



Department  
for Education

# HE Reform Consultation Analysis

Research report

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Government  
Social Research

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## Abbreviations

Abbreviation	Meaning
AoC	Association of Colleges
AHE	Access to Higher Education
ADHD	Attention Deficit Hyperactivity Disorder
ASD	Autistic Spectrum Disorder
BAME	Black, Asian, and Minority Ethnic
BSL	British Sign Language
BTEC	Business and Technology Education Council
CEIAG	Careers, Education, Information, Advice and Guidance
DAP	Degree Awarding Powers
DfE	Department for Education
EAL	English as an Additional Language
ELQ	Equivalent or Lower Qualification
EPA	End Point Assessment
ESFA	Education and Skills Funding Agency
FE	Further Education
FSM	Free School Meals
GCSE	General Certificate of Secondary Education
HE	Higher Education
HEFCE	Higher Education Funding Council for England
HESA	Higher Education Statistics Agency
HTQ	Higher Technical Qualification
IfATE	Institute for Apprenticeships and Technical Education

KSB	Knowledge, Skills, and Behaviours
LLE	Lifelong Loan Entitlement
MER	Minimum Eligibility Requirement
NVQ	National Vocational Qualification
OIA	Office of the Independent Adjudicator for Higher Education
OfS	Office for Students
Ofsted	Office for Standards in Education
QAA	Quality Assurance Agency for Higher Education
RPL	Recognition of Prior Learning
SEND	Special Educational Needs and Disabilities
SNC	Student Number Controls
SPG	Strategic Priorities Grant
STEM	Science, Technology, Engineering and Mathematics
TEF	Teaching Excellence Framework
UCAS	Universities and Colleges Admissions Service

# Executive summary

## Introduction

The ‘Higher education policy statement and reform consultation’ was launched on 24 February 2022 with responses required by 6 May 2022.<sup>1</sup> This online consultation included 16 closed questions (which have been analysed quantitatively), and 29 open text boxes (which have been analysed qualitatively and the frequency of themes summarised quantitatively).

The consultation was designed to gain views on proposals for higher education reform in relation to student number controls (SNCs), minimum eligibility requirements (MERs), maximum fee and loan limits for foundation years, eligibility for a state scholarship and growing high-quality level 4 and 5 provision.

The consultation document also sets out: how the Government is investing in higher education to prioritise provision that results in better outcomes for students, the economy and society; and how the Government plans to tackle the rising cost of the system to taxpayers, while reducing debt levels for students and graduates.

## The Consultation

The consultation document was in 2 parts:

### Part 1 – Policy statement on HE funding and finance

The first part was a policy statement that set out how the Government is investing in higher education to prioritise provision that results in better outcomes for students, the economy and society; and how the Government plans to tackle the rising cost of the system to taxpayers, while reducing debt levels for students and graduates. The government did not consult on these interventions.

### Part 2 – Consultation on further potential reform areas

The second part sought views on a suite of proposals to supplement the changes to HE funding and finance, to improve the value for money of the investment in HE made by students and taxpayers further, while improving outcomes and access. It encompassed:

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<sup>1</sup> Department for Education (February 2022) [Higher education policy statement and reform consultation](#)

## **Section A: Improving the quality of student outcomes in England, by:**

Incentivising high-quality provision, by considering the possible case for proportionate SNCs as a lever to tilt growth towards provision with the best outcomes for students, society, and the economy.

Seeking to ensure that students are equipped with the minimum skills required to undertake HE - by exploring the case for low level MERs to access HE student finance. The Government believes that students should pursue post-18 education options that will encourage them onto pathways in which they can excel and achieve the best possible outcomes. The document stated that students need to be confident that, when they apply for a course, they have the ability and prior attainment to be able to complete it. The Government believes that it is fairer for the taxpayer that the significant public subsidy which goes into HE is aimed at securing the best outcomes for students and the economy. The Government consulted on whether there is a case for MERs in principle, the specific low level at which a MER could be set, and the correct exemptions to the MER.

## **Section B: Access to HE in England**

Seeking views on how eligibility for the national state scholarship should be set. As part of this, the Government outlined how they plan to create the right conditions for genuine social mobility through reforms to the access and participation regime.

The Government stated that it wants to improve access to HE by considering the case for reducing the fees charged for foundation years to ensure they cost no more than an equivalent course in an FE college. The Government wants to ensure value for money from courses facilitating access to HE for disadvantaged students. The document stated that foundation years will continue to play an important role in enabling subject switching for those students who would benefit from this, as well as building skills and improving grades, and aligning foundation years to Access to HE diploma (AHE diploma) fees could help to improve access to them. The Government was considering the case for exemptions to this proposal.

## **Section C: Level 4 and 5 courses in England**

Supporting provision and uptake of high-quality level 4 and 5 courses to meet the skills needs of employers and allow more learners to benefit from the excellent outcomes high-quality levels 4 and 5 can offer, while also ensuring these courses represent value for money for the learner and the taxpayer. This section sought views on barriers faced by providers in offering and promoting level 4 and 5 courses and the role of the fee and funding system in affecting provider and learner behaviour.

Information was provided on changes being made to the student finance offer to ensure that approved Higher Technical Qualifications (HTQs), the centrepiece of reforms to

higher technical education, are accessible to learners. This section consulted on how to ensure HTQs are fit for the flexible, modular system of the future.

## **Aims**

The consultation exercise aimed to gather the views of stakeholders on proposed HE reforms (as set out above). Consultation feedback was captured using the Citizen Space platform and in some instances by email.

## **Method**

The methodological approach for analysis of the consultation involved 3 phases:

### **Developing a coding framework.**

Further to the transfer of data by the Department for Education (DfE), a process of cleaning and checking was undertaken in Excel prior to uploading to NVivo 12 software for the analysis of open text questions.

### **Analysis of responses.**

Responses to the consultation that were submitted by email were collated (there were 20 additional emailed responses). Further to agreement with the DfE, stakeholder groups for the purpose of analysis were identified.

### **Reporting.**

The findings have been reported by question.

## **Stakeholders**

The consultation was designed to capture the feedback and views of key stakeholder groups including HE providers, FE providers, independent providers, individuals, interest groups, SEND stakeholders, student mission groups, think tanks, arm's length bodies and professional organisations.

## **Consultation respondents**

A total of 298 responses were made to the online consultation questions and a further 20 additional email responses were provided. Two-thirds of responses (67% or 215) identified themselves as organisations, while a third of respondents (33% or 104) identified themselves as individuals. Among the organisations responding, just over a quarter (27% or 87) were Higher Education (HE) provider organisations, followed by interest groups (16% or 52), arm's length bodies or professional organisations (8% or 27), student mission groups (6% or 18) and further education (FE) providers (5% or 15).

Other responses were from independent providers, special educational needs, and disabilities (SEND) Stakeholders and think tanks.

## **Findings: (A) Improving the quality of student outcomes in England**

A summary of findings for each question is outlined below. In some instances, the question has been summarised, so please see the report for the full question.

### **Question 1 Views of SNCs as an intervention to prioritise provision with the best outcomes and to restrict the supply of provision which offers poorer outcomes?**

[269 respondents]

A large majority of responses expressed concern about SNCs (Student Number Controls), many of which suggested that they would negatively impact students, particularly those from disadvantaged backgrounds. Concerns were also raised about the outcome metrics proposed to inform SNCs, with respondents questioning the judgements made about what constitutes a good or a poor outcome, as well as the validity and reliability of the proposed outcomes data. Many respondents also suggested that SNCs would negatively impact HE providers, from a financial perspective and due to increased regulatory burden. Furthermore, respondents commented on the potential overlap of the SNC proposals with existing Office for Students (OfS) regulation, with suggestions that the former is not necessary given the latter and concerns about duplicated regulatory activity. Other comments expressed the view that SNCs would be an ineffective mechanism for achieving the stated aims and that they could negatively impact the UK skills profile. Some respondents also suggested alternative approaches to SNCs for improving quality and student outcomes.

A few respondents expressed support for the use of SNCs, viewing them as an effective method of better aligning education provision with skills needs and ensuring improved value for money.

### **Question 2 Views on how SNCs should be designed and set, including whether assessments of how many students providers can recruit should be made at: Sector level? Provider level? Subject level? Level of course? Mode of course?**

[235 respondents]

The majority of respondents expressed either overall disagreement with SNCs or concerns about SNCs at one or more of the proposed levels. A key concern about SNCs set at subject level or below was the potential for increased complexity in managing

student numbers and a greater administrative burden for HE providers. Some respondents suggested possible exemptions to SNCs. A minority of respondents expressed support for one or more of the proposed SNC levels, with the proportions expressing support similar across each of the levels.

**Question 3 The Government is considering which outcomes should be used if SNCs are introduced and has identified the 3 broad categories as quantifiable, societal, and or strategically important. What are your views of the merits of these various approaches to consider outcomes and or do you have any other suggestions?**

[243 respondents]

Most respondents expressed opposition to, or concerns about, the proposed outcomes. Many of these concerns focused on the proposed quantifiable outcomes, particularly graduate earnings, and employment, with respondents citing various problems with the use of such outcomes to indicate course quality. Regarding the proposed strategically important outcomes, there was concern about the Government's ability to accurately determine future skills needs and ensure that SNCs are responsive and sensitive to a changing labour market. On societal outcomes, some respondents felt these were defined too narrowly, suggesting that the benefits of HE extend beyond its contribution to public services. There was support for the proposed outcomes from a minority of respondents.

**Question 4 Observations on the delivery and implementation of SNCs, including issues that would need to be addressed or unintended consequences of the policy set out in this section?**

[239 respondents]

Most respondents highlighted potential issues or unintended consequences of the SNC proposals, including reduced access to HE for disadvantaged students, a reduction in subject diversity and subsequent narrowing of the UK skills profile, restrictions on student choice, negative impacts on HE providers and reduced responsiveness of the HE sector to local and regional skills needs.

**Question 5(a) Do you agree with the case for a minimum eligibility requirement to ensure that taxpayer-backed student finance is only available to students best equipped to enter HE?**

[266 respondents]

Over four-fifths (83%) of the 266 respondents who replied to the quantitative question said 'no' that they disagree with the proposed case for minimum eligibility requirements for student finance. Under one-fifth (17%) said 'yes'.

### **Question 5(b) Why do you say this?**

[279 respondents]

Among respondents who provided qualitative replies, the most common views related to the potential for this proposal to be discriminatory towards different groups and suggestions that HE providers should be able to make the decision as to whether a student is ready for level 6 study instead.

### **Question 6(a) Do you think that a grade 4 in English and maths GCSE (or equivalent), is the appropriate threshold to set for evidence of skills required for success in HE degree (level 6) study, managed through their eligibility for student finance?**

[261 respondents]

Over four-fifths (85%) of the 261 respondents who replied to the quantitative question said 'no' that they disagree with grade 4 in English and maths General Certificate of Secondary Education (GCSE), or equivalent, as the appropriate threshold. Under one-fifth (15%) said 'yes'.

### **Question 6(b) Why do you say this?**

[252 respondents]

The most common responses to this question were similar to those seen in question 5, outlining the potential discriminatory effects of introducing MERs and suggestions to leave decisions on readiness to study at level 6 with HE providers. Relating specifically to the proposed GCSE MER, some respondents suggested that requiring a grade 4 in maths GCSE would not be appropriate for subjects that include little to no numerical aspects.

### **Question 7(a) Do you think that two E grades at A level (or equivalent) is the appropriate threshold to set for eligibility to student finance, to evidence the skills required for success in HE degree (level 6) study?**

[251 respondents]

Just under four-fifths (79%) of the 251 respondents who replied to the quantitative question disagreed that two E grades at A level or equivalent is the appropriate threshold for eligibility to student finance, with just over one-fifth (21%) agreeing that it is an appropriate threshold.

### **Question 7(b) Why do you say this?**

[235 respondents]

Among respondents who provided qualitative replies, the themes were similar to those of the previous two questions. Most commonly respondents commented that this threshold could be discriminatory to different groups of students, stated that they do not agree with any MERs and thus disagree with MERs set at the proposed level, or suggested that individual institutions should be left to make decisions on students' readiness for level 6 study based on their course requirements and individuals' circumstances. A smaller proportion emphasised their agreement with this threshold, while others suggested alternative MER threshold or additional qualifications and exemptions to be considered.

### **Question 8(a) Do you agree that there should there be an exemption from MERs for mature students aged 25 or above?**

[256 respondents]

Just over four-fifths (82%) of the 256 respondents who replied to the quantitative question agreed that mature students should be exempt from MERs, with just under one-fifth (18%) disagreeing that these learners should be exempt.

### **Question 8(b) Why do you say this?**

[224 respondents]

The most common responses were either a statement of general agreement, suggested changes to the age limit for the exemption, disagreement with MERs overall or supportive statements suggesting that experience for mature students is more relevant than previous qualifications. A smaller number of respondents suggested other groups to be exempt or alternative MER thresholds, while a similar proportion expressed general disagreement with the exemption of mature learners.

### **Question 9(a) Do you think there should be an exemption from MERs for part-time students?**

[251 respondents]

Of the 251 respondents who replied to the quantitative question, three quarters (75%) agreed that part-time students should be exempt from the proposed MERs, leaving one-quarter (25%) disagreeing.

### **Question 9(b) Why do you say this?**

[199 respondents]

Among respondents who provided qualitative replies, the most common themes were overall disagreement with the proposed MERs, general agreement with exemptions for part-time students and agreement on the grounds that these students have other

responsibilities, such as employment or caring responsibilities, which could have affected their prior attainment. Other comments included disagreement with the proposed exemption either generally or on the grounds that there should be parity between full-time and part-time students. A small number agreed with the proposed exemption due to part-time students commonly having additional workplace experience and skills.

### **Question 10(a) Do you agree that there should be an exemption to the proposed MERs for students with existing level 4 and 5 qualifications?**

[251 respondents]

A large majority (85%) of the 251 respondents to this quantitative question stated 'yes', agreeing that students with existing level 4 and 5 qualifications should be exempt. A small proportion (15%) disagreed.

### **Question 10(b) Why do you say this?**

[194 respondents]

The most common responses were either general agreement with the proposed exemption for those with existing level 4 or 5 qualifications or agreement on the grounds that these individuals have already demonstrated a higher aptitude. Many respondents also expressed overall disagreement with MERs in their response to this question. A small number agreed with the exemption on the grounds that flexibility is required to ensure a range of qualifications are accepted or with the caveat that the level 4 or 5 qualifications are relevant to the student's desired course of study.

### **Question 11(a) Do you agree that there should be an exemption from any level 2 eligibility requirement to level 6 study for students with good results at level 3?**

[247 respondents]

Of the 247 respondents answering this closed question, over four-fifths (85%) stated 'yes', demonstrating their general agreement with the proposed exemption from level 2 MERs if students possess good results at level 3, with less than one-fifth (15%) disagreeing with this exemption.

### **Question 11(b) Why do you say this?**

[194 respondents]

Among respondents who provided qualitative replies, the most common themes were views disagreeing with the use of MERs overall and general agreement with the proposed exemption or agreement on the basis that students will have demonstrated a

higher skill level than that required under the proposed GCSE MERs. A smaller number of respondents expressed agreement on the grounds that the proposed exemption gives students a second chance. Others stated that while they agree with the proposed exemption, they feel that HE providers should be given the discretion to make these decisions. Comments also included suggestions for other MERs and agreement with the proposed exemption with the caveat that the level 3 qualification the student has good results in is relevant to their desired course of study.

### **Question 12(a) Do you agree that there should be an exemption to MERs for students who enter level 6 via an integrated foundation year, or who hold an Access to HE qualification?**

[251 respondents]

The vast majority (88%) of the 251 respondents to this closed question stated 'yes', agreeing with the proposed exemption for students entering level 6 study through an integrated foundation year or who hold an AHE qualification.

### **Question 12(b) Why do you say this?**

[184 respondents]

The most common themes identified by respondents included agreement with this exemption on the grounds that these individuals are equipped with the skills required for level 6 study and comments expressing overall disagreement with MERs. Some respondents expressed general agreement without offering much reasoning while others who were in agreement with the exemption questioned what the purpose of these qualifications would be if not to facilitate access to HE for those who do not initially meet the degree entry requirements.

### **Question 13(a) Are there any other exemptions to the minimum eligibility requirement that you think we should consider?**

[215 respondents]

A total of 215 respondents provided an answer to this closed question. Over two-thirds (69%) of respondents stated 'yes', that there were other exemptions that DfE needed to consider for the proposed MERs. This left less than one-third (31%) stating 'no', indicating all exemptions had been considered.

### **Question 13(b) Why do you say this?**

[113 respondents]

Respondents most commonly emphasised their disagreement with MERs overall. Other respondents suggested further exemptions including for SEND students, those from disadvantaged backgrounds and care experienced students. Smaller numbers commented that consideration should also be given to migrants, refugees, and those with English as an additional language (EAL). Some discussed the applicability of the proposed MERs to certain courses alongside the need to include other qualifications which were not named explicitly in the proposals.

## **Findings: (B) Access to HE in England**

### **Question 14(a) Do you agree with reducing the fee charged for foundation years in alignment with Access to HE fees?**

[214 respondents]

Of the 214 respondents who answered this question, 43% agreed and 57% disagreed with reducing foundation year fees. However, views differed between stakeholder groups. HE Providers were least likely to agree with reducing foundation year fees, with fewer than 1 in 20 answering 'yes'. Individuals were most likely to agree, with more than three quarters answering 'yes', and over two-thirds of student mission groups and FE providers agreeing.

### **Question 14(b) Why do you say this?**

[191 respondents]

Most respondents' comments expressed opposition to, or concerns about, the proposed foundation year fee reduction. Many highlighted ways in which foundation year provision is different to Access to HE (AHE) diplomas, suggesting that these differences justify charging higher fees. Many also suggested that reducing foundation year fee and loan limits would risk the quality and viability of many foundation year courses, often suggesting this would have a subsequent negative impact on widening participation. A small proportion of responses expressed agreement with the proposed alignment of fee and loan limits.

### **Question 15 What would the opportunities and challenges be of reducing the fee charged for most foundation years, and of alignment with Access to HE fees?**

[177 respondents]

Most respondents suggested challenges as opposed to opportunities, with some explicitly stating they saw no opportunities in the proposals, only challenges. The most frequently suggested challenge was the concern, also highlighted in responses to the

previous question, that reducing foundation year fee and loan limits would risk the viability and quality of much foundation year provision. Relatedly, respondents suggested that reduced availability and quality of foundation year provision could negatively impact widening participation. Only a small proportion of respondents highlighted potential opportunities arising from the proposed fee cap alignment, including, and in contrast to the above concerns, that reduced foundation year fee and loan limits would widen access to this provision for disadvantaged students and improve student choice.

### **Question 16 Do you agree there is a case for allowing some foundation year provision to charge a higher fee than the rest? Or is there another way for government to support certain foundation years which offer particular benefits?**

[183 respondents]

Among those respondents who responded, just under two-thirds said 'no', when asked if they agreed there is a case for allowing some foundation year provision to charge a higher fee than the rest, while just over a third said 'yes'. Other themes captured disagreement with differential funding, suggested alternative approaches, risks of deterring selection of some courses, agreement with higher fees and suggested negative effects on widening participation.

### **Question 17 If some foundation year provision were eligible to attract a higher fee, then should this eligibility be on the basis of: Particular subjects? Or some other basis (for example by reference to supporting disadvantaged students to access highly selective degree-level education)?**

[132 respondents]

The greatest proportion respondents' replies to this question related to particular subjects, followed by comments on costs and discussion of disadvantaged groups. While many confirmed their opposition to the proposal, others set out their reasons for not agreeing and or suggested alternatives. Those supportive of the proposal discussed the implications of variable fees and the basis for eligibility.

