

Higher Education and Research Bill

Second Reading Briefing

About The Who Cares? Trust and the care system

The Who Cares? Trust provides help, support and advice to young people in care and young care leavers so that they can unleash their potential and take control of their lives. We help make the care system work better by ensuring that young people's voices and perspectives shape policy and service provision.

There are 69,540 children in care in England, with approximately 11,000 children aged 16, 17 or 18 becoming care leavers each year. Children will come into care for a variety of reasons, but over 55% of children in care are in care because of abuse or neglect.¹ In 2015 only 5% of 19-year-old care leavers were in higher education², compared to 38% of their peers³.

The Who Cares? Trust is working to support more care leavers into higher education through our Propel resource (www.propel.org.uk), created to help inspire more care-experienced young people into higher education. It provides information about each educational institution's provision for care leavers, helping young people make an informed choice about the right course at the right institution for them. It also helps ensure they access all the support to which they are entitled, reducing the numbers of care leavers forced to drop out.

Summary

Children in care and care leavers have a unique relationship with the state, given the extreme intervention that the state has made into their lives and the role of the state as corporate parent. Just as good parents are, the state should be aspirational for the young people in its care, and this should include supporting more care leavers to attend university.

Care leavers who do go on to university often face additional challenges to their peers, such as concerns about housing and money. They may make decisions about where to study based on location, support available or the cost. We also know that care leavers who do want to go to university are put off by the risk of losing their home, fees and a lack of support or information.⁴ Many universities do offer excellent support to care leavers, but some support is reducing; from the last academic year (2015/16) the Government funded National Scholarship Programme, which was a source of funding for many care leavers at universities, ended for undergraduates. The HE Bursary, which is a bursary of £2,000 paid by the local authority to care leavers at university, has not risen in line with inflation since it was introduced in 2009.

¹ <https://www.gov.uk/government/statistics/children-looked-after-in-england-including-adoption-2014-to-2015>

² Ibid.

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https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/458034/HEIPR_PUBLICATION_2013-14.pdf

⁴ The Who Cares? Trust, Principles of Care, 2015 p.45 <http://www.thewhocarestrust.org.uk/pages/principles-of-care.html>

There are aspects of the HE and Research Bill that will be positive for care leavers, but there are some that may negatively impact on care leavers. Any proposals must consider the impact on care leavers as a discrete vulnerable group.

Student protection plan (clause 13(3))

The Bill sets out that the Office for Students may require institutions to have a student protection plan in place, in case the university or course closes.

We are concerned that introducing a system based on market competition opens students up to high risk of a poor quality experience. We are concerned that shorter courses or lower fees may be attractive to disadvantaged students, including care leavers, but this puts them at greater risk of a poor learning experience and course or institution failure.

We welcome the added protection for students of a student protection plan, but this plan **must** include added protections for care leavers. Care leavers often attend local universities for financial or accommodation reasons and it may be particularly difficult for them to move to a different university. Given the duty on local authorities to provide financial assistance to care leavers in education until they are 25, it would not be fair that additional financial burdens fall on the care leaver or the local authority due to the failure of a university that is beyond their control.

Access and participation (Chapter 9)

Care leavers have been a priority group for universities to focus on in their Access Agreements for several years, although they are no longer identified as a priority group in the strategic guidance for developing the 2017-18 guidance.⁵ We recognise that there are other disadvantaged groups who also need support to improve their access and participation at university, however the state has a unique relationship with this disadvantaged group who are extremely unlikely to go on to higher education at 19, unlike their peers.

We would like to see care leavers named in regulations as a priority group that must be focused on in the access and participation plan. This is an excellent opportunity to demonstrate that the Government believes more care leavers should be going on to higher education. Additional support by universities to ensure that more care leavers can access and participate in higher education is vital for this to happen.

Power of designated body to charge fees (Clause 27)

This clause allows for a university to charge higher fees for carrying out the assessment functions under clause 23(2)(a). We do not think that linking fees to teaching quality is helpful, as it puts a premium on excellent teaching. All teaching should be excellent. Students should not have to make decisions about whether they want to compromise on teaching quality for lower fees. It will be a decision students make long before they begin university, and yet is a huge decision, the consequences of which will endure for many years. We are concerned that care leavers will choose to study at universities with low fees, and therefore may be compromising the quality of their education for lower fees.

**For more information, please contact Chloë Cockett, Policy and Research Manager:
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⁵ <https://www.offa.org.uk/wp-content/uploads/2016/02/strategic-access-agreement-guidance.pdf>