children are in our care. We, the state, are their parents and what are we setting them up for? The dole? The streets? An early grave? I tell you this shames our country, and we will put it right.” BIS has an excellent opportunity, and indeed a responsibility, to support care leavers (who wish to and who have the academic ability) to go into higher education, to ensure that they are well supported, that they succeed and go on to make their corporate

parents proud. They should recognise care leavers as a priority group and ensure that universities are focused on ensuring that they do not face additional barriers.

We urge the Department to take this opportunity to support these children of the state by ensuring that they are not only not disadvantaged by any changes that are made as a result of this consultation, but that they are actively advantaged. We would urge that the Department consider how its policies could reduce other barriers to access for care leavers, such as the potential deterrent effect of tuition fees and the abolition of the maintenance grant.

Thank you for your views on this consultation.

Thank you for taking the time to let us have your views. We do not intend to acknowledge receipt of individual responses unless you tick the box below.

Please acknowledge this reply

At BIS we carry out our research on many different topics and consultations. As your views are valuable to us, would it be okay if we were to contact you again from time to time either for research or to send through consultation documents?

Yes

No

**BIS/15/623/RF**