### **Question 18 What are your views on how the eligibility for a national scholarship scheme should be set?**

[195 respondents]

A national scholarship scheme was broadly welcomed by respondents. A large proportion of respondents considered that eligibility should be determined by disadvantage, and many felt that a national scholarship scheme should be accessible and transparent. Furthermore, applications should be possible at an early stage – ideally

at the end of year 12. Many felt that funding should not be limited to those with high grades, as this would exclude key groups. On this basis, it was felt that a national scholarship scheme should be widely available to offer additional financial support.

## **Findings: (C) Level 4 and 5 courses in England**

### **Question 19 How can Government better support providers to grow high-quality level 4 and 5 courses?**

[150 respondents]

Growth of the level 4 and 5 market and provision was generally welcomed by respondents. A large proportion of respondents expressed concerns and highlighted potential barriers to market growth including financial concerns of resource and capacity for qualification development and delivery. In addition, respondents shared concerns regarding limited market demand and qualification recognition among young learners and employers. Several suggestions were provided to help address these outlined issues such as improving career information, advice, and guidance in schools, raising awareness of actual prospective outcomes for employability and career progression, and encouraging local partnerships between providers and employers for qualification design and development and to ensure work opportunities for learners.

### **Question 20 What drives price differences at level 4 and 5, where average fees in FE providers are significantly lower than in HEIs?**

[108 respondents]

Most respondents recognised that there was a considerable difference in average course fees for level 4 and 5 provision between HE and FE providers and stated several reasons that may contribute to this difference. The main reason provided was staff wages with HE providers paying substantially more for staff than FE providers, reflecting higher-level qualifications and greater professional experience. Another key reason provided was the cost of qualification delivery, with the view that the resources and facilities available through HE providers are generally of higher quality and volume compared to FE providers. Other reasons included perceptions of qualification value and education delivery, affordability, and price sensitivity of learners, OfS registration and approval as a fee cap provider, and course offerings between FE and HE providers.

### **Question 21 To what extent do the drivers of fees at levels 4 and 5 differ from those for level 6 (including between universities, further education colleges and independent providers)?**

[127 respondents]

The theme with the largest number of respondents highlighted that they were unaware or not sure about the main differences of fee drivers between qualification levels or provider types. Other respondents suggested that drivers of fees may differ as qualification delivery for level 6 courses costs more in terms of resources, facilities and staff time compared to levels 4 and 5 courses. Some said that course fees may differ depending on market demands and learner types, suggesting that fees are adaptive to the needs of the local market and learners' access to funding. A small number of respondents felt that there were no differences in fee drivers between qualifications levels or provider types.

## **Question 22 How can we best promote value for money in the level 4 and 5 market to avoid an indiscriminate rise in fees?**

[139 respondents]

For those who held a position or view on this question, the most frequently mentioned theme was the development of a common informed pricing structure. It was felt that introducing such a mechanism would better ensure that learners are receiving a valued education and that courses are meeting and maintaining quality assurance standards which providers can be accountable for if this proposed mechanism was regulated by an external body.

Other themes consisted of concerns about the perceived qualification value of levels 4 and 5, suggestions to improve public recognition including national-level marketing campaigns and improved careers advice. Another theme made the case for a greater amount of funding and resources to be available to cover the rising costs of qualification delivery, regulation changes, and losses attained from low market demand. A small number of respondents felt that the promotion of value for money could be demonstrated by ensuring the quality of provision across providers and qualification levels and a wider variety of quantifiable outcomes such as learner experience and subsequent destinations.

## **Question 23 Which learner types are more or less price-sensitive and what drives this behaviour?**

[143 respondents]

Many respondents referenced different learner types that they perceived to be more price sensitive, with the most frequently mentioned being learners from disadvantaged backgrounds. This was closely followed by mature learners, part-time and self-funded learners, and learners with protected characteristics and SEND. Common factors influencing price sensitivity were related to access to student funding and loans, access to local education provision, and perceived time constraints of concurring employment and family commitments alongside study.

## **Question 24 What are your views on the current barriers, including non-financial barriers, that providers face in offering and marketing level 4 and 5 courses?**

[153 respondents]

Many respondents commented that the main barrier that providers may face in offering and marketing level 4 and 5 courses was the uncertainty about employer and learner demand for these qualifications and poor recognition of the benefits and value these qualifications can bring to potential learners and employers. This was closely followed by financial barriers for providers related to the cost of qualification design and delivery, access to student funding and loans, regulatory burden and duplication when designing new programmes and courses, and concerns about market competition between FE and HE providers.

## **Question 25(a) We want to ensure that under a flexible study model, learners studying HTQs still develop occupational competence. We also want the quality and labour market value of individual higher technical modules to be signalled. Which of the approaches below, which could be introduced separately or together, do you prefer for delivering these aims?**

Only 24% (of 75 out of 318) of all respondents indicated a view against the closed questions of their preference out of the 3 options. Three quarters of those who responded (75% or 56 out of 75) selected a single option, the remainder selected two or 3 options.

(a) Introducing requirements for each module to be individually assessed and or for students to complete a summative assessment at the end of a qualification.

Just over 1 in 10 respondents (11% or 35 out of 318) selected option (a).

(b) Awarding bodies submit qualifications with a modular structure and the Institute carry out an assessment of the quality of individual modules to provide assurance of their value to learners and employers.

Just under 1 in 10 respondents (9% or 29 out of 318) selected option (b).

(c) An Institute or employer-led process to develop a common modular structure for HTQs, to support credit transfer and labour market currency of modules.

Fourteen percent (or 43 out of 318) selected option (c).

## **Question 25(b) Why do you say this?**

[130 respondents]

Respondents' replies covered a critique of the proposed options, comments expressing support for specific options and a view that some of the elements already exist.

### **Question 26 How would these approaches align or conflict with OfS and or university course approval requirements?**

[126 respondents]

The theme with the largest number of respondents highlighted potential conflicts with provider processes, increased burden, and reduced autonomy. Fewer respondents suggested that existing processes were sufficient, made suggestions to improve alignment, or cited conflicts with other regulations and bodies. A small number of respondents felt that these approaches would align.

### **Question 27 Are there any other approaches we should consider?**

[122 respondents]

Most of those who answered stated that they did not have a view on this, had no comments to make, referred to their previous answers, or considered that it was not applicable to them. However, some respondents did outline approaches that in their view should be considered. These specifically referred to qualification delivery, including HTQ pathways, provision, and relationship with apprenticeships, the role of employers and funding. Other comments related to the regulatory burden, and the recognition of partly completed qualifications.

### **Question 28 How should any of these approaches be applied to qualifications already approved as HTQs?**

[115 respondents]

As with question 27, many of the respondents considered that they had provided a response through previous answers, were not sure, or stated that they did not wish to comment. The remaining responses to this question included specific suggestions for implementation of HTQs, requests for reduced bureaucracy, and comments on timescales.

### **Question 29 Do you have any other comments?**

[121 respondents]

A wide range of views and issues were raised by respondents to this question. While some respondents outlined reasons for supporting the proposals and welcomed the renewed focus on more vocational subjects, others expressed concerns about funding, student number controls and the impacts on student choice and access to higher

education. The main themes emerging related to funding and student finance, SNCs, comments on the economic and labour market focus, comments on student options, and considerations going forwards.

# Methodology

The methodological approach for analysis of the consultation involved 3 phases. The activities that were included in each of these 3 phases have been set out below.

## Phase 1: Develop a coding framework

### Data checking, review, and preparation

Further to the transfer of data by the Department for Education (DfE), a process of cleaning and checking was undertaken in Excel prior to uploading to NVivo 12 software for the analysis of open text questions. Analysis of quantitative data from 14 closed questions was also undertaken using Excel. This process involved 2 stages, based on initial data capture, and then on incorporating the emailed responses to the consultation.

Preparation of a draft coding framework for each of the 29 open questions was undertaken. Coding themes were identified based on the 298 respondents to the online consultation. This approach involved selecting around 10 key themes per question.

Confirmation was sought from the DfE that the coding framework met expectations regarding the scope of anticipated responses. Feedback on themes was incorporated into the coding process where relevant and the 20 emailed responses were also incorporated for coding. Priority questions for analysis were agreed with DfE (reflecting policy imperatives for the department).

Data sets were uploaded to NVivo 12 qualitative data analysis software. This involved the following:

- the themes from the coding framework were set up as thematic 'Nodes' in NVivo
- all respondent data (online consultation responses and emailed responses) were coded under the thematic nodes (this included 'other' coding)
- review of each theme by number of respondents contributing relevant references was used to determine the final coding framework
- in cases where the number of respondents was very low (under 10), consideration was given to merging these into other codes
- where the number of references was high (over 100 references) and where it was appropriate, further sub-coding was undertaken to assist the analysis process

## Phase 2: Analysis of responses

### Analysis of email responses

Responses to the consultation that were submitted by email were collated (there were 20 additional emailed responses).<sup>2</sup> The process for this included the following:

Emailed responses, ranging from 1 to 19 pages, were reviewed with reference to the format and scope of the information included. Most did not respond to the individual consultation questions using the structure of the online questions. Note there is some methodological risk of researchers deciding which question the information was relevant to, which may differ from a respondent's intention.

The 20 responses were also added into the Excel spreadsheet for analysis. 5 respondents provided clear quantitative responses to at least one of the closed questions.

Responses were analysed in NVivo 12, in line with the qualitative questions from the consultation.

### Analysis of the final data sets

The groups for the analysis of closed and open questions were determined by grouping of responses based on results from the initial questions:

- are you responding as an organisation or as an individual?
- if you selected organisation, please provide the name of that organisation?

Further to agreement with the DfE, stakeholder groups for the purpose of analysis were identified. Table 1 below shows the 7 stakeholder groups and respondent groups included in each.

**Table 1: Stakeholder Groups**

<b>Groups for analysis</b>	<b>Respondent groups included</b>
Arm's length bodies or professional organisation	National, regional, local, and subject based organisations
HE provider	Universities and HE providers
FE provider	FE colleges
Independent provider	Independent providers

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<sup>2</sup> 22 email responses were received but 2 of these replicated exactly the organisation's response through the portal.

Individual	Respondents that selected individual rather than organisation
Interest group	Organisations
Send stakeholders	Organisations representing the needs of those with special educational needs and disabilities
Student mission group	National and institution-specific student representation organisations including students' unions
Think tank	Non-government organisations such as policy or research institutes that perform research and advocacy concerning topics such as social policy and political strategy

## Analysis of consultation data: challenges

A range of challenges were identified during the analytical process. These specifically related to the qualitative responses provided by those participating in the consultation.

The key challenges identified were:

Some of the respondents provided detailed information in their answers to individual questions often setting out a mix of views rather than just why they said 'yes' or 'no' to a closed question. More detailed responses were frequently provided to the earlier sections of the consultation, and in many instances, the respondents addressed subsequent questions as part of their initial answers.

Some questions asked if respondents agreed, but only provided an open text box rather than closed answers of yes or no. In these instances, researchers interpreted the text responses to identify if respondents clearly said 'yes' or 'no' in response to the question, as well as coding other responses included in the text box. There is a small risk of misunderstanding in this process.

Respondents in some instances included references to web-based material to support their arguments or to signpost to sources of evidence. In general, web addresses included in responses have not been incorporated into the coding process, although they have been incorporated into the wider evidence base by DfE officials. Furthermore, journal and research citations included in answers have not been reviewed or checked.

This report conveys the key messages arising from the analysis of the consultation responses. It intentionally does not provide challenge or critique on the key messages for example checking of links to published data as part of responses provided.

Participation in the consultation was on a self-selecting basis. The findings in the report, therefore, carry the unavoidable risk of self-selection bias.

Some respondents reiterated their views across the questions, occasionally using the same wording. This resulted in A level of repetition across the text responses and different questions and sections. The analysis has aimed to capture the range of responses provided to each question and to reflect all views. As such, key issues and views are repeated.

## **Data interpretation – some considerations**

Respondents were invited to provide their views in relation to the questions in the online consultation. As such all data analysed for this report is based solely on the perceptions of this group of respondents.

This Government consultation invited responses from both individuals and organisations. Organisational responses likely reflect the perceptions of a large body of individuals and may therefore be considered more representative than those from a single individual.

In some cases, the analysis of a respondent's data resulted in multiple references belonging to the same theme. This was particularly the case for longer responses. The report generally refers to the number of respondents that replied to a question or that had at least one reference belonging to a given theme within a question. The qualitative analysis drew on all the references coded to a theme.

## **Phase 3: reporting**

### **Report structure**

The remainder of this report is structured as follows.

Results for each of the consultation questions have been reported in line with the consultation headings. For each question, the following approach to reporting has been used:

- the consultation question is the heading for reporting of results
- the characteristics of the respondents are reported alongside responses by each stakeholder group, and by organisation versus individuals
- results for closed questions (where applicable) have been presented as a graphic (bar chart) with an accompanying narrative of results, and with reference to the responses by stakeholder groups. Absolute numbers behind the bar chart data have been included in the Alt Text for each chart
- qualitative responses (open questions) have been presented under the main themes (NVivo codes), with a focus on coding volumes. On this basis, the order of themes has been determined by the proportion of respondents coded

under each coding theme. Themes with the highest number of respondents have been reported first, with all the others in descending order

- the number of respondents with comments coded under a given theme is reported in the theme title
- this number is also represented as a percentage of the total number of respondents providing a qualitative response to the question
- under each theme, the most frequently made comments under that theme are reported first, with points made by smaller proportions of respondents reported last
- tables and bullet points have been used to provide succinct and clear information regarding the views of respondents and key issues that they have raised, where this was felt by researchers to add value to the analysis

# The online consultation: analysis of responses

## Consultation respondents

A total of 298 responses were made to the online consultation questions and a further 20 additional email responses were provided. Responses to the online consultation are shown in Table 2 for each of the stakeholder groups. Two-thirds of responses (67% or 215) identified themselves as organisations, while a third of respondents (33% or 104) identified themselves as individuals.

**Table 2: Respondents by Stakeholder Groups**

<b>Groups for analysis</b>	<b>Number of responses</b>	<b>Percentage of responses</b>
Arm's length bodies or professional organisation	27	8%
HE provider	87	27%
FE provider	15	5%
Independent provider	10	3%
Individual	104	33%
Interest group	52	16%
SEND stakeholders	3	1%
Student mission group	18	6%
Think tank	2	1%
<b>Total</b>	<b>318</b>	<b>100%</b>

Just over a quarter (27% or 87) were HE provider organisations, followed by interest groups (16% or 52), arm's length bodies or professional organisations (8% or 27), student mission groups (6% or 18) and FE providers (5% or 15). Other responses were from independent providers, SEND stakeholders and think tanks.

## Section A: Improving the quality of student outcomes in England

...by incentivising high-quality provision, by considering the possible case for proportionate SNCs as a lever to tilt growth towards provision with the best outcomes for students, society, and the economy; and seeking to ensure that students are equipped with the minimum skills required to undertake HE - by exploring the case for low level MERs to access HE student finance.

**Question 1: What are your views of SNCs as an intervention to prioritise provision with the best outcomes and to restrict the supply of provision which offers poorer outcomes? If you consider there are alternative interventions which could achieve the same objective more effectively or efficiently, please detail these.**

Text responses to this question were provided by 269 respondents, including those with related text from emailed responses. A large majority of responses expressed concern about SNCs, many of which suggested that they would negatively impact students, particularly those from disadvantaged backgrounds. Concerns were also raised about the outcome metrics proposed to inform SNCs, with respondents questioning the judgements made about what constitutes a good or a poor outcome, as well as the validity and reliability of the proposed outcomes data. Many respondents also suggested that SNCs would negatively impact HE providers, from a financial perspective and due to increased regulatory burden. Furthermore, respondents commented on the potential overlap of the SNC proposals with existing OfS regulation, with suggestions that the former is not necessary given the latter. Other comments expressed the view that SNCs would be an ineffective mechanism for achieving the stated aims and that they could negatively impact the UK skills profile. Some respondents also suggested alternative approaches to SNCs for improving quality and student outcomes.

A few respondents expressed support for the use of SNCs, viewing them as an effective method of better aligning education provision with skills needs and ensuring improved value for money.

### **Negative impact on students (136, 51%)**

Many respondents expressed the view that SNCs would negatively impact students, with most of these responses suggesting that restricting access to higher education would disproportionately affect disadvantaged students, particularly those from low-income or ethnic minority backgrounds and disabled students. Some respondents suggested significant progress had been made in recent years in widening access to higher

education, in part due to the lifting of SNCs in 2015, and that the reintroduction of SNCs risked reversing this trend.

Respondents cited limits on student choice as another potential impact of the SNCs. It was felt that SNCs would restrict the ability of students to make choices that best reflect their life circumstances and ambitions, with a few suggesting that the proposals were “capping aspirations.” Some respondents also expressed the view that all students who are qualified should have the opportunity to access HE. In addition, it was highlighted by some that SNCs appear incompatible with the market-based logic of the current HE sector, which is centred around student choice

It was suggested that some under-represented groups are already more limited in their choice of HE provider by, for example, needing to stay in a particular locality for financial reasons or due to caring responsibilities, and it was felt that SNCs could restrict this choice even further. Similarly, respondents stressed the importance of local HE provision and suggested that SNCs may harm levelling up initiatives.

In addition, there was suggestion that if SNCs were linked to student outcomes, HE providers may recruit fewer students who they deem to be at ‘higher risk’ of poor outcomes; most likely those from disadvantaged or underrepresented backgrounds. There were also calls for an Equality Impact Assessment of the SNC proposals.

### **Concerns about outcomes metrics (134, 50%)**

Many respondents felt that the proposed outcomes measures on which SNCs would be based, including graduate employment, comprise a very narrow view of potential “good outcomes” of a university education. Respondents suggested wider societal benefits that they felt should be acknowledged when assessing the value of a degree, including metrics such as civic and voluntary participation, and improved health and wellbeing. Some also expressed the view that the proposals were based on incorrect assumptions about which courses offer the best “value for money”, challenging the focus on Science, Technology, Engineering and Mathematics (STEM) employment within the proposals and highlighting the value of the music and arts sectors to the UK economy.

In addition, various concerns were raised about the validity and reliability of the proposed outcomes as measures of course quality. These included suggestions that:

- student outcomes are often influenced by varied factors other than simply quality of provision, including institutional reputation, the demographics of the student cohort and the performance of the economy at the time of graduation
- early graduate earnings may not be a valid measure of the lifetime impact of a degree; for some sectors such as the creative industries, outcomes may not be visible within 15 months

- there is potential for SNCs to be based on out-of-date information due to time lags in the release of some outcomes data
- HE providers with large cohorts of under-represented students may be penalised under the current proposals, as outcomes such as dropout rates or graduate employment may be caused by external factors facing disadvantaged students rather than course quality
- the proposed outcome measures do not capture the value of courses where graduates enter sectors in which pay is typically low, but where a degree has nonetheless helped them to develop vital skills
- outcomes data can be subject to wide statistical variation, particularly at small HE providers, that often cannot be confidently attributed to the quality of the provision

As mentioned in the previous section, concerns were also raised about the potential for the proposed outcomes measures to influence recruitment, as HE providers could seek to reduce the intake of students they feel may not achieve “good outcomes”.

### **Negative impact on HE providers (84, 31%)**

Concerns about the potential negative impact of SNCs on HE providers were raised. Most commonly, this included suggestions that restricting the supply of students could place a strain on HE provider finances due to reduced revenue and result in poorer quality provision. It was felt this could limit teaching and research capacity, particularly in high-cost subjects where specialist equipment is required, leading HE providers to limit student support and widening participation activity. Some of these respondents highlighted the existing funding shortfalls facing HE providers, in part due to the current fee cap freeze and rising inflation, commenting that SNCs may exacerbate these challenges. It was highlighted that HE providers often subsidise higher cost subjects, where costs are greater than the maximum fee per student, through increased recruitment to lower-cost subjects. It was therefore suggested that SNCs introduced for lower-cost humanities subjects potentially risk a causing a decrease in higher-cost technical provision due to a reduction in opportunities for cross-subsidy.

There were concerns that SNCs could stifle innovation and lead to HE providers providing a narrower curriculum offer. It was also felt that HE providers require flexibility in adapting to student demand, future skills needs and the HE landscape, with suggestions that SNCs risk constraining this flexibility and reducing the HE providers’ ability to meet government skills objectives and to respond to local skills demands.

Some respondents suggested that, as a result of the above potential negative impacts, the introduction of SNCs could damage the reputation of the UK HE sector internationally and impact the ability of UK providers to recruit international students. Alongside these comments, a few respondents suggested the UK is currently very successful at attracting international students within a competitive global market. Others suggested that SNCs

could introduce a “perverse incentive” for providers to recruit greater numbers of international students and fewer home-based students to make up for fee income lost as a result of SNCs.

Other potential negative impacts on HE providers cited by respondents included suggestions that:

- SNCs would be difficult to implement, particularly for smaller providers. It was felt that the admissions process is already very complex, and SNCs would make it more challenging
- SNCs may negatively impact the ability of HE providers to deliver creative subjects, potentially leading to skills shortages, with respondents highlighting the value of creative industries to the UK economy
- courses such as nursing or physiotherapy may be inadvertently negatively impacted by SNCs
- SNCs could limit the growth of small but strategically important subject areas such as Chinese studies

A few respondents also stressed that the proposals should not negatively impact cross-border student flows between the 4 UK nations or disproportionately impact students in certain nations of the UK.

### **Overlap with OfS regulations (70, 26%)**

Many respondents felt that the introduction of SNCs in addition to the OfS regulatory framework, including the new B3 conditions and the teaching excellence framework (TEF), would duplicate quality assurance activities and create significant additional bureaucratic burden for providers. There was also concern that the proposed SNC policy could be inconsistent with the OfS regulatory framework and new B3 conditions, leading to increased complexity and confusion. Others felt that there was currently a lack of clarity around what the relationship between SNCs and the B3 conditions would be.

Respondents highlighted that the OfS regulatory framework already sets out clear requirements for student retention, progression, and achievement. These respondents felt that OfS regulations, alongside the TEF and new B3 conditions, would offer sufficient mechanisms for ensuring the quality of provision, negating the need for SNCs. A few respondents suggested that the new B3 conditions already had the potential to operate as a form of SNC, by restricting the growth of provision deemed low quality and reducing the number of students on courses with poor outcomes. Others were of the understanding that the OfS already had the power to impose an SNC on low quality provision.

Some respondents compared SNCs unfavourably to the OfS regulatory approach, suggesting that the new B3 conditions offered a more targeted, proportionate effective

method of improving poor quality provision, without the negative impact on student choice that SNCs may have. For example, one respondent described SNCs as a relatively “blunt instrument” while viewing OfS regulatory measures as taking a “sensitive and forensic” approach. A few respondents held the view that introducing SNCs alongside these other quality assurance measures would represent a disproportionate level of intervention to address the small amount of poor-quality provision in the sector.

Some respondents felt that the Government should wait to understand the impact of the new OfS regulatory powers before deciding whether to implement SNCs in addition to these powers. Others suggested that, if implemented, SNCs would require integration or alignment with the OfS conditions on quality standards.

### **Alternative approaches (64, 24%)**

Some respondents outlined alternative approaches to be used in place of SNCs. Common suggestions included providing additional support aimed at improving poor quality provision, including support aimed at improving outcomes for disadvantaged students, and increasing funding and resources to expand high-priority provision, particularly courses that can be costly to deliver such as STEM and some creative arts courses.

Another frequently suggested alternative approach to SNCs was investing in Careers, Education, Information, Advice and Guidance (CEIAG) provision to support students in finding the most appropriate, high-quality progression pathway for them. Some suggested that greater transparency from HE providers about graduate outcomes would further support informed student decision-making. It was also felt that increased supply and promotion of alternatives to traditional level 6 degrees, such as apprenticeships and HTQs, would be more effective than SNCs at facilitating good outcomes for students, society, and the economy.

Respondents also expressed the view that there are already sufficient monitoring and quality assurance measures in place and that these are preferable to SNCs.

Other suggestions for alternative approaches included: the strategic use of bursaries to encourage uptake of high-priority courses; tuition fee limits on courses with poor student outcomes; better alignment between course fees and the cost of delivery; and the introduction of mechanisms to prevent the rapid growth of HE providers, as it was felt this can detrimentally impact student experience and outcomes.

### **Ineffective mechanism for achieving aims (39, 14%)**

Responses coded under this theme suggested that SNCs would not achieve the stated aims of prioritising “provision with the best outcomes and restrict[ing] supply of provision which offers poorer outcomes,” or commented that there was a lack of evidence to

suggest that they would achieve these aims, with some respondents describing SNCs as a “blunt instrument”.

Reasons given for this view included previously highlighted concerns about potential loss of revenue for HE providers, including subject-based SNCs reducing opportunities for cross-subsidisation of courses. There were reiterated concerns about the validity and reliability of graduate outcomes data and suggestions that any framework for determining SNCs would not be sufficiently sensitive to market changes, particularly at a local level, and would be subject to a significant time lag in the publication of outcomes data. Others suggested that evidence on future skills demands, and labour market needs is not robust enough to inform the decisions on priority subjects and courses that would enable SNCs.

It was also felt by some that disincentivising non-priority provision would not necessarily lead to an expansion in high priority provision or have a significant impact on student choices.

In addition, some respondents reiterated concerns that SNCs would be a disproportionate and overly burdensome response to the problem of poor-quality provision, particularly alongside existing quality assurance measures.

### **Bad for UK skills profile (28, 10%)**

Respondents commented that SNCs could have a negative impact on the UK skills profile. It was suggested that SNCs would reduce the overall supply of graduates at a time when there is high demand for graduate skills, with some respondents citing research indicating that the number of graduate jobs in the UK is currently greater than the number of graduates. The type of ‘soft’ skills that a university education develops, such as problem solving, creativity and critical thinking, were also felt to be highly valued by employers. Respondents suggested that SNCs could therefore lead to skills shortages, particularly if implemented in subject areas such as the arts and humanities.

Other respondents expressed concern about the potential for SNCs to constrain the skills pipeline in certain areas, such as the creative industries, with these respondents often stressing the importance of these sectors for the economy and society. Concerns about skills shortages were also raised in relation to other sectors, for example, it was considered that SNCs have previously had a negative impact on the supply of nurses within the healthcare sector.

In addition, concerns were raised that imposing SNCs based on current or past skills needs may restrict the ability of HE providers to respond dynamically to emerging skills needs, particularly on a regional level. A few respondents cited the COVID-19 pandemic as an example of when skills that were considered strategically valuable changed rapidly, expressing doubt that any system of SNCs would be sufficiently responsive to such changes in the future.

## **Agreement with SNCs (26, 10%)**

Some respondents expressed agreement with the use of SNCs, with many of these responses expressing general agreement without offering specific reasons for their view. Of those that provided a reason, respondents suggested that SNCs would:

- support improved alignment between higher education provision and skills needs, including encouraging take up of level 4 and 5 technical pathways
- control spending and provide better value for money through targeting HE budgets on provision that leads to the best outcomes for students, the economy and society

Alongside this agreement with the proposals, there were some suggestions that SNCs should be implemented and managed in a way that is sensitive to local and regional skills needs.

## **Concerns about regulatory burden (19, 7%)**

There was a view set out in some responses that SNCs would be overly burdensome for providers, particularly when combined with existing OfS regulations. It was felt that the OfS was currently seeking to minimise the regulatory burden for providers and that the introduction of SNCs would run contrary to this aim. Respondents also expressed concern that meeting the additional bureaucratic and regulatory requirements of SNCs would further exacerbate financial constraints that many providers are currently experiencing and may divert resources away from teaching and learning.

In addition, there was a perception that it would be disproportionate and unfair to introduce SNCs and the associated regulatory burden across all providers to address issues of poor quality at a small number of providers.

## **Other comments (49, 18%)**

Various other comments were made in response to this question that do not align with the themes outlined above.

Some respondents expressed general disagreement with SNCs, without offering reasons why. Others suggested that the SNC proposals do not appear to be well matched or aligned with the Lifelong Loan Entitlement (LLE) proposals, particularly regarding students moving between providers when utilising the LLE. Respondents requested greater clarity on how the two proposals would operate together.

It was also suggested that if SNCs were introduced, this should not happen before the wider roll out of HTQs as it was felt that limiting access to HE before other pathways are widely available would negatively impact prospective students.

Other comments coded under this theme expressed views on the introduction of MERs, which are summarised later in this report.

## **Differences by respondent type**

FE providers and individuals were less likely than other stakeholder groups to comment on the potential negative impact on students of SNCs and the overlap with OfS regulations. Across all other themes, the proportions of responses by stakeholder group were broadly aligned with the overall proportion of responses coded under each theme.

## **Question 2 What are your views on how SNCs should be designed and set, including whether assessments of how many students providers can recruit should be made at: Sector level? Provider level? Subject level? Level of course? Mode of course?**

This question received 235 qualitative responses, the majority of which expressed either overall disagreement with SNCs or concerns about SNCs at one or more of the proposed levels. A key concern about SNCs set at subject level or below was the potential for increased complexity in managing student numbers and a greater administrative burden for HE providers. Some respondents suggested possible exemptions to SNCs. A minority of respondents expressed support for one or more of the proposed SNC levels, with the proportions expressing support similar across each of the levels.

### **Disagreement with SNCs (122 or 52%)**

Many of the respondents answering this question expressed disagreement with or opposition to SNCs at any level and reiterated concerns raised in response to the previous question. Where this disagreement was expressed alongside concerns about SNCs at a specific level, this has been summarised under the relevant theme below.

### **Concerns – subject level (49 or 21%)**

A common concern expressed about SNCs at the subject level was the bureaucratic burden that the implementation and administration of such SNCs could place on HE providers, with respondents often expressing opposition to subject-level SNCs on these grounds. These comments were often made alongside concerns that SNCs at the level of course or mode of study could also involve significant administrative burdens, with some suggestions that the more granular the level of SNC, the greater the bureaucratic burden for HE providers. Respondents commented that the additional resource required to administer such SNCs would likely take resources away from other support services. It was suggested that in implementing subject level SNCs, the subject areas would likely be

very broad, which could require a resource intensive process of monitoring student numbers across multiple departments.

Respondents felt that subject level SNCs would be overly complex and challenging to implement, especially given the lack of a standardised framework for course and subject names, leading to inefficiencies, errors, and unfairness. There was concern about the potential for HE providers to “game” the system, for example, by re-coding subject areas to avoid subject-level SNCs. On the proposal for student outcomes data to inform subject-level SNCs, some respondents suggested that different courses within a given subject area can often differ widely in terms of student outcomes, potentially resulting in unfair restrictions on courses offering good outcomes. There were comments on the potential impact of the proposals on small HE providers, with respondents suggesting that those with small cohorts require greater flexibility regarding student numbers by subject meaning subject-level SNCs could risk such provision becoming unviable. A few also highlighted that subject-level SNCs would be even more challenging to implement alongside the modular approach to qualification delivery that is being encouraged by the LLE.

Concerns were expressed about whether subject-level SNCs would be sufficiently dynamic and sensitive to align with skills needs, particularly within a rapidly changing labour market. It was felt that subject-level SNCs may not be sensitive to differences in the labour market across regions, with the potential for SNCs set at a national level to restrict skills pipelines into key local industries. There was also suggestion that reducing the supply of students towards a given subject area would not necessarily redirect students to subject areas deemed to be of greater strategical importance.

In addition, some respondents queried the process for judging which subject areas would be subject to SNCs and often expressed opposition to the use of student outcomes data to inform subject-level SNCs. It was suggested that many degrees that do not lead directly to a specific job, nonetheless, support the development of important skills which are required across a range of different sectors. There was concern about the potential for subject-level SNCs informed by graduate earnings to restrict provision of degrees that lead to strategically important but typically low paid roles, such as nursing and social work. It was also suggested that subject-level SNCs informed by student outcomes may skew the availability of provision towards subjects favoured by more advantaged students, as outcomes tend to be better for these students due to their previously accrued advantages.

Related to the impact of the proposals on disadvantaged or under-represented students, a few respondents suggested that subject-level SNCs may restrict access to HE for those who, due to their geographic area, additional commitments, or financial constraints, have limited flexibility in their choice of HE provider.

Some respondents also felt that subject-level SNCs were unnecessary as they would undermine or duplicate existing OfS regulations, particularly B3 conditions, which were

deemed to be a more sensitive and targeted approach to addressing course quality issues.

### **Concerns – level of course (32 or 14%)**

As highlighted above, respondents expressed concerns that SNCs at the level of subject, course, or mode of course, would create significant administrative burdens for HE providers and be challenging to implement, with many expressing their opposition to SNCs at these levels on these grounds. Some also suggested that it is not possible to accurately predict demand for skills and qualifications, meaning SNCs at this level would be “unhelpful and unproductive.”

Some respondents cited an example, prior to 2015 or 16, where course-level SNCs were introduced for alternative providers, not funded, and regulated by the Higher Education Funding Council for England (HEFCE). Respondents commented that, despite being on a much smaller scale than that proposed in the consultation document, these course-level SNCs were nonetheless prone to error, challenging to implement, and significantly increased the bureaucratic burden on HE providers.

In addition, a few respondents saw SNCs at the level of course as unnecessary “micromanagement” of HE provider recruitment and admissions, while others expressed concern that such SNCs would limit student choice and opportunities for progression, if student numbers on courses at certain levels were restricted.

Like the concerns about subject-level SNCs, respondents expressed concern about the potential for HE providers to modify their course offerings for the purpose of avoiding SNCs rather than improving provision for students. There were also reiterated concerns that any SNCs set below provider level would disproportionately impact smaller HE providers and as with subject-level SNCs, that SNCs at the level of course would be unnecessary given the existing OfS regulations and proposed B3 conditions.

### **Concerns – mode of course (29 or 12%)**

As highlighted under previous themes, respondents expressed concerns that SNCs at the level of subject, course, or mode of course, would create significant administrative burdens for HE providers and be challenging to implement, with many expressing their opposition to SNCs at these levels on these grounds. There were reiterated concerns that any SNCs set below provider level would limit student choice and disproportionately impact smaller HE providers. In addition, it was again suggested that SNCs at mode of course level may result in HE providers modifying their offering by mode of course purely for recruitment rather than educational reasons.

A few respondents queried what the rationale for SNCs at the mode of course level would be, while others highlighted that at their HE providers, mode of course is not a fixed concept as some students move between full, part-time, or modular study. There

was also concern that any restrictions on part-time or flexible study options would disproportionately impact mature students.

### **Concerns – sector level (28 or 12%)**

Respondents noted that sector level SNCs would not meet the stated aims of restricting supply of poor-quality provision, with a few referring to sector-level SNCs as a “blunt instrument,” although some respondents did recognise that they would likely reduce overall HE government costs.

As with concerns expressed about SNCs set at other levels, respondents felt that sector level SNCs would be overly complex and increase administrative burdens for HE providers. Some opposed sector-level SNCs on this basis while others suggested that, while a concern, SNCs would be deliverable at this level.

A few respondents noted that the Government’s own equality assessment only provided high-level modelling of the impact of SNCs, something they felt demonstrated the complexity of SNCs, particularly those below sector-level.

Respondents also raised concerns about potential unfairness in the way that aggregate student numbers could be allocated under sector-level SNC. These included concerns that:

- student number allocations would be given to larger providers at the expense of smaller providers catering to local students
- student number allocations based on graduate outcomes would favour the highest tariff HE providers at the expense of other providers, who were felt to play a key role in widening access to HE
- providers should not have numbers capped based on the performance of other providers
- setting SNCs at this level could lead some HE providers to become unviable, particularly smaller providers, which may limit HE provision in certain regions

In addition, concerns were raised that under a system of sector-level SNCs it would be hard to ensure parity across the UK due to the differing approaches taken by different nations.

### **Suggested exemptions (25 or 11%)**

Respondents made suggestions for types of provision and students that they felt should be exempt from SNCs. These included:

- courses or HE providers that support a high proportion of disadvantaged students or that can demonstrate good outcomes for disadvantaged students

- not including disadvantaged students within SNCs
- small and or specialist providers, as well as FE colleges or HE providers serving 'cold spots' of the country
- level 4 and 5 provision, including HTQs, to encourage growth in this area
- part-time students, to align with the government's focus on encouraging flexible study
- it was also felt that many of the problems identified in the Augar review did not apply to part-time provision

Some respondents also suggested international students should be exempt from SNCs, noting that these students do not access taxpayer funded loans and expressing concern about the impact that restricting international students would have on the future growth of the HE sector. However, these respondents also recognised that this may incentivise HE providers to prioritise international recruitment at the expense of home students.

### **Support – mode, course, or subject level (24 or 10%)**

Some respondents expressed support for mode of course, course or subject level SNCs on the grounds that SNCs at these levels would have the greatest impact on quality of provision. It was felt that broad, higher level SNCs may inadvertently limit provision with good outcomes, and that course or subject level SNCs in particular would provide a more targeted approach to improving the supply of quality provision.

Those expressing support for subject-level SNCs felt that they would enable the prioritisation of strategically important subjects and help to address skills gaps. A few respondents suggested that, should subject-level SNCs be implemented, these should be based on local and regional skills needs and set by local or combined authorities in partnership with employers.

Some of those expressing support for subject-level SNCs also expressed concerns over how strategically important subjects would be defined and suggested that to encourage growth in areas such as STEM and healthcare, extra funding would be required in addition to subject-level SNCs. A few respondents also called for a flexible approach to subject-level SNCs that was not overly prescriptive.

Of the few respondents expressing support for SNCs at the level of course, some felt that this would encourage the growth of level 4 and 5 provision, while others disagreed with SNCs overall but felt that, if implemented, the level of course would be most appropriate.

A few respondents expressed support for mode of course level SNCs on the basis that they could encourage a greater variety of flexible study options.

## Support – sector level (25 or 11%)

Respondents expressed support for sector-level SNCs on the basis that:

- they could function as a mechanism for controlling government spending on HE
- they could help to stabilise the market by preventing rapid growth of HE providers
- SNCs should be set at the highest level on the grounds that the reliability of outcomes data reduces at more granular levels
- SNCs at subject or course level would lead to instability

A few respondents comment that, while they were opposed to SNCs, if they must be implemented then the sector level would be the most appropriate.

One respondent suggested that the system of SNCs should take a similar approach to how SNCs were implemented pre-2013, whereby funding limits were set for each HE provider with a 5% growth or decline window either side of the limit. Another respondent suggested that if SNCs are set at a sector-level, the limits should reflect the project growth of the 18-30 cohort.

## Concerns – provider level (22 or 9%)

Of the respondents expressing concerns about provider level SNCs, some felt that SNCs at this level would not meet the stated aims of the proposals in terms of addressing a shortfall or surplus of provision in certain subject areas or restricting access to poor quality provision. There was suggestion that provider-level SNCs may limit the growth of providers where there is high demand and artificially prevent the decline of providers where there is less demand, therefore removing a key incentive for HE providers to improve provision – that is attracting more students. It was also suggested that provider-level SNCs may encourage HE providers to grow low-cost provision to address potential funding shortfalls, at the expense of higher cost provision such as STEM and healthcare courses. A few respondents felt that poor outcomes at provider level were already being addressed with B3 conditions.

There was concern that provider-level SNCs may lead to increased selectivity of certain HE providers, reduced HE opportunities in ‘cold spots’ that may only be served by an FE college or small HE provider and a limiting of opportunities for those unable to travel or leave home to study. It was also suggested that HE providers may expand international recruitment to make up revenue lost due to provider-level restrictions on student numbers. In addition, respondents raised concerns that provider-level SNCs would undermine HE provider autonomy and limit their ability to respond to labour market demand.

A few respondents felt that the term provider level was not well defined within the consultation document.

### **Comments about outcomes data (16 or 7%)**

Respondents expressed concerns about the proposed outcomes metrics that could inform SNCs. These concerns are repeated in responses to question 3 and are therefore summarised under the relevant theme below.

### **Support – provider level (18 or 8%)**

Those expressing support for SNCs at provider level felt that this would be the least disruptive out of the proposed levels at which SNCs could be set. Respondents suggested that SNCs at lower levels would be overly complex and difficult to manage, and that provider-level SNCs would protect institutional autonomy to a greater degree than subject-level or below. It was also felt that provider-level SNCs would help to address poor provision to a greater extent than sector-level SNCs.

There was suggestion that SNCs set at provider-level would require consideration of the geographical context of the provider and the need to maintain choice at a regional level, as respondents stressed that it should not be assumed that students can travel or relocate to study.

### **Other comments (34 or 14%)**

Respondents made other comments not aligning with the above themes, most of which were suggestions related to the implementation of SNCs.

Suggestions included that implementation of SNCs must consider provider financial forecasting and student number planning, including where investment has been made based on future recruitment plans. It was also suggested that SNCs should align with local and regional skills needs and employment patterns, as well as being informed by meaningful input from providers.

There were calls for further review and consideration, including suggestions that the outcomes of the OfS B3 regulatory requirements should be understood before deciding on SNC implementation. An equality impact assessment and review of the potential impact of SNCs on existing students, providers and international reputation was also proposed.

Respondents also raised concerns about a lack of clarity around how SNCs would align and interact with the LLE, including concerns that students undertaking modular study may have their pathways restricted by SNCs.

## Differences by respondent type

FE providers and arm's length bodies or professional organisations were less likely than other respondents to express overall disagreement with SNCs in response to this question. FE providers were more likely than other respondents to suggest exemptions to SNCs. Arm's length bodies or professional organisations were also somewhat more likely than other respondents to express concern about subject-level SNCs. Across all other themes, the proportions of responses by stakeholder groups were broadly aligned with the overall proportion of responses coded under each theme.

## **Question 3 The Government is considering which outcomes should be used if SNCs are introduced and has identified the 3 broad categories as quantifiable, societal, and or strategically important. What are your views of the merits of these various approaches to consider outcomes and or do you have any other suggestions?**

Text responses to this question were provided by 243 respondents, including those with related text from emailed responses. Most respondents expressed opposition to or concerns about the proposed outcomes. Many of these concerns focused on the proposed quantifiable outcomes, particularly graduate earnings, and employment, with respondents citing various problems with the use of such outcomes as indicators of course quality. Regarding the proposed strategically important outcomes, there was concern about the Government's ability to accurately determine future skills needs and ensure that SNCs are responsive and sensitive to a changing labour market. On societal outcomes, some respondents felt these were defined too narrowly, suggesting that the benefits of HE extend beyond its contribution to public services. Many respondents expressed general opposition to SNCs when answering this question, reiterating concerns articulated in their answers to previous questions. There was support for the proposed outcomes from a minority of respondents.

## **Opposition to and concerns about the proposed outcomes (127 or 52%)**

Many respondents expressed opposition to or concerns about the proposed outcomes categories, with more concerns related to the quantifiable outcome category than the societal or strategically important outcomes.

General concerns about the 3 outcomes categories included suggestions that there is an overemphasis on economic value within the 3 definitions and that the categories do not reflect the diversity of benefits that the HE system offers.

## Quantifiable outcomes

A key concern related to the proposed quantifiable outcomes was that the focus on graduate employment and earnings was overly simplistic. Specifically, this included suggestion that:

- graduate earnings are influenced by a combination of factors aside from just degree experience, including a student's background, geographical location, and the performance of the economy. It was therefore viewed as unfair to HE providers if SNCs were linked to such an outcome
- salary outcomes immediately after graduation can vary between subjects. For example, arts graduates often do not see an uplift in earnings immediately after graduation as they are more likely to enter transitional or self-employment in the process of developing a portfolio career
- some definitions of high skilled graduate employment may not capture non-traditional career pathways and therefore exclude some graduates of arts degrees and health and social care courses.
- a blanket approach to what is considered a 'good' salary outcome would not be appropriate given regional and sectoral differences in pay
- what is considered a good salary outcome depends on the point of comparison. For example, a disadvantaged student may achieve lower than average graduate earnings but nonetheless, be earning more than they would have, had they not gained a degree

Linked to the above comments, respondents expressed concerns about the potential impact on HE providers of using the proposed quantifiable outcomes to inform SNCs. This included:

- concern that SNCs linked to employment and earnings outcomes could create "perverse incentives" for providers to recruit more advantaged students who are more likely to achieve good outcomes. It was felt this would inadvertently reward providers recruiting the most advantaged students and penalise providers recruiting a greater proportion of widening participation students
- concern that assessing HE providers based on competition and continuation rates would disproportionately impact HE providers recruiting a greater proportion of disadvantaged students, who may discontinue their studies due to existing challenges they face rather than issues related to course quality
- a suggestion that graduate employment rates are influenced by the health of the economy and that providers should therefore not be "punished" for the economic conditions their students graduate into.
- concerns that regions, where graduate opportunities and earnings are typically lower than areas like London and the Southeast, could fare worse in terms of

employment and earnings outcomes. It was felt this could penalise HE providers in these areas where graduates are retained in the region and may therefore run counter to the government's levelling up agenda

In addition, respondents expressed concerns about the validity and reliability of the proposed quantifiable outcomes data. Many of these comments focused on the time lag between students finishing their degree and data on graduate employment and earnings being published, meaning the data that SNCs would be informed by would relate to students who completed their studies several years ago. There was also concern about basing such consequential decisions on data that can be subject to large statistical uncertainties and variation.

### **Strategically important outcomes**

In relation to the proposed strategically important outcomes, respondents commonly expressed concern about or questioned the government's ability to accurately assess future skills needs and therefore decide which subjects are strategically important, with some suggesting that the government does not have sufficient information to determine national skills needs. Respondents often highlighted the time lag in publishing graduate outcomes data or noted that predictions about the labour market are often made based on retrospective data, meaning the data available may not accurately reflect changing skills needs. It was suggested that SNCs may therefore not be sufficiently responsive to the changing labour market, which it was felt would result in a significant cost to the UK economy.

Respondents also reiterated previously articulated concerns that restricting provision in one area would not necessarily lead to an increase in uptake in other areas deemed strategically important. Others felt that the consultation document lacked a clear definition of "strategic importance" and that the term was open to interpretation.

A view was also expressed that focusing on certain subjects deemed strategically important ignores the transferable skills that students develop at degree level regardless of course content. Skills such as creative thinking, problem solving, communication and being adaptable to change were felt to be key for preparing students for employment within the knowledge economy, and there were suggestions that SNCs informed by such outcomes may produce a narrow profile of graduates that do not meet the needs of the economy and may restrict skills pipelines into the creative industries and or other future areas of growth.

Other issues outlined related to the proposed strategically important outcomes including the omission of languages in the list of priority areas, and a lack of consideration within the consultation document regarding differences in regional employment and skills needs.

## **Societal outcomes**

Respondents discussed what they viewed as a limited definition of societal benefits of HE given in the consultation document. There was a preference for a broader definition of societal outcomes than simply a given course or subject's contribution to public services, with respondents suggesting other contributions of HE to the public good such as encouraging critical thinking skills and citizenship, as well as highlighting the positive social and health impacts of HE participation for students.

Respondents also expressed concern about the omission of certain subjects that they felt generated positive societal outcomes, such as the arts, childcare, social work, youth and community work, and professions linked to the criminal justice system.

## **Opposition to the use of SNCs (84 or 35%)**

Many respondents answering this question expressed disagreement with or opposition to SNCs at any level and reiterated concerns raised in responses to previous questions.

## **Suggestions for other approaches or outcomes (34 or 14%)**

Suggestions for alternative approaches to ensuring HE generates societal, quantifiable, and strategically important outcomes included encouraging uptake of strategically important subjects rather than introducing SNCs for subjects deemed not strategically important, or support for HE providers to improve poor quality provision. There were also suggestions that HE providers could engage more with employers to better understand skills needs, tailoring their provision accordingly, as well as increasing investment in CEIAG support for 16–18-year-olds to help them make more informed decisions about HE pathways.

Respondents also made suggestions relating to the proposed outcomes. This included course return on investment calculations as a quantifiable outcome, and the suggestion that quantifiable outcomes should be benchmarked to similar providers, to prevent HE providers with more disadvantaged student intakes or those located in more economically deprived areas from being unfairly penalised by SNCs (based on student outcome metrics).

## **Support for the proposed outcomes metrics (16 or 7%)**

Some respondents expressed support for all 3 of the proposed outcomes, suggesting that a combination of all 3 to inform SNCs would be preferable to focusing on a specific type of outcome. Some of these respondents specifically welcomed the inclusion of societal and strategically important benefits as they felt that SNCs should be informed by a broader range of outcomes than just graduate earnings and employment. A few also expressed support for the inclusion of continuation and completion rates as it was felt they are a good indicator of course quality.

## **Overlap with OfS regulations (13 or 5%)**

A view was expressed that the proposed quantifiable outcomes would duplicate the outcomes requirements under the proposed revision of the OfS B3 conditions, which stipulate baseline thresholds regarding student outcomes and possible sanctions if these are not met. There was concern that there may be misalignment between the proposals and, if implemented, student outcomes would be regulated twice. Others stressed the importance of clear alignment between SNCs and OfS B3 conditions, should both proposals be implemented.

Respondents also suggested that if the OfS B3 conditions proved effective in ensuring good student outcomes, SNCs based on the proposed quantifiable outcomes would not be necessary. A few respondents felt that the revised BS conditions were a better approach to ensuring good outcomes for students than SNCs, while others noted that for some HE providers, the revised B3 conditions would already act to restrict provision as courses not meeting the required outcomes threshold would be considered for discontinuation.

## **Importance of student choice (7 or 3%)**

A small number of respondents stated that SNCs would limit student choice, with these respondents stressing that students should be free to study the subjects they wish. There were suggestions that some of the proposed outcomes may not align with the most common reasons students decide to study at degree level, with a respondent citing research showing that students view the acquisition of knowledge and skills as a more important outcome of a degree than earning a good salary.

## **Other comments (23 or 9%)**

Comments not aligning with the above themes included comments relating to other aspects of the consultation such as MERs and comments stating no response or referring to a previous answer.

## **Differences by respondent type**

Student mission groups were more likely, and Individuals less likely, than other respondents to express overall opposition to SNCs in their response to this question. Interest groups, arm's length bodies or professional organisations and FE providers were less likely than other respondents to express concerns about or opposition to the proposed outcomes. Across all the other themes, the proportions of responses by stakeholder group were broadly aligned with the overall proportion of responses coded under each theme.

## **Question 4 Do you have any observations on the delivery and implementation of SNCs, including issues that would need to be addressed or unintended consequences of the policy set out in this section?**

Text responses to this question were provided by 239 respondents, including those with related text from emailed responses. Most respondents highlighted potential issues or unintended consequences of the SNC proposals, including reduced access to HE for disadvantaged students, a reduction in subject diversity and subsequent narrowing of the UK skills profile, restrictions on student choice, negative impacts on HE providers and reduced responsiveness of the HE sector to local and regional skills needs.

### **Potential issues or unintended consequences (145 or 61%)**

#### **Reduced access to HE for disadvantaged students**

Many respondents expressed concern that SNCs could influence HE provider recruitment practices, with suggestion that providers would favour students, typically those from more advantaged backgrounds, who they think would achieve better outcomes. There was concern that recruitment of disadvantaged students would decrease, as providers may view such students as more of a 'risk' to outcomes metrics.

It was suggested that the increased competition for HE places caused by SNCs would disproportionately impact disadvantaged and under-represented students, particularly those with special educational needs and disabilities (SEND), mental health issues and black, Asian and minority ethnic (BAME) students, thus working against the government's levelling up agenda. There was also concern SNCs may limit the ability of HE providers to meet targets set out in their access and participation plans, with some respondents calling for an assessment of how the SNC proposals may impact access and participation plans.

Some respondents felt that, considering the above, SNCs could reverse recent progress made in widening participation since SNCs were removed for most subjects in 2015 or 16.

A few respondents suggested that DfE equality analysis of the SNCs did not indicate how the proposals might impact those with protected characteristics and there were calls for a full equality impact assessment of the proposals.

#### **Narrow subject and qualification diversity**

Concerns were raised that SNCs may stifle innovation within the HE sector, as HE providers may not want to risk developing new provision with no previous track record of good outcomes. If SNCs influenced HE provider decision making in this way, it could restrict the ability of the HE sector to respond to and meet emerging skills needs. It was

felt that this could lead to a narrowing of the UK skills profile which some respondents suggested would reduce the UK's competitive advantage internationally and may damage the UK HE sector's reputation abroad.

Some respondents also expressed concern that SNCs may disproportionately impact the arts and creative subjects, thus reducing the skills pipeline into the creative industries. These respondents often highlighted the contribution of the creative industries to the UK economy, with the arts viewed as a "major UK export". A few respondents felt that restricted access to the arts at HE level would mean that creative subjects would become the preserve of more advantaged students. Others highlighted the need for adaptable graduates with creative problem-solving skills to meet the needs of a changing labour market, with suggestion that SNCs may narrow the skills base in this regard.

### **Restricted student choice**

There was a view among some respondents that students should have the option to choose subjects they enjoy and that best suit their capabilities and aspirations, a choice it was felt SNCs would restrict. Some expressed specific concerns about SNCs further limiting the choices available for students in 'cold spots' served by few providers or for students who do not have the option to relocate or commute to study.

A few respondents also felt that there was a lack of evidence about the impact and efficacy of SNCs to support such a reduction in student choice.

### **Impact on HE providers**

Concerns were raised that SNCs would reduce the amount of income and resources available to providers and exacerbate existing financial challenges caused by the fee cap freeze and rising inflation. It was felt that this could negatively impact quality of provision and in some cases risk the viability of providers or certain courses, with smaller providers and FE colleges delivering FE disproportionately, impacted by any reductions in student numbers and fee income. There were specific concerns raised that SNCs could reduce opportunities for cross-subsidising higher cost courses with fees from lower cost courses and some respondents highlighted that course provision, once lost, is not easily re-established. Respondents suggested that these potential implications of SNCs could increase instability within the sector and may reduce confidence in the HE sector both domestically and internationally.

Some respondents expressed concerns that SNCs could incentivise providers to recruit higher fee-paying international students over home students to address funding shortfalls. Others expressed general concerns about how SNCs would impact international recruitment and called for further review of this issue.

In addition, respondents suggested that the proposals would cause significant additional bureaucratic burden for HE providers in administering and monitoring SNCs, which was a particular concern given the existing financial constraints highlighted above.

## Regional differences

A few respondents raised concerns that SNCs could restrict the autonomy and ability of HE providers to respond to local and regional labour market needs. There was also concern that national bodies would not have sufficient understanding of regional economies to make decisions about SNCs, while others suggested any approach to SNCs should be sensitive to local and regional labour market needs.

In addition, the need to understand the impact of policies on devolved nations and how SNCs may impact cross-border student flows was highlighted.

## Opposition to the use of SNCs (43 or 18%)

Many respondents answering this question expressed disagreement with or opposition to SNCs and reiterated concerns raised in responses to question 1.

SNC implementation (32 or 13%)

Respondents made various suggestions related to the implementation of SNCs. These included suggestions that:

- the system would require regular review of the basis on which SNCs were set, as well as sufficient flexibility to respond to changing skills needs
- HE providers would require a long lead in time for the implementation of SNCs and that further consultation within the sector and testing of approaches was necessary
- decisions about setting SNCs should be made far in advance to allow time for HE providers to manage the impact on staff, resourcing, and finances
- providers would require a tolerance margin around a given SNC limit, as achieving the exact number of a given SNC is very challenging.
- there was some suggestion of a 5% tolerance margin, similar to that which was used when SNCs were previously implemented
- the government should not restrict access to HE through SNCs before alternative technical qualifications are fully developed
- implementing SNCs would require input from local and regional partners
- student number calculations should not include students studying National Public Health England courses.
- a few respondents also felt there was a lack of clarity around how SNCs would interact with the LLE

## **Coherence with OfS regulations (23 or 10%)**

Respondents reiterated concerns about the interaction between SNCs and existing OfS regulation, including recently proposed amendments to B3 conditions. Some felt that SNCs would duplicate these existing mechanisms for ensuring quality of provision and cause unnecessary confusion, complexity and increased administrative burden for providers. Others suggested that SNCs may inadvertently communicate to the sector that the OfS' own approach to regulation and quality assurance is insufficient.

There was a view among some respondents that the impact of the proposed B3 conditions should be evaluated before considering SNCs, while others felt that the B3 conditions would be a sufficient mechanism for improving provision thus negating the need for SNCs.

Some respondents called for SNCs, if implemented, to align with existing OfS regulations.

## **Suggestions regarding SNCs (21 or 9%)**

Some respondents made suggestions regarding the implementation of SNCs, which are summarised under the above 'SNC implementation' theme. Others suggested alternative approaches to quality assurance and improvement, including supporting providers to improve provision rather than implementing SNCs. There was also suggestion that a similar process to previously implemented HEFCE subject reviews could inform how SNCs are set.

## **Use of data and metrics (15 or 6%)**

Some respondents reiterated concerns expressed about the proposed outcomes metrics in previous questions, particularly those made in response to question 3.

## **Other comments (23 or 10%)**

Most comments captured within this theme were those stating no view or that the respondent was unsure of their view.

A few comments stressed the need for an independent regulatory body or suggested the regulatory body to enforce SNCs should be the Designated Data Body for higher education. Others commented on the impact of COVID-19, suggesting that the full impact of the pandemic on the HE sector is not yet fully understood and that this should be considered when making decisions about SNC implementation.

## **Differences by respondent type**

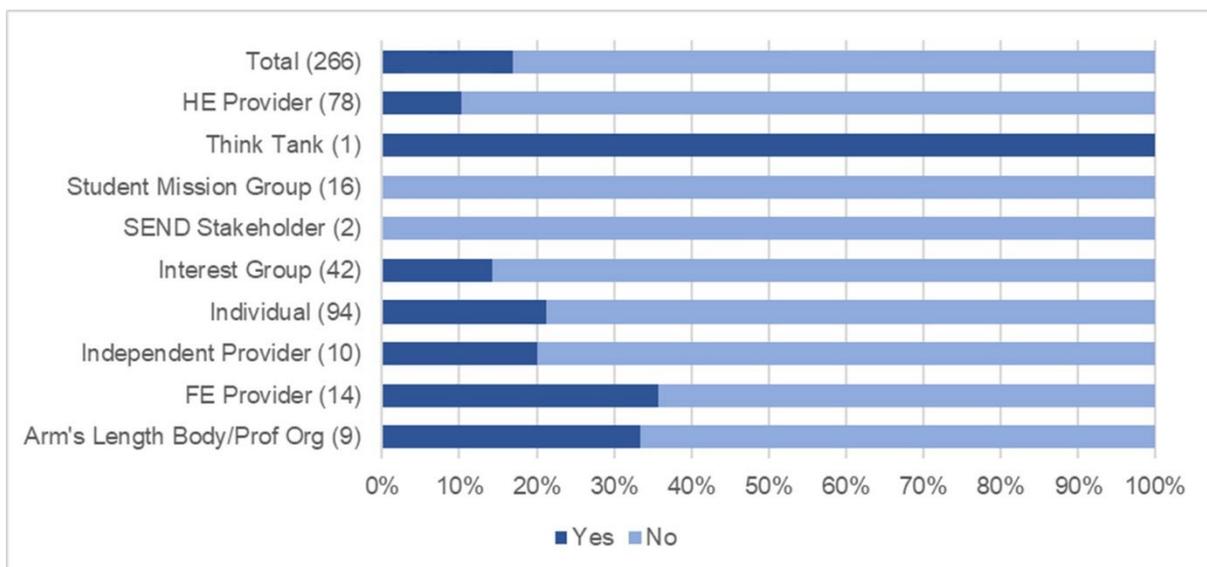
Student mission groups were more likely, and independent providers less likely, than other respondents to suggest potential issues or unintended consequences of the SNC

proposals. Across all the other themes, the proportions of responses by Stakeholder Groups were broadly aligned with the overall proportion of responses coded under each theme.

## Question 5(a) Do you agree with the case for a minimum eligibility requirement to ensure that taxpayer-backed student finance is only available to students best equipped to enter HE?

Over four-fifths (83%) of 266 respondents said ‘no’ that they disagree with the proposed case for minimum eligibility requirements for student finance. Under one-fifth (17%) said ‘yes’. Student mission groups, SEND stakeholders and HE providers were more likely to respond ‘no’ compared to other stakeholder groups. The greatest level of support for the proposed approach came from one think tank and FE providers.

**Figure 1: Respondents by Stakeholder Groups**



## Question 5(b) Why do you say this?

Text responses to this question were provided by 279 respondents, including those with related text from emailed responses. The most common responses related to the potential for this proposal to be discriminatory towards different groups of students and suggestions that HE providers should be able to make decisions about students' readiness for level 6 study instead.

## **No, discriminatory (173 or 62%)**

Respondents suggested that the introduction of a MER would be discriminatory towards a variety of student groups, including those with protected characteristics, thus working against widening participation efforts.

A commonly mentioned group were those from disadvantaged backgrounds, including students in recipient of free school meals (FSM). Respondents posited that the proposals would not exclude students missing the MERs from entering HE if they or their family had means to cover the cost without requiring student finance. Thus, students achieving the same grades at GCSE and or A level would have differing access to HE depending on their financial circumstances.

Respondents also suggested that students from disadvantaged backgrounds were more likely to underperform in school compared to their more advantaged peers but that this may not adequately reflect their future potential for a variety of reasons including difficult home lives, differing educational style preferences, or attending underperforming schools. Many felt it would be unjust for these students to be barred from HE due to circumstances out of their control.

Some respondents also mentioned that the introduction of a MER would be at odds with the government's policy objective to ensure equal access, as it was suggested that some BAME students achieve lower average grades and would therefore be more likely to be excluded from HE. As a result, some areas of the UK would see a larger proportion of students affected by the introduction of a MER, thus working against the governments levelling up agenda.

Respondents also commonly suggested SEND students would be adversely affected if a MER were introduced. Dyslexia and dyscalculia were commonly mentioned learning needs that may mean students do not achieve the required English and maths standards and are therefore excluded from accessing HE. Respondents suggested this would exclude a large number of capable students from fulfilling their potential.

Other needs and disabilities mentioned included:

- students with autistic spectrum disorder (ASD) and attention deficit hyperactivity disorder (ADHD), who it was felt can often struggle with learning styles in secondary schools, general attainment in non-interest subjects, and colloquial and idiomatic language used in English GCSEs
- deaf students who may struggle with written English language due to the differences between spoken English and British Sign Language (BSL)
- students with social, emotional, and mental health needs who may not thrive in secondary school environments and experience a variety of extenuating circumstances that can affect their performance at GCSE and or A level

## **No, leave to HE providers (109 or 39%)**

A large number of respondents disagreed with the introduction of a MER, suggesting that HE providers should be left to impose their own requirements directly related to their courses.

One reason for this view included the suggestion that universities are able to take into account individual needs and circumstances in relation to the support the university is able to offer them and how their previous attainment would affect their studies. For example, a student experiencing extenuating circumstances at GCSE and or A level, and thus not reaching the required grades, could be accepted by a provider if they felt the grades in those subjects were not relevant to success on their course, or they had support structures in place to help that individual.

Another reason provided by respondents was the suggestion that universities and HE providers would be able to make MERs relevant to their own courses. For example, providers offering art, performing arts and some humanities courses may not find that a grade 4 in maths GCSE is relevant enough to the course to make it a requirement. Comments also related to universities and courses that rely on portfolios, interviews, and auditions as a means for gathering relevant information about prospective students. It was felt that in these cases, achievement in academic subjects may not be applicable nor an indicator of potential attainment at these institutions.

Several respondents stated that HE providers are already well qualified and experienced in assessing students' abilities to complete a course and to be accepted onto appropriate courses for them. Concerns were raised about reducing this to a nationwide policy of a blanket MER which reduces the ability of providers to assess contextual information, thus having the potential to exclude a wide variety and proportion of students. Respondents therefore suggested that if a student is accepted onto a course by a provider, they should be entitled to a student loan as the provider has deemed them eligible to complete the course.

## **No, restricts students (63 or 23%)**

Some respondents suggested that introducing a MER, including level 2 qualifications such as GCSEs, could cause individuals to disengage with their studies at an early age. For example, if a pupil did not reach the maths and English GCSE requirements, they may disengage from further study as they know that, unless they have the monetary means to self-fund, they would not be able to access HE.

Other respondents suggested that attainment at GCSE level is not directly correlated to success at undergraduate level for a variety of reasons including learning style, assessment structure and style, extenuating circumstances, and education provision. These respondents expressed concerns that the introduction of MER could potentially restrict these students due to circumstances outside of their control. Links were also

made with the maturity of individuals changing between age 14-16 at GCSE and at A level or university. It was felt that this change in maturity can drastically change students' attainment level, alongside a heightened interest in subjects they are studying, as they are able to focus on subjects they enjoy and have a greater desire to study.

Comments were also made regarding certain industries, as it was suggested that students who wish to follow an education path related to creative or performing arts would be greatly restricted by MERs that hold no relevance to their method of study.

Some also felt that the restrictions that introducing a MER would place on students could further reduce the parity between different types of education provision. Students could see college and other forms of study as lesser than HE if these are the only options open to them after not meeting the MER to access student finance.

### **No, general (29 or 10%)**

A number of respondents made general statements of disagreement with the introduction of a MER, suggesting that if a student is accepted onto a course then eligibility for student finance should be granted.

### **Suggestion - include other qualifications and exemptions (25 or 9%)**

Some respondents made suggestions to adapt the MERs proposed to include other qualifications and exemptions.

The qualifications mentioned included adding Functional Skills as an equivalent to the GCSE requirements. Respondents also stressed the need for parity across borders, both within the UK and internationally, to ensure equality between prospective students.

Exemptions suggested included students with SEND, creative subject courses and students with industry experience that could be more valuable to degree level study than GCSE or A level qualifications, with emphasis placed on mature learners.

### **Suggestion - increase funding and increase awareness of other routes (22 or 8%)**

Other suggestions made by respondents included increasing the funding for maths and English provision. The reasoning provided for this centred around attempting to create a level playing field in attainment irrespective of school institution type, geographical region and widening participation indicators.

A few respondents suggested that a more effective strategy would be for the Government to incentivise higher education institutions to enhance and improve supportive provision, such as foundation years, to ensure that all those with potential to succeed are given the support they need if they missed the MER.

Others suggested that the government should focus on increasing the awareness of other educational routes outside of university study, with the hope that students would be provided with enough information to choose an appropriate path for their future studies. Some also mentioned that there should be an increase in the number of high-quality placements on alternative pathways such as apprenticeships.

### **No, impacts certain sectors (16 or 6%)**

Some respondents disagreed with the introduction of a MER, suggesting that they would disproportionately impact certain sectors and thus exacerbate occupation shortages. Respondents referenced several sectors that they felt fewer students would graduate into if a MER were imposed, including education, social care, creative industries, computer science, engineering and subjects allied to medicine, due to a reduction in successful applications to relevant degrees and thus graduates in these industries.

### **Yes, university is not for everyone (11 or 4%)**

A small number of respondents agreed with the introduction of a MER, reasoning that university study does not suit everyone and those struggling to reach the proposed GCSE and A level requirements are more likely to struggle with this level of academic study.

### **Yes, need for necessary knowledge and skills (10 or 4%)**

Others agreed with the introduction of a MER, suggesting that this would ensure prospective students were equipped with the right skills and knowledge base to aid them in degree level study. In some cases, respondents referred to similar standards applying to current courses and providers.

### **Yes, general (8 or 3%)**

A small number of respondents made comments generally agreeing with the introduction of a MER, without offering a reason.

### **Other comments (64 or 23%)**

Other comments made by respondents in addition to the themes above included:

- concerns that students missing out on student finance loans will take out private loans incurring high interest rates, building debt which could impact on future opportunities including mortgages and credit scores
- the view that some universities will be disproportionately affected by the introduction of a MER due to a reduced numbers of students attending, namely

institutions with lower grade requirements, those with creative, artistic, and skills-based courses and smaller providers

- suggestion that language such as “best equipped” sounds elitist and is not founded on evidence
- agreement that the introduction of a MER would improve outcomes for students and overall provision at HE if all students have reached the required standards
- views that providing all students with taxpayer backed finance without the introduction of a MER is a waste of money

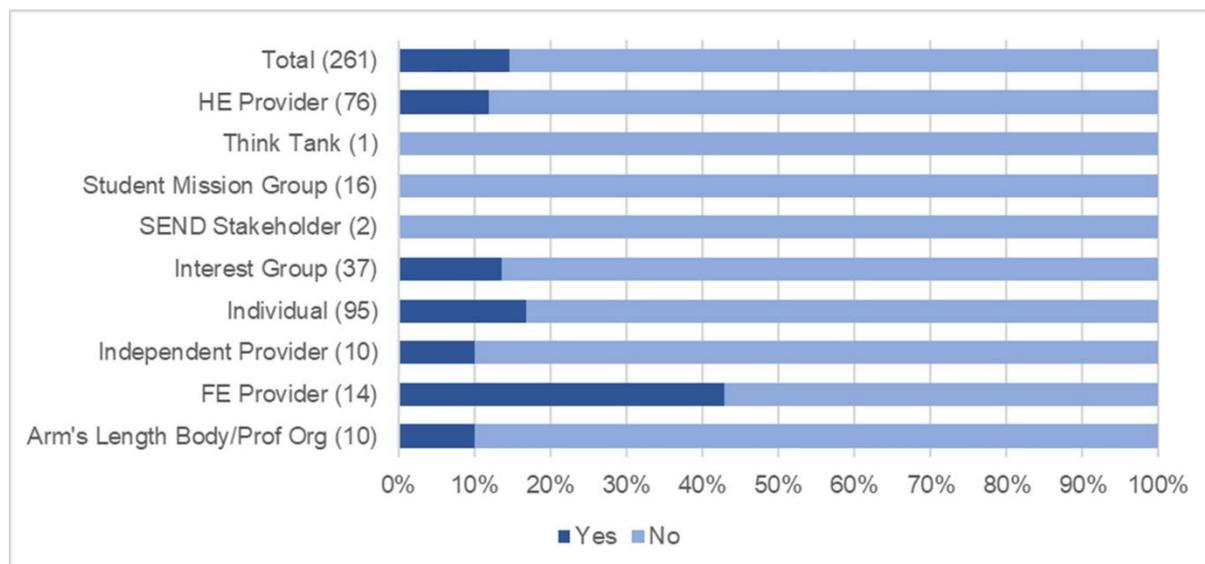
## Differences by respondent type

Individuals were less likely to comment on the potential discriminatory impacts of the introduction of a MER than the other stakeholder groups responding to this question. Across all other themes, the proportions of responses by stakeholder groups were broadly aligned with the overall proportion of responses coded under each theme.

## **Question 6(a) Do you think that a grade 4 in English and maths GCSE (or equivalent), is the appropriate threshold to set for evidence of skills required for success in HE degree (level 6) study, managed through their eligibility for student finance?**

Over four-fifths (85%) of 261 respondents said ‘no’ that they disagree with a grade 4 in English and maths GCSE or equivalent as the appropriate threshold. Under one-fifth (15%) said ‘yes’. Student mission groups, SEND stakeholders and a think tank were more likely to respond ‘no’ compared to other stakeholder groups. The greatest level of support for this proposed approach came from FE providers.

**Figure 2: Question 6(a) Respondents by Stakeholder Group**



## Question 6(b) Why do you say this?

Text responses were provided by 252 respondents, including those with related text from emailed responses. The most common responses to this question were similar to those seen in question 5(b), outlining the potential discriminatory effects of a MER and suggestions to leave decisions about readiness for level 6 study with HE providers. Relating to the specific GCSE proposal, some respondents stated these requirements would not be suitable for certain courses.

### No, discriminatory (114 or 45%)

Similar to the points raised in question 5(b), a large number of respondents suggested that the GCSE requirements would be discriminatory to different groups of students including those from disadvantaged backgrounds, lower performing schools and students with SEND.

In relation to students from disadvantaged backgrounds, a number of respondents stated that research has shown students' outcomes at level 2 are linked to their socio-economic background. Others also made links to students attending state schools having a lower likelihood of meeting the proposed level 2 MER in English and maths. Respondents highlighted DfE data from 2019 showing over one-third of state school students not achieving grade 4 in English and maths. Respondents stated that setting a MER as low as level 2 could actively work against the governments levelling up agenda as disadvantaged students, such as those on FSM, would be barred from accessing HE, especially as they would not have the means to fund their HE study without access to student finance.

Others suggested the proposed GCSE MER would disproportionately affect students with disrupted learning journeys, including those in care and those educated in prison. Respondents drew on data to demonstrate that these students on average are more likely to receive lower grades at level 2. In the case of those in prison, GCSEs are not standard provision. A smaller number also drew links to the recent disruptions from the COVID-19 pandemic on education, the effects of which were felt more strongly by different communities, exerting a disproportionate effect on the attainment of students.

Of those respondents expressing concern about discrimination across questions 5(b) and 6(b), a greater proportion commented on the potential impact of MERs on SEND students in relation to the proposed level 2 MER set at grade 4 English and maths than in relation to MERs generally. A large proportion of those commenting on the effects a MER could have on SEND students stated that those with additional needs may not achieve good GCSEs, but with the right support could go on to succeed later, thus they should not be excluded from HE. Commonly mentioned needs included dyslexia, dyspraxia, dyscalculia, deafness and neurodivergence such as autism. Respondents suggested that these students can go on to succeed at HE and should not be held back by level 2 grades in subjects which may not affect their future studies or employment.

### **No, leave to HE providers (53 or 21%)**

Like responses to the previous question, some respondents called for the decisions on student finance eligibility to lie with HE providers. Comments suggested that individual institutions are more capable of looking at contextual information and individual circumstances to form evidenced opinions about whether students would be successful on their courses. Therefore, many suggested that if a HE provider deems a student as capable to partake in one of their courses, they should be eligible for student loans, irrespective of their attainment at level 2.

### **Not appropriate for all courses (49 or 19%)**

As the proposed level 2 MER includes explicit reference to two courses, GCSE maths and English, some respondents expressed concerns that one or both of these qualifications may not be relevant to particular courses.

Respondents suggested that the maths MER should be limited to courses with some or strong numerical aspects. Therefore, comments were made that some courses should be excluded from this, including performing arts, some humanities courses, languages, and creative courses such as fine art. Some respondents also suggested that the skills needed for GCSE English are required less in some science, maths, and engineering courses.

Respondents commenting on the relevance of these GCSE requirements to certain courses regularly drew links to the previous theme, whereby providers are left to make decisions as to which courses these MERs, or adjusted MERs, should apply.

## **Suggested other MERs (39 or 15%)**

Several respondents suggested alternatives to the GCSE MER proposed in this question.

Some suggested that MERs would be more appropriately set at A level and equivalent rather than GCSE. Reasons for this view included suggestion that students choose these qualifications so are more likely to engage with their studies and the subjects are more likely to be relevant to their chosen degree, meaning the skills they would gain may be better connected to their future HE studies. Another reason given was that students would be more mature and potentially focussed when undertaking these A levels studies, alongside these qualifications being the most recently undertaken and therefore a better indication of their recent performance and future potential.

There was also suggestion that if a student missed the GCSE grade requirements but met the A level requirements they should be able to access student finance funding as recognition of this improvement.

A small number of respondents suggested the proposed GCSE MER should be higher, for example recommending A level grade C instead of focussing on level 2 attainment.

## **No, not GCSE (39 or 15%)**

Several respondents specifically rejected the notion of introducing a MER at level 2. Some suggested this would lead to a number of students becoming disengaged with education after receiving their GCSE results, believing they are not smart or capable enough to attend university. Some connection was made to potentially damaging effects on level 3 uptake as these students become disengaged.

A number of respondents also questioned the evidence base to suggest that level 2 attainment correlates with outcomes and success at level 6. Many stated that this evidence or information did not exist, thus the proposed level 2 MER would be damaging to a large number of students on unfounded grounds.

## **Yes, general (22 or 9%)**

Some respondents shared comments generally agreeing with the proposed GCSE requirements without providing reasons for such a view.

## **Yes, but include other qualifications (16 or 6%)**

A small number agreed with the proposed GCSE MER set at grade 4 for maths and English or equivalent, while also expressing a desire for other equivalent qualifications to be explicitly included. Most commonly Function Skills level 2 was mentioned as an equivalent qualification that respondents felt should be included for students accessing HE via non-traditional routes and or apprenticeships. Other comments included general

reference to “other non-traditional qualifications” which respondents felt should be considered.

### **Yes, but exemptions are required (12 or 5%)**

A small number of respondents agreed with the proposed GCSE MER, with the caveat that some exemptions would be required. The exemptions outlined by respondents included students with industry experience, those with good A level grades, and students who have resat their GCSEs but fail to reach the required MERs, provided their chosen degree course is not directly related to maths and or English. A few respondents also suggested that extenuating personal circumstances should be considered where appropriate.

### **Other comments (20 or 8%)**

Other comments raised by respondents are outlined below:

- home educated and international students regularly take iGCSEs, with suggestion that there is no mention of these in the MER proposals
- A GCSE level MER is the “least worst” (sic) option as level 2 is compulsory while level 3 is not
- the option for students to study or resit level 2 while undertaking their level 4 or 5 studies should be built into the system
- the introduction of a GCSE MER could lead to a reduction in the number of GCSEs undertaken or delivered as schools increase their focus on teaching maths and English at the expense of other subjects
- a GCSE MER could increase the administrative burden on HE providers as many do not collect level 2 data unless it is a prerequisite for a course
- the risk that FE providers will raise their entry requirements in line with the proposed GCSE MER to help ensure high numbers of their students to progress to HE, thus decreasing the educational opportunities for students missing out on the GCSE MER

### **Differences by respondent type**

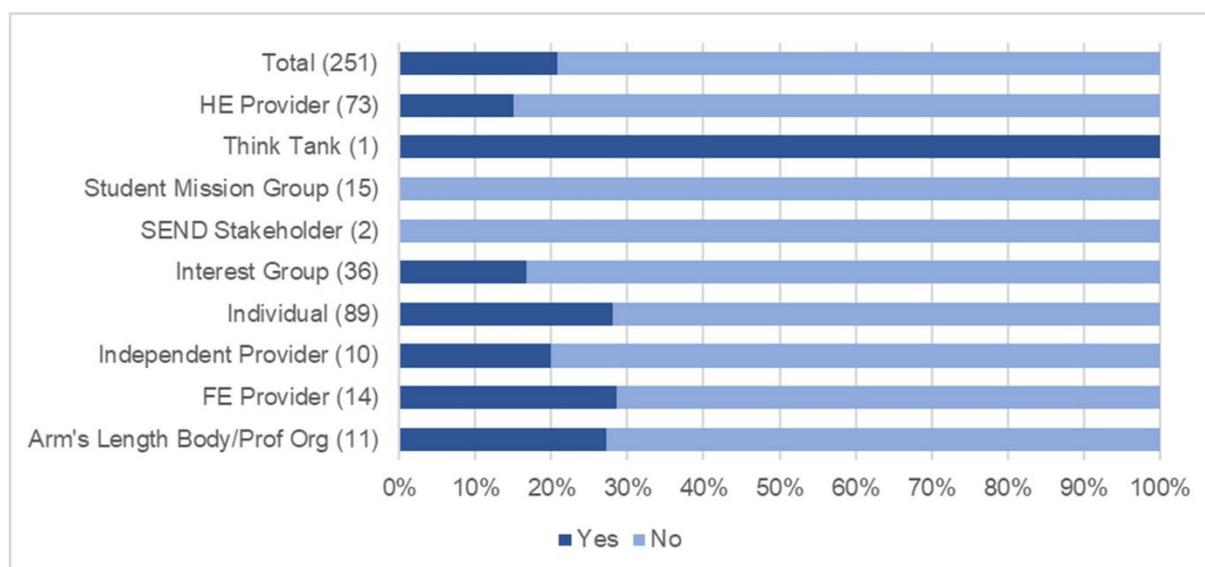
Across all themes, the proportions of responses by stakeholder group were roughly aligned with the overall proportion of responses coded under each theme.

### **Question 7(a) Do you think that two E grades at A level (or equivalent) is the appropriate threshold to set for eligibility to**

## student finance, to evidence the skills required for success in HE degree (level 6) study?

Just under four-fifths (79%) of 251 respondents disagreed that two E grades at A level or equivalent is the appropriate threshold for eligibility to student finance, with just over one-fifth (21%) agreeing that it is an appropriate threshold. All stakeholder groups, barring the think tank, were more likely to state 'no' to this question than 'yes'. FE providers were the most likely to agree with fewer than one-third of respondents agreeing with the threshold of two E grades at A level.

**Figure 3: Question 7(a) Respondents by Stakeholder Group**



## Question 7(b) Why do you say this?

A total of 235 respondents provided open text responses to this question or submitted related text in an emailed response. The themes found within these responses were similar to those of the previous two questions. Most commonly respondents commented that this threshold could be discriminatory to different groups of students, stated that they do not agree with any MER and thus disagree with a MER set at the proposed level, or suggested that individual institutions should be left to make decisions based on their course requirements and individuals' circumstances. A smaller proportion emphasised their agreement with this threshold, while others suggested alternative MERs or additional qualifications and exemptions to be considered.

### No, discriminatory (65 or 28%)

Similar to the theme identified in previous questions relating to MERs, a view was shared by some respondents that this threshold would have disproportionate impacts on certain groups of students.

Although respondents tended to suggest that A level thresholds would have a lesser impact on disadvantaged students and students from minority ethnic backgrounds than a GCSE threshold, it was still widely agreed among these respondents that such students would be more likely to be negatively impacted.

Some respondents felt that this threshold would be too simplistic as it does not adequately account for students with disrupted learning journeys and those on alternative study pathways. Concerns were raised that students affected by circumstances outside of their control may not achieve the required grades and would be excluded from HE. Students that could be affected by this include those who are care experienced, who it was suggested commonly choose to pursue employment rather than A levels to earn additional income.

The view that this threshold is too narrowly focussed on one route into HE was shared by some respondents. They suggested that students studying apprenticeships and alternative programmes would be prevented from entering HE due to the differences in qualification type. Others suggested that those who pursue employment and gain industry experience would be penalised for not continuing traditional education routes through to A level.

Views were also shared that setting this threshold would be inconsistent with the idea of lifelong learning and increasing HE accessibility to those who have not been given the support and opportunities earlier on in life. This was also extended to students with additional needs, SEND and those facing additional challenges, with respondents suggesting that these individuals could go onto succeed in education after school and college if equipped with the right support.

### **No, no MER at all (55 or 23%)**

Similar to the responses coded in Question 5(b), respondents commented that they did not agree with the overall notion of a MER to access student finance, so therefore disagreed with the proposed threshold. A large proportion of these respondents gave reasons for rejecting all MERs, suggesting they are too constrictive and would have regressive effects on access to HE.

### **No, leave to HE providers (51 or 21%)**

A number of respondents reiterated points outlined in previous responses, expressing the view that individual HE providers should be left to impose their own requirements. Comments included the suggestion that HE providers would be better placed to understand both the requirements needed to prepare students for each course and what support they can offer students to aid their studies. These respondents emphasised that individual institutions are better placed to understand the individual circumstances of prospective students. Therefore, they are better placed to form a judgement as to

whether the student could succeed on their chosen degree course and thus whether they should be eligible for student finance.

### **Yes, A levels are appropriate (44 or 19%)**

A proportion of respondents expressed agreement with the A level threshold. Reasons for this included suggestion that students are generally more focussed on these qualifications, as they commonly relate to the area of study they wish to pursue at HE, and that these qualifications are likely to be their most recent achievement so are more likely to reflect their future potential.

A smaller number of these respondents discussed the current entry requirements to many HE providers being higher than two E grades, therefore, they believe a MER set at this level would have a smaller negative impact than the GCSE level MER.

A few respondents also expressed support for the A level threshold as students would have flexibility in which subjects these grades could be obtained, suggesting that the specificity of the GCSE requirements was too restrictive and potentially not relevant to the student's chosen degree course.

### **No, other MER suggested (20 or 9%)**

Other MERs were recommended by some respondents, including:

- raising the A level threshold, as some believed that two E grades was too low. Recommendations of C grades or 80 Universities and Colleges Admissions Service (UCAS) points were suggested instead
- GCSE maths and English at grade 4 only, as level 2 is compulsory and would avoid the difficulties of creating equivalencies between A levels, Business and Technology Education Council's (BTECs), international baccalaureates and T Levels
- one E grade at A level as most students only go onto study a singular subject at university
- using UCAS points instead, so that other qualifications and relevant extra-curricular activities can be considered

### **Include other qualifications (19 or 8%)**

Several respondents raised concerns regarding which qualifications would be allowed as equivalents to the A level threshold. Respondents made direct reference to the following qualifications: BTECs, level 3 apprenticeships, T Levels and a variety of other level 3 diplomas and certificates. These respondents suggested that it would be unjust to exclude these students as they will have achieved equivalent qualifications to A levels.

Concerns were also raised that equivalent qualifications such as the Welsh baccalaureate and Scottish Highers would need to be considered and named if the proposed A level MERs were implemented.

### **Exemptions needed (16 or 7%)**

A small number of respondents outlined exemptions they would wish to add if the MER were set at two E grades at A level. Suggested exemptions included mature students or anyone with industry experience in their chosen area of study, those who have already gained a level 4 or 5 qualification or completed a foundation year or Access to HE course, individuals with extenuating circumstances during A levels and those with widening participation indicators.

### **Other comments (22 or 9%)**

Other comments which did not fall under the themes outlined above included:

- suggestions that the Government could focus funding and attention on positive incentives to raise achievement in schools, and maintenance funding and bursary provision to incentivise uptake of FE qualifications, rather than the proposed MER which it was suggested may only affect 4000-6000 students
- suggestion that poor practice such as unconditional offers should be dealt with by the Office for Students
- respondents highlighting that students receive their A level grades in August yet student finance applications are made earlier in the year, meaning Student Finance England would tentatively approve finance in the spring and then reconfirm or withdraw it in the summer

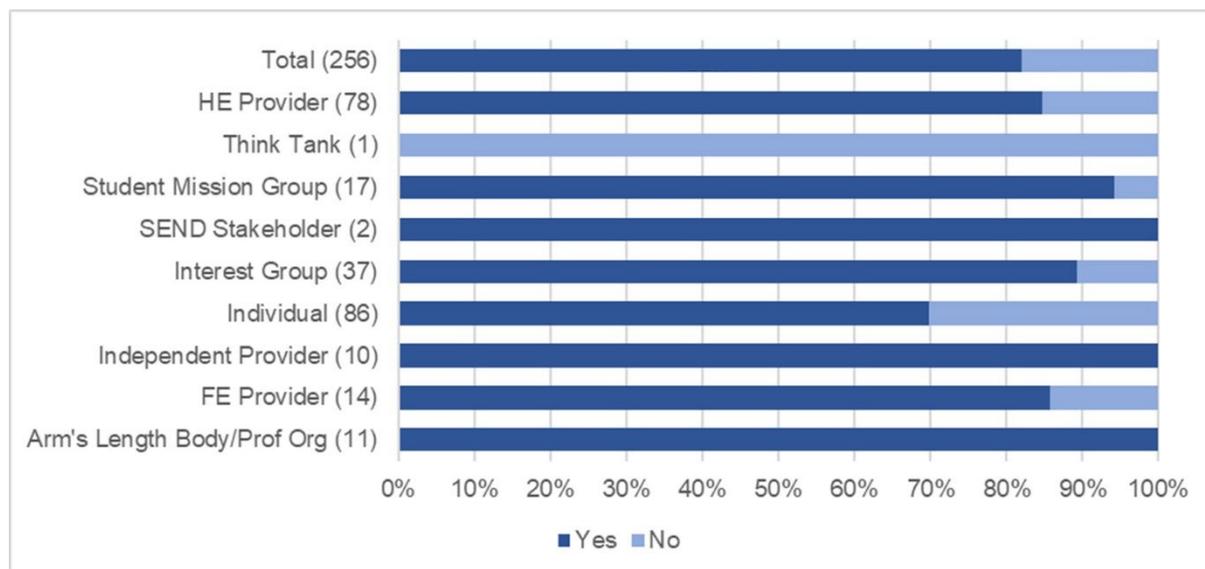
### **Differences by respondent type**

The proportions of responses by stakeholder group, across all themes, were generally aligned with the overall proportion of responses coded under each theme.

### **Question 8(a) Do you agree that there should there be an exemption from MERs for mature students aged 25 or above?**

Just over four-fifths (82%) of 256 respondents agreed that mature students should be exempt from MERs, with just under one-fifth (18%) disagreeing that these learners should be exempt. All stakeholder groups, barring the think tank, were more likely to state 'yes' to this question than 'no'. Individuals were the least likely to agree, other than the think tank, although a significant majority nonetheless agreed. All arm's length bodies, independent providers and SEND stakeholders agreed with exempting mature students from MERs.

**Figure 4: Question 8(a) Respondents by Stakeholder Group**



## Question 8(b) Why do you say this?

Open text responses to this question and related text in emailed responses was provided by 224 respondents. Most commonly these responses included either a statement of general agreement, suggested changes to the age limit for the exemption, disagreement with MERs overall or supportive statements suggesting that mature student experience is more relevant than previous qualifications. A smaller number of respondents suggested other groups to be exempt or alternative MERs, while a similar proportion expressed general disagreement with the exemption for mature learners.

### General agreement (84 or 38%)

The greatest number of respondents expressed general agreement with the proposed exemption, with many not including a reason for their response. A small number of these respondents emphasised that this exemption would be required to support the Government's approach to facilitating lifelong learning.

### Change in age criteria suggested (68 or 30%)

Many respondents called for the age criteria for the proposed exemption to be altered. There was consensus among these respondents to change the eligibility criteria to learners aged 21 and above, as opposed to the proposed age of 25. One of the main reasons provided for this was to ensure the criteria matched the historic definition of mature students used by the HE sector, whom universities do not apply standard admission requirements to currently.

Respondents suggested that a criterion of age 25 and above is at odds with the Office for Students' and UCAS definition of 21 and above, this would cause confusion within the sector and by individuals applying to HE.

### **No MERs at all (63 or 28%)**

A number of respondents re-emphasised their overall disagreement with MERs in their response to this question. Some of these respondents went on to suggest that they would accept any exemptions recommended as, while they would prefer that MERs were not introduced, if implemented they would want to maximise the number of exemptions and therefore the volume of students exempted.

### **Yes, other experiences are more relevant (52 or 23%)**

Some respondents expressed agreement with the proposed exemption for mature learners, with many of these responses reasoning that mature learners commonly develop equivalent skills from work related training, and such experience would be more relevant than previous qualifications obtained.

Some respondents also noted that the time lag between obtaining qualifications, such as GCSEs and A levels, and HE enrolment can in some cases be substantial, thus qualifications gained may no longer be an accurate reflection of the individuals academic potential. Thus, respondents expressed that it would be important to consider workplace knowledge, skills and training completed.

A small number of respondents expressed concerns that if mature learners were not exempt from the proposed MERs it would risk further decline in demand for part-time learning as commonly, mature learners continue working or have caring responsibilities while studying.

### **Suggested other groups to be included (10 or 4%)**

Suggestions to exempt other groups from MERs were proposed by a small number of respondents. Groups suggested included disadvantaged students, students from poor performing schools, individuals with SEND and students with widening participation indicators.

### **Disagreement (8 or 4%)**

A small proportion of respondents expressed general disagreement with the proposed exemption without offering a reason or expressed disagreement on the grounds that the proposed exemption would be unfair. It was felt that, if implemented, MERs should be applied without exemption to ensure equality of access for all learners.

## Other MERs suggested (6 or 3%)

A variety of other MERs were suggested, including:

- only applying MERs to subjects relevant to a student's chosen course
- work-based learning qualifications to be included as equivalent qualifications to meet the proposed MERs
- allowing HE providers to waive MERs as they see fit in exceptional circumstances
- requiring individuals with relevant work experience to provide evidence that their role links to the course they are applying for

## Other Comments (13 or 6%)

Other comments not fitting with the above themes are listed as follows:

- suggestions to improve funding and access to Level 2 and 3 training courses for mature learners to prevent intergenerational unfairness
- suggestions to improve current HE provision to generate better outcomes rather than limiting access
- concern that disadvantaged students who do not meet the MER at 18 would be barred from accessing HE until 25, undermining the widening participation agenda
- suggestions to introduce skills testing for mature learners to ensure they have the right knowledge and skills if they do not hold qualifications that meet the proposed MER

## Differences by respondent type

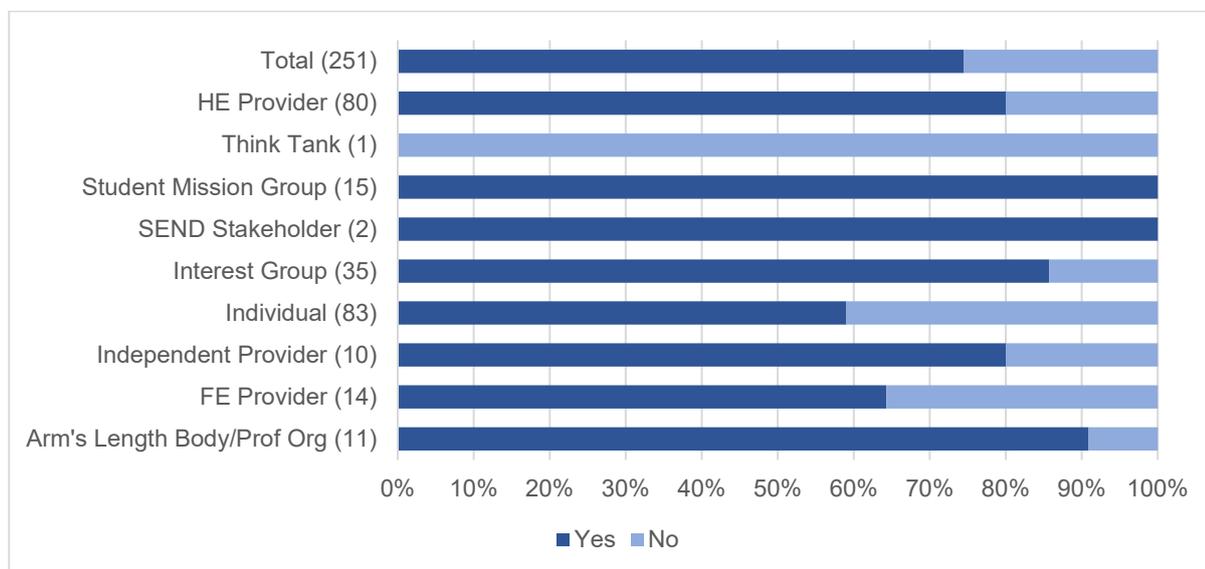
Individuals were less likely than other stakeholder groups to express general agreement with the proposed exemption, however they were the most likely to comment that MERs should not be used at all. HE providers and Student mission groups were more likely than other stakeholder groups to suggest changing the age criteria for mature learners from 25 to 21. Across all other themes, the proportion of responses by stakeholder groups were broadly aligned with the overall proportion of responses coded under each theme.

## Question 9(a) Do you think there should be an exemption from MERs for part-time students?

Of the 251 respondents who replied to the quantitative question, three quarters (75%) agreed that part-time students should be exempt from the proposed MERs, leaving one-

quarter (25%) disagreeing. Excluding the sole think tank, all other stakeholder groups were more likely to agree with exempting part-time students from MERs than disagree. Student mission groups, SEND stakeholders and arm's length bodies were the most likely to agree. Although Individuals and FE providers were among the least likely to agree, these respondents were still more likely to agree than disagree.

**Figure 5: Question 9(a) Respondents by Stakeholder Group**



### Question 9(b) Why do you say this?

A total of 199 respondents, including emailed responses, provided qualitative responses or related text to this question. Most commonly these respondents expressed overall disagreement with the proposed MERs, general agreement with exemptions for part-time students and agreement on the grounds that these students have other responsibilities, such as employment or caring responsibilities, which could have affected their prior attainment. Others included comments disagreeing with the proposed exemption either generally or on the grounds that there should be parity between full-time and part-time students. A small number agreed with the proposed exemption due to part-time students commonly having additional workplace experience and skills.

#### No MERs at all (66 or 33%)

Most commonly, respondents indicated that they disagree with the introduction of a MER and thus do not wish for them to be implemented. Although a large proportion of these respondents did not give reasoning for their view in response to this question, some reiterated point raised in Question 5(b), that responsibility should lie with HE providers to decide who is accepted onto courses and is thus eligible for student finance. Other respondents continued to restate the view that MERs would have a disproportionate impact on disadvantaged students and others with widening participation indicators.

## **General agreement (51 or 26%)**

Some respondents gave supportive statements to exclude part-time students from the proposed MERs. Those providing reasoning for this view suggested part-time students are more likely to be mature students, from disadvantaged backgrounds and or face other barriers to accessing HE. A small proportion expressed agreement with the reasoning provided in the consultation document.

## **Agree, financial and other responsibilities (36 or 18%)**

A number of respondents agreed with exempting part-time students from MERs on the basis that these individuals have differing demographics and responsibilities to that of full-time learners. Some respondents suggested that part-time students are more likely to have caring responsibilities or be financially disadvantaged that require them to work alongside their studies. These respondents went on to suggest that such additional responsibilities may have unfairly disadvantaged these students, resulting in them not achieving the proposed MERs. Others also held the view that these individuals are more likely to need access to student finance to support their educational aspirations alongside their additional responsibilities.

Some respondents suggested that those wanting to study part-time are more likely to be mature students and therefore, similar to reasoning provided in the previous question, these students should be exempt from the MERs due to having employment-based experience, skills and qualifications. Others went on to suggest that part-time students, who are more likely to be mature students, should be exempt from MERs as this would facilitate access to education throughout their lives and therefore not contradict the Governments Lifetime Skills Guarantee.

A small number of respondents suggested that part-time students pose less financial risk to the state than full-time learners as they are more likely to complete their studies, have a clearer plan for employment upon completion and are more likely to pay back a greater proportion of their loans. Therefore, exempting such students who do not reach the MERs would allow these students to study in a way that offered better value for money to the Government and taxpayer.

## **Same expectations as full-time (28 or 14%)**

A smaller proportion of respondents disagreed with the proposed exemption for part-time students on the grounds that there should be equality between part-time and full-time learners. Some expressed confusion as to why part-time students should be treated differently to full-time students when the academic expectations are the same. These respondents went on to suggest the exemptions for full-time study, such as for mature learners, should be consistent with part-time study.

There was some suggestion that under the proposed exemption younger students, typically between the ages of 18 to 24, would be barred from full-time study if they do not meet the proposed MERs but would be enabled to study part-time. This caused confusion for some respondents, with others stating this would be unfair as these students would be forced to be undertaking undergraduate study for a longer period. Some expressed that these individuals may have to take on additional responsibilities such as employment alongside their studies, which could lead to higher dropout rates, contrary to the desired outcome of MERs.

### **General disagreement (7 or 4%)**

A small number of respondents expressed general disagreement with the proposed exemption for part-time students. Some suggested that if this were implemented it would significantly affect outcomes for part-time study, as those not reaching the proposed MERs for full-time study would choose to study part-time instead.

### **Agree, other experiences (7 or 4%)**

A few respondents suggested that part-time learners commonly have skills and experience gained through employment which would demonstrate their capacity for degree level study in the absence of qualifications meeting the MERs. Thus, there was suggestion that part-time student applications should be reviewed on an individual basis, rather than through MERs, to determine whether applicants can be enrolled on their chosen course and access student finance.

### **Other comments (12 or 6%)**

Other comments which do not align with themes outlined above include suggestions that:

- other individuals should also be exempt, such as disadvantaged students, students aged 21 and above and care leavers or care experienced
- interviews should be required for part-time students
- further analysis on the risks of MERs to access to HE for part-time students is required

### **Differences by respondent type**

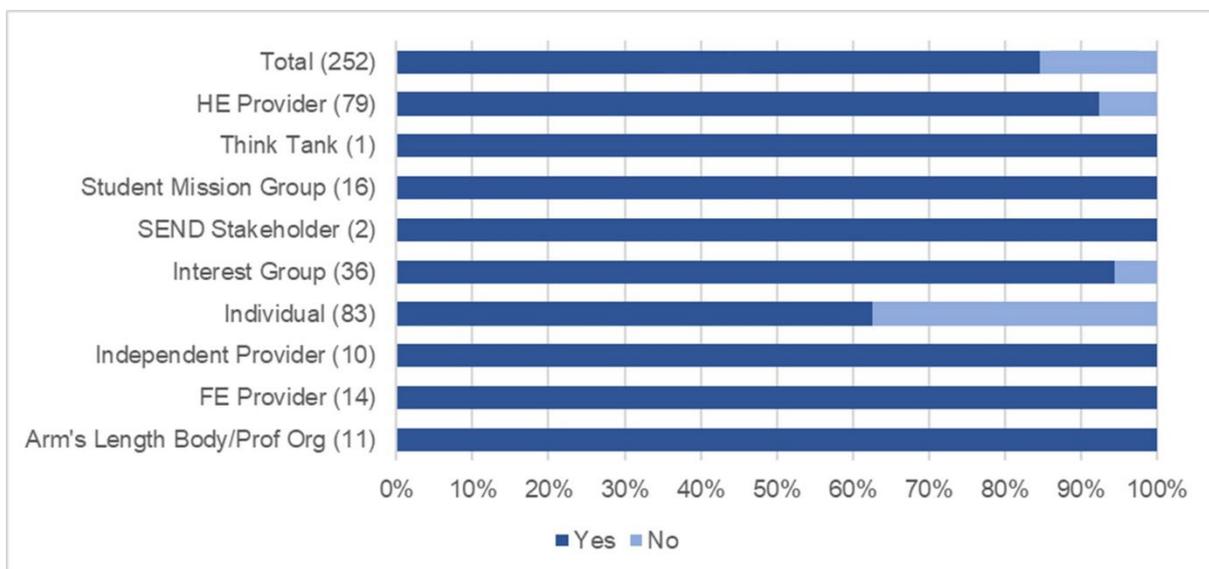
Independent providers were vastly more likely than the overall average to express overall disagreement with the introduction of a MER and general agreement with the exemption for part-time students. FE providers were significantly less likely to express overall disagreement with the introduction of a MER in their response to this question. Students Mission Groups were more likely than other stakeholder groups to agree with the proposed exemption on the grounds that part-time students have financial and other responsibilities. Across all other themes, the proportions of responses by stakeholder

group were largely aligned with the overall proportion of responses coded under each theme.

## Question 10(a) Do you agree that there should be an exemption to the proposed MERs for students with existing level 4 and 5 qualifications?

A large majority (85%) of the 252 respondents to this question stated 'yes', agreeing that students with existing level 4 and 5 qualifications should be exempt. A small proportion (15%) disagreed. All stakeholder groups were more likely to agree with the proposed exemption for these students than disagree. Individuals were the most likely to disagree with just over one-third of these respondents stating 'no'.

**Figure 6: Question 10(a) Respondents by Stakeholder Group**



## Question 10(b) Why do you say this?

A total of 194 respondents provided an answer to this question or relevant text through an emailed response. Most commonly these responses expressed either general agreement with the proposed exemption for those with existing level 4 or 5 qualification or agreement on the grounds that these individuals have already demonstrated a higher aptitude. Many respondents also expressed overall disagreement with the introduction of a MER. A small number agreed with the exemption on the grounds that flexibility is required to ensure a range of qualifications are accepted or with the caveat that the level 4 or 5 qualifications are relevant to the student's desired course of study.

## **Already demonstrated a higher aptitude (75 or 39%)**

There was general consensus among these respondents that those with existing level 4 and 5 qualifications would have already gained the skills, experience and knowledge required to successfully complete a qualification at level 6. Some also went on to suggest that level 4 and 5 qualifications should matter more than the level 2 and 3 qualifications as, alongside being at a higher level, they would have been completed more recently and are therefore a better reflection of the student's ability. Respondents also suggested that these higher-level qualifications can demonstrate a greater level of readiness for degree level study than GCSEs and A levels.

The view was also expressed that for students to have completed a level 4 and or level 5 course without reaching the proposed MER demonstrates that their lack of certain qualifications has not impeded their progress.

## **No MERs at all (55 or 28%)**

Some respondents used their response to reinforce their disagreement with introducing MERs at all. Reasons stated included the potential divisive impact on students with widening participation indicators, as explained in Question 5(b), whereby certain students are more likely to receive lower average grades at level 2 and 3 due to factors outside of their control. Respondents also went on to suggest the responsibility of eligibility should remain with HE institutions to assess individual context of individuals. Thus, all students accepted onto a course should be eligible for student finance.

## **General agreement (45 or 23%)**

Respondents expressed general agreement with the proposed exemption for level 4 and 5 qualifications, with many not offering a reason for their view. A small proportion expressed agreement on the basis that they do not support the introduction of MERs and would therefore accept all proposed exemptions. A few respondents suggested that introducing this exemption may incentivise the Government's LLE strategy, especially attracting those with previous level 4 and or 5 qualifications back to education.

## **Agree, to maintain flexibility (14 or 7%)**

Some respondents suggested that this exemption would be required to ensure that there is flexibility within the system to ensure a wide range of qualifications, and education pathways, are accepted. Some held the view that the introduction of a MER could force students to retake qualifications below the level they currently hold, which it was felt would penalise these individuals and act as a deterrent for continued study.

Respondents also express the view that exempting these individuals from MERs could increase awareness of different pathways into higher education and allow greater flexibility of choice for individuals to choose routes most suitable for them.

## **Agree, if the qualifications are relevant (9 or 5%)**

A small number of respondents expressed agreement with the proposed exemption with the stipulation that the level 4 and or 5 qualification held had direct relevance to the level 6 qualification the student was applying to. Such relevance was linked to both the subject or industry but also included if the previous qualification was time relevant.

For example, these individuals could be exempt from the MERs at level 2 and 3 if their level 4 or 5 qualification was directly related to their desired course of study whereby the skills and understanding already gained are developed at level 6. Others went on to suggest that mature learners may have a significant period of time between receiving their level 4 or 5 qualification and applying to level 6. Concerns were raised that the skills and knowledge gained may no longer be applicable nor relevant to those at level 6. Therefore, to avoid ill-prepared students undertaking undergraduate studies, respondents suggested the level 4 and 5 qualifications are evaluated before exemptions are applied.

## **Other comments (11 or 6%)**

Other comments included:

- the view that technical or other qualifications should not be used to test aptitude for HE or to replace assessment of numerical and literacy aptitude through the GCSE MER
- suggestion that it seems to run contrary to the stated government aim of establishing HTQs as equivalent in status to level 6 degrees if they have different entry requirements
- recognition that learners exist who have obtained level 4 or 5 qualifications but without meeting the proposed level 2 or 3 MER suggests that the introduction of a MER at level 2 and 3 would have restricted or dissuaded these individuals to continue their studies

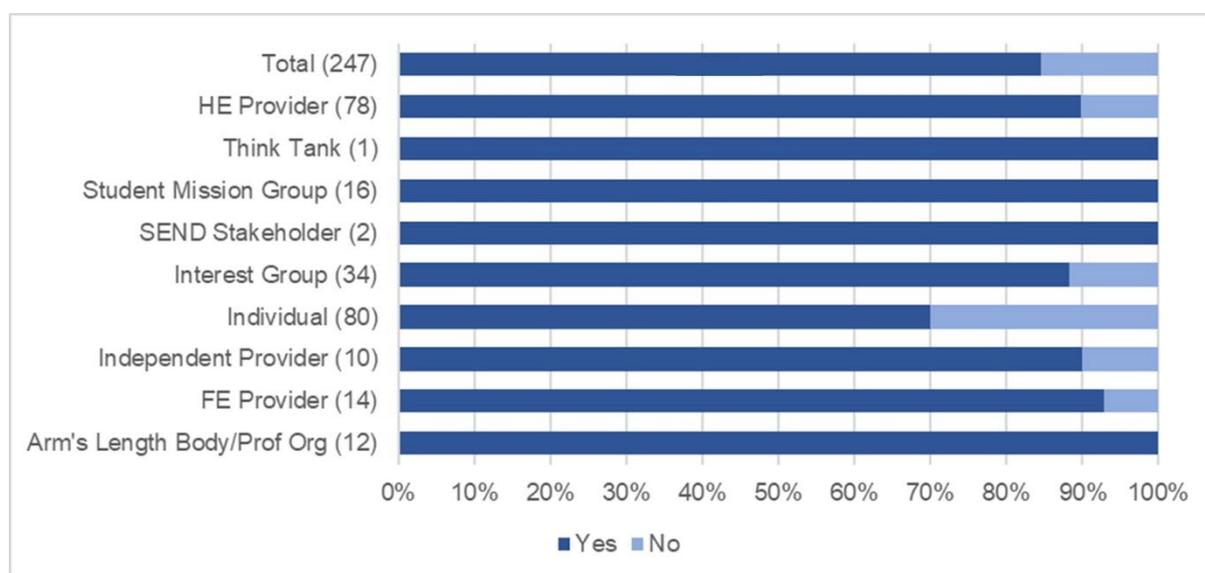
## **Differences by respondent type**

HE and FE providers were more likely than the overall average to agree with the exemptions on the grounds that these students have already demonstrated a higher aptitude, with Individuals and independent providers less likely than other respondents to make such comments. Student mission groups were more likely, and FE providers less likely, than other stakeholder groups to express disagreement with the introduction of a MER overall when responding to this question. Across all other themes, the proportions of responses by stakeholder group were largely aligned with the overall proportion of responses coded under each theme.

## Question 11(a) Do you agree that there should be an exemption from any level 2 eligibility requirement to level 6 study for students with good results at level 3?

Of the 247 respondents answering this closed question, over four-fifths (85%) stated 'yes', demonstrating their general agreement with the proposed exemption from the level 2 MER if students possess good results at level 3, with less than one-fifth (15%) disagreeing with this exemption. Across all stakeholder groups, respondents were more likely to agree with this exemption than disagree, with proportions of agreement ranging from just over two-thirds to all of the respondents in the stakeholder group. Individuals were the most likely to disagree with just under one-third stating 'no' to this exemption.

**Figure 7: Question 11(a) Respondents by Stakeholder Group**



## Question 11(b) Why do you say this?

Of the 194 qualitative responses, including emailed responses, most commonly respondents shared views disagreeing with the use of MERs overall, or expressed either general agreement with the proposed exemption or agreement on the basis that students will have demonstrated a higher skill level than that required under the proposed GCSE MER. A smaller number of respondents expressed agreement on the grounds that the proposed exemption gives students a second chance. Others stated that while they agree with the proposed exemption, they feel that HE institutions should be given the discretion to make these decisions. Comments also included suggestions for other MERs and agreement with the proposed exemption with the caveat that the level 3 qualification the student has good results in is relevant to their desired course of study.

## **No MERs at all (58 or 30%)**

Most commonly, respondents reiterated their disagreement with the overall intention of MERs as outlined in Question 5(b), suggesting that they could have discriminatory impacts on certain groups of students. Many went on to explain their view that HE institutions should be able to continue to use contextual information they have about prospective students to be able to assess their eligibility.

## **General agreement (56 or 29%)**

Many respondents shared statements of general agreement with exempting individuals with good results at level 3 from the level 2 requirements. Some of these respondents stated that they are supportive of such exemptions due to their overall opposition to the implementation of MERs.

## **Agreement as higher skills demonstrated (49 or 25%)**

A similar proportion of respondents held the view that they agree with the proposed exemption due to the students having demonstrated their skills and understanding at a higher level than the level 2 MER. It was suggested that good performance at level 3, commonly in subjects of more direct relevance to a student's desired course of study, would more sufficiently demonstrate aptitude for degree level study over their prior attainment.

Some respondents agreed with the proposed exemptions on the basis that student who underperform at GCSE level yet achieve well at level 3 should be rewarded for making rapid progress. A small number suggested that performing well at level 3 not only shows good progress but also demonstrates that gaps in knowledge and skills have been filled, thus attainment prior to level 3 should be overlooked.

## **Agreement due to providing a second chance (18 or 9%)**

A few respondents expressed agreement with the proposed exemption on the basis that it would provide a second chance for those who did not achieve well at level 2 to meet the MER.

These respondents commonly drew connections between underperformance at GCSE with students attending poor performing schools and or being from a disadvantaged background and those with disruption to their educational journeys. They suggested that the attainment of these students between level 2 and 3 can drastically improve due to, for example, moving school environment or having more control over subject choices at level 3. Respondents felt that these individuals should not be penalised by poor prior attainment which in some cases may have been due to circumstances largely out of their control.

Others suggested that students develop and mature at different rates, and in some cases come to a late realisation of wishing to progress onto study at HE. As a result, respondents felt it would be unfair to exclude these individuals if they demonstrate significant progress between level 2 and 3.

Some respondents expressed a general view that students should not be held back by prior attainment at level 2 if they have demonstrated good progress at level 3. These respondents went on to comment that if such an exemption is necessary it demonstrates students' ability to overcome poor prior attainment, something which they felt undermined the rationale for setting a MER at any level.

### **Agreement, but may depend on course and provider (12 or 6%)**

A small number of respondents expressed overall agreement with the proposed exemption, while suggesting that this could be dependent upon the requirements of the course and provider. For example, there were suggestions that some courses or providers may wish to keep one, or both, of the maths and English GCSE requirements on the basis that the skills demonstrated in these assessments are required for certain courses.

Others suggested that institutions may want to consider the context and background information surrounding underperformance at GCSE for each applicable individual, meaning such an exemption would not be automatic.

### **Agreement if the qualification is relevant (7 or 4%)**

A few respondents caveated their agreement with the proposed exemption on the basis that the student's level 3 qualification should be directly related or relevant to the course of study they are applying to. For example, a student who achieved good results in a physical education level 3 course should not be automatically exempt from the GCSE MER if they are applying to an economics degree as the skills, knowledge and understanding gained on the level 3 course are not directly relevant to the degree.

### **Other comments (12 or 6%)**

Comments not aligning with any of the above themes included:

- the view that a MER should only be introduced at either level 2 or level 3 to limit confusion
- suggestion that the proposed exemption could present administrative complications due to the number of qualifications available at level 3
- suggestion that those missing out on the GCSE requirements could be incentivised to undertake these qualifications alongside their degree

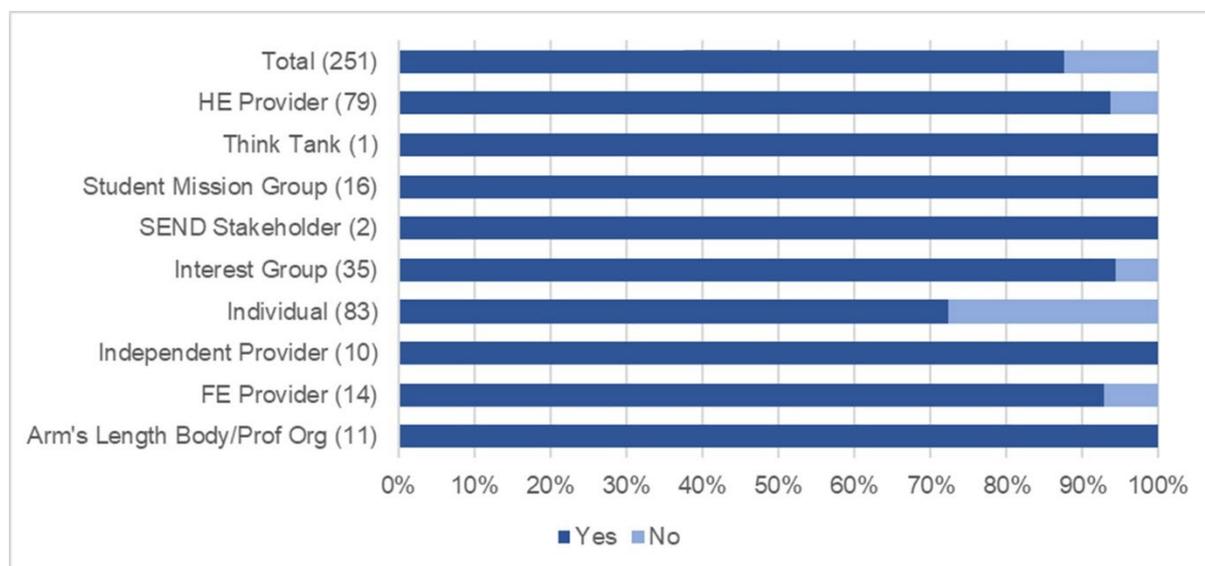
## Differences by respondent type

Student mission groups and independent providers were more likely to express overall disagreement with the introduction of a MER than the other stakeholder groups. independent providers were more likely, and FE providers less likely, than other stakeholder groups to express general agreement with the proposed exemption. The proportions of responses by stakeholder group for all other themes were generally aligned with the overall proportion of responses coded under each theme.

## Question 12(a) Do you agree that there should be an exemption to MERs for students who enter level 6 via an integrated foundation year, or who hold an Access to HE qualification?

The vast majority (88%) of the 251 respondents to this closed question stated 'yes', agreeing with the proposed exemption for students entering level 6 through an integrated foundation year or who hold an AHE qualification. A small proportion (12%) disagreed, stating 'no'. Across all stakeholder groups, respondents were more likely to agree with the proposed exemption. Individuals were the least likely to agree, however, a majority of this group were still in agreement, with nearly three quarters stating 'yes'. For all other stakeholder groups, over 9 in 10 respondents agreed.

**Figure 8: Question 12(a) Respondents by Stakeholder Group**



## Question 12(b) Why do you say this?

Across emailed responses and direct responses to the consultation, 184 respondents provided answers to this question. The most common themes identified in these responses included agreement with this exemption on the grounds that these individuals

are equipped with the skills required for level 6 study and comments expressing overall disagreement with the introduction of a MER. Some respondents expressed general agreement without offering much reasoning while others who were in agreement with the exemption questioned what the purpose of these qualifications would be if not to facilitate access to HE for those who do not initially meet degree entry requirements.

### **Agreement, equipped with the right qualifications and skills (72 or 39%)**

Most commonly, respondents indicated their agreement with the proposed exemptions as they felt that foundation year and AHE qualifications equip individuals with the necessary skills for study at level 6. Respondents expressed that if a student can complete a course of study designed to offer a direct route to level 6 then they are capable of completing a level 6 qualification, irrespective of their attainment at level 2 and 3.

Some also suggested that individuals from underrepresented groups commonly take these routes and that without the proposed exemption, MERs would have a disproportionate impact on access to HE for these groups. It was suggested that this exemption would be required to encourage a more diverse student population at level 6 and promote diversity in the range of pathways into level 6 study, thus giving students a greater choice.

### **No MERs at all (50 or 27%)**

Some respondents used the open text response to express disagreement with the implementation of MERs overall. These mirrored previous comments outlined in question 5(b) suggesting decisions regarding a student's eligibility for finance should lie with HE institutions when determining their eligibility for the individual courses.

### **General agreement (35 or 19%)**

A number of respondents indicated general agreement with the proposed exemption, with many not giving reasoning for such a view while others stated that they agreed with the reasoning outlined in the consultation document. Some respondents commented that, given their overall opposition to the introduction of the MER, they would support such exemptions.

A few respondents suggested this exemption would be consistent with the Government's aim to increase opportunity through the LLE.

### **Agreement, questioning the purpose of these qualifications otherwise (30 or 16%)**

Some respondents agreed with the proposed exemption to MERs for individuals who have completed an integrated foundation year or who hold an AHE diploma on the basis that the purpose of such courses is to facilitate progression to HE for those without the

required degree entry qualifications. Many concluded that these courses would not serve their intended purpose if the students taking these routes were not exempt from the level 2 and 3 MERs.

Alongside these comments questioning the purpose of these courses if the proposed exemption were not applied, respondents raised previously summarised points about foundation years and AHE qualifications providing sufficient preparation for level 6 study. They also raised concerns that without the exemption, MERs could disproportionately restrict access to HE for under-represented.

### **Other comments (26 or 14%)**

Other comments in addition to the above themes included suggestions that:

- literacy and numeracy assessments and or qualifications would still need to be undertaken for those missing the level 2 requirements
- AHE and integrated foundation year provision should be expanded, to provide meaningful support to those students who would otherwise be excluded from HE
- the view that if a MER is to be introduced there should be equitability for all students through removing any exemptions
- further consideration is required regarding potential exemptions for international qualifications and equivalencies

### **Differences by respondent type**

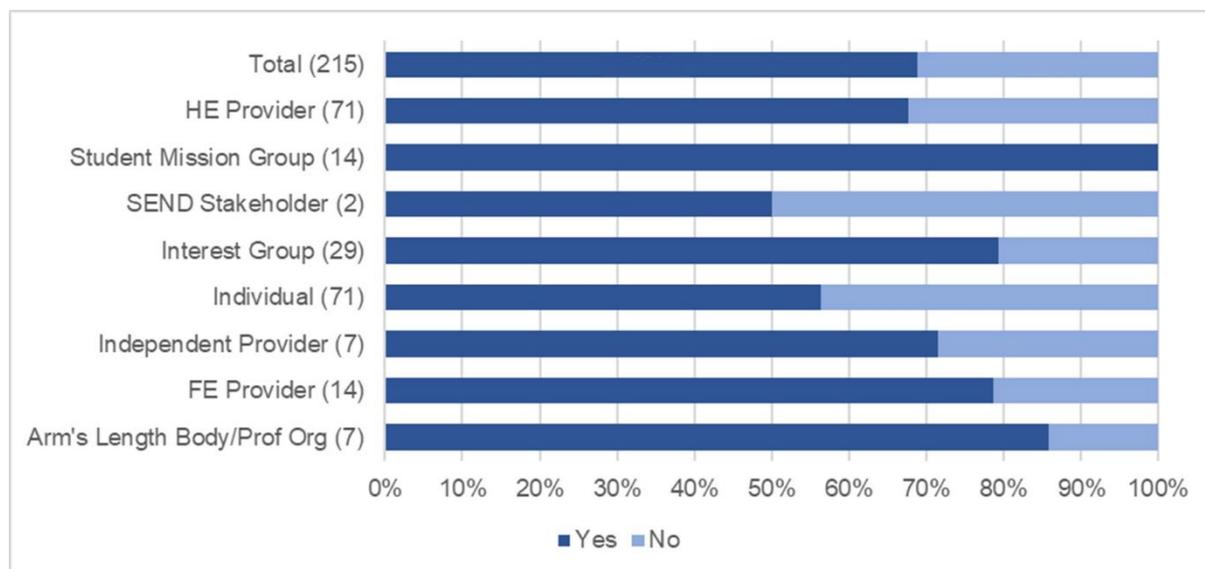
FE providers were more likely than other stakeholder groups to agree with the proposed exemption on the grounds that integrated foundation year and Access to HE students are sufficiently equipped to succeed at degree level. Individuals were most likely to express disagreement with the introduction of a MER overall in their response to this question. independent providers, student mission groups and SEND stakeholders were more likely than other stakeholder groups to express general agreement with the proposed exemption. Across all other themes, the proportions of responses from each stakeholder group was broadly aligned with the overall proportion of responses coded under each theme.

### **Question 13(a) Are there any other exemptions to the minimum eligibility requirement that you think we should consider?**

A total of 215 respondents provided an answer to this closed question. Over two-thirds (69%) of respondents stated 'yes', that there were other exemptions that DfE should consider regarding the introduction of a MER. This left fewer than one-third (31%) stating

'no', indicating all exemptions had been considered. Across all stakeholder groups, barring SEND stakeholders who showed an equal divide in responses, respondents were more likely to state 'yes' than 'no'. Following SEND stakeholders, individuals were more likely to answer 'no' than other stakeholder groups.

**Figure 9: Question 13(a) Respondents by stakeholder groups**



### Question 13(b) Why do you say this?

A total of 113 respondents provided an open text response to this question. Most commonly, respondents emphasised their disagreement with the introduction of a MER overall. Some respondents suggested further exemptions including for SEND students, those from disadvantaged backgrounds and care experienced students. Smaller numbers suggested exemptions for migrants, refugees, and those with English as an additional language. Some discussed the applicability of the MER to certain courses alongside the need to include other qualifications which were not named explicitly in the proposals.

#### No MERs at all (40 or 35%)

Some respondents expressed disagreement with the introduction of a MER overall in their open text response, reiterating concerns outlined in question 5(b) such as the potential disproportionate impacts of MERs on certain groups, especially those with widening participation indicators, and reduced ability of HE providers to set their own entry requirements which take into account contextual information.

#### SEND students (35 or 31%)

Students with SEND and additional learning needs were suggested by some respondents as students who should be exempt from the proposed MERs. Reasons

provided for this view included specific difficulties some students have with certain qualifications, such as GCSE maths for those with dyscalculia and GCSE English for deaf students. A large proportion of these respondents emphasised their view that, while many SEND students can struggle to thrive socially and educationally in a school setting, they regularly thrive in HE as they find courses and institutions who can support their needs and preferred learning styles.

### **Low income and disadvantaged students (21 or 19%)**

Some respondents expressed the view that students from certain socio-economic backgrounds should be exempt from the proposed MERs. Suggestions included students on FSM, those with low household incomes, those who are the first generation in their family to attend university and students from schools where progression into HE is low.

Some of these responses suggested that imposing the proposed MERs would work against the Government's levelling up agenda or risk being in violation of the Equality Act. Recommendations were made for lower income and disadvantaged students to be exempt, which would include students with other additional widening participation indicators, to ensure HE institutions are diverse and inclusive. Respondents felt these individuals should not be penalised for circumstances out of their control, such as an inability to pay for additional tutoring or attending lower performing schools or colleges.

### **Care experienced students (17 or 15%)**

It was suggested that care leavers and care experienced students often have disrupted educational journeys for reasons outside their control. As a result, respondents felt these students would be unfairly penalised if they were not exempt from the proposed MERs. Some went on to highlight that care leavers regularly take up employment instead of completing studies to level 3, therefore, respondents suggested that if these individuals wish to return to education to improve their employment outcomes, they should not be excluded from doing so due to their disrupted school education.

### **Migrants, refugees, and those with EAL (9 or 8%)**

A small number of respondents highlighted groups of students who may have had disrupted learning journeys for other reasons such as moving country, either as a migrant or asylum seeker, and those with English as an additional language. It was felt that these students would have faced disruption to their learning and may find English GCSE difficult if they are new to the language. Respondents suggested these students can often excel in the future once they are settled and their English language skills have improved, therefore they should not be limited by a subject solely based on language skills.

## **Other qualifications (8 or 7%)**

Respondents made suggestions for the inclusion of additional qualifications within the proposed MERs. These included Functional Skills level 2, which it was felt would help ensure that those on non-traditional pathways in education and those on apprenticeships could access HE. It was suggested that the addition of T Levels and National Vocational Qualifications (NVQs) would ensure that a wide variety of educational pathways were included within MERs proposals. There was also suggestion that performing arts qualifications should be accepted for relevant performing arts courses if a student does not meet the proposed MERs.

## **Where maths and or English are not relevant (6 or 5%)**

Some respondents felt that the English and maths GCSE MER should be waived for courses where one, or both, of these subjects is not relevant. Frequently mentioned examples of such courses included creative and performing arts courses. A few respondents suggested that this exemption could apply where students have faced extenuating circumstances and as a result have missed out on the required GCSE grades.

## **Other comments (33 or 29%)**

Other suggested exemptions included:

- students facing extenuating or mitigating circumstances during their exams or exam years
- youth offenders, as they have faced disruption to their learning
- members of the military and their families.
- those who have completed foundation years or who are applying to integrated foundation years
- home schooled students
- courses requiring auditions or the submission of portfolios
- certain postcodes with high deprivation or other socio-economic geographic indicators to inform areas for exemptions

## **Differences by respondent type**

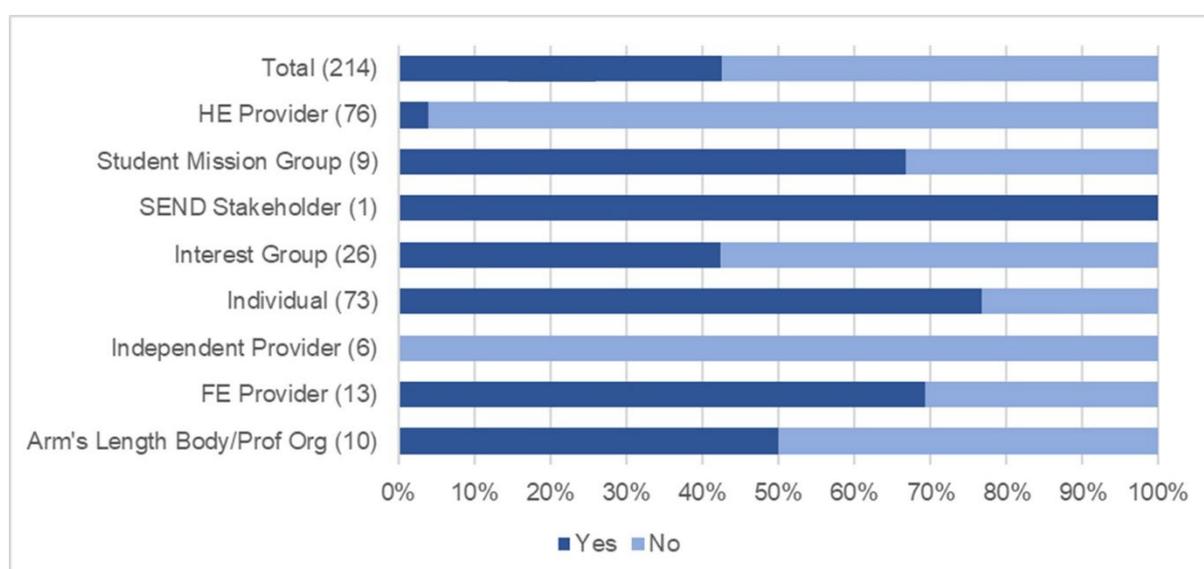
The proportions of responses by stakeholder group, across all themes, were generally aligned with the overall proportion of responses coded under each theme.

## Section B: Access to HE in England

### Question 14(a) Do you agree with reducing the fee charged for foundation years in alignment with Access to HE fees?

Of the 214 respondents who answered this question, 43% agreed and 57% disagreed with reducing foundation year fee and loan limits. However, views differed between stakeholder groups. HE providers were least likely to agree with reducing foundation year fees, with fewer than five percent answering 'yes'. Individuals were most likely to agree, with more than three quarters answering 'yes', and over two-thirds of student mission groups and FE providers agreeing. Around half of those responding on behalf of interest groups and arm's length bodies answered 'yes'.

**Figure 10: Question 14(a) Respondents by Stakeholder Group**



### Question 14(b) Why do you say this?

Across the 191 qualitative responses to this question including the 20 emailed responses, most comments expressed opposition to, or concerns about, the proposed foundation year fee cap reduction. Many highlighted ways in which foundation year provision is different to AHE diplomas, suggesting that these differences justify charging higher fees. Many also suggested that reducing foundation year fee and loan limits would risk the quality and viability of many foundation year courses, often suggesting this would have a subsequent negative impact on widening participation. A small proportion of responses expressed agreement with the proposed alignment of fee and loan limits.

## **Differences between AHE diploma and foundation years (84 or 44%)**

Comments coded under this theme largely suggested ways in which foundation years are different to AHE diplomas, with these differences considered as reasons that foundation year fee and loan limits should not be reduced.

### **Outcomes and progression**

Most frequently, responses coded under this theme suggested that student outcomes and progression are different for foundation years compared to AHE diplomas. Many suggested that foundation year students are more likely to progress and complete a degree compared with AHE diploma students, with a few citing OfS analysis that reportedly shows this to be the case. Some respondents also suggested that foundation years help to ensure that degree completion rates for disadvantaged students are comparable to those of the wider student cohort and are a key facilitator for widening access to HE. Overall, it was felt that foundation years provide better preparation for degree level study than AHE diplomas, particularly in STEM subjects, with some also suggesting that foundation years therefore provide a key pipeline for addressing skills shortages.

### **Course content and teaching**

Many responses coded under this theme also suggested that foundation years differed from AHE diplomas in terms of course content and teaching, with respondents commonly highlighting that foundation years are worth 120 credits while AHE diplomas are worth 60 credits. A few respondents suggested that foundation years were therefore cheaper than AHE diplomas on a cost per credit basis. Respondents also suggested that foundation years tend to be more tailored towards preparation for a specific degree subject, with the curriculum developed to align with the associated degree programme, whereas AHE diplomas tend to be more general in nature. Some therefore felt that foundation years have more in common with the first year of a degree than an AHE diploma, with a few highlighting the level 3 entry requirements of many foundation years as evidence of this.

### **University life and additional support services**

Some respondents suggested that one of the “distinct benefits” of a foundation year is the immersion into university life, including the additional university support services such as libraries, specialist facilities and student support services. It was felt that this introduction to HE community and culture, as well as the opportunity to study alongside undergraduates, builds academic confidence and familiarity with university systems which was viewed as an important factor in students’ success at degree level, particularly those from disadvantaged backgrounds. Furthermore, a few respondents suggested that the growing popularity of foundation years was evidence that students value such opportunities.

## Delivery costs

Respondents frequently commented that the costs of delivering foundation years are higher than those of delivering an AHE diploma, mainly because:

- students receive 120 credits' worth of teaching in a year compared to 60 credits on an AHE diploma
- foundation year students use the same facilities and support services and are taught by the same academic staff as at degree level and therefore incur similar costs to a degree year. It was thought this was particularly the case for STEM subjects and medical courses, where specialist facilities and equipment are required
- foundation year cohorts commonly have a significant proportion of disadvantaged students, who often require high levels of academic and pastoral support
- in general, the intensity of academic support required during foundation years is often greater than other degree years, which can make foundation years more expensive than a given degree year to deliver
- a few respondents cited research by KPMG which suggested that the delivery costs of foundation years ranged from £8,000 to £10,500, with STEM subjects the most expensive to deliver and often requiring cross-subsidisation from foundation years with lower delivery costs

## Benefits of AHE diplomas

A small number of respondents suggested benefits of an AHE diploma over a foundation year, including that AHE students have more flexibility in choosing where to study their degree than foundation year students. In addition, under current student finance models, AHE students do not lose their student finance 'grace' year.

## Risks to foundation year viability and quality (65 or 34%)

Alongside the above comments about the higher costs of delivering foundation years, respondents suggested that aligning foundation year fee and loan limits with AHE diplomas would risk the viability and quality of many foundation year courses. It was felt that reducing foundation year fee and loan limits would lead to a significant shortfall in funding and that, when faced with this issue, many HE providers may cease to offer foundation years. There was suggestion that foundation years for medical courses and some STEM subjects would be particularly vulnerable due to their higher delivery costs, with these courses becoming less viable if foundation year fee caps were aligned with AHE diplomas. Overall, it was felt that reducing fee caps would disincentivise HE providers from delivering foundation years and that this would limit student choice.

Alternatively, it was suggested that providers may address funding shortfalls by reducing the quality of their offering through, for example, increasing recruitment and or class sizes or reducing the level of support provided to students. Respondents commented that any reduction in the quality of foundation years could negatively impact student outcomes in terms of progression and completion of degrees, particularly for disadvantaged students.

### **Negative impact on widening participation (43 or 23%)**

Some respondents suggested that fee cap alignment would negatively impact widening participation, with these comments often made alongside some of the views expressed above related to the potential reduction in availability and quality of foundation year courses due to reduced fee income. Responses stressed the importance of foundation years as a progression route into HE and that any decrease in foundation year provision would restrict access to HE for disadvantaged students. It was also suggested that a decline in quality of foundation years, particularly regarding the level of additional support provided, could negatively impact outcomes and progression to degree level for under-represented groups. Some expressed the view that it would be difficult to provide the required level of support for students to achieve successful outcomes on a foundation year if fee and loan limits were reduced.

In addition, a few respondents suggested that there will be a greater need and demand for foundation years due to the lost learning that many students have experienced during the COVID-19 pandemic, which would not be met if there is a reduction in foundation year provision because of the proposed fee cap reduction.

### **Agree with fee cap alignment (41 or 21%)**

Some respondents expressed agreement with aligning foundation year fee and loan limits with those of AHE diplomas, typically suggesting that:

- the courses are similar in terms of level and outcomes and should therefore charge similar fees
- disadvantaged students would accrue less debt
- the amount charged would then reflect their equal value in terms of providing progression routes to HE

A few respondents suggested additional policy options, such as the introduction of maintenance grants or loans for AHE diplomas, the waiving of foundation year fees for certain skills shortage areas such as nursing, or exceptions being made for certain high-cost foundation years such as those related to STEM degree subjects.

## **Loans and maintenance funding (32 or 17%)**

Respondents made various comments relating to the loan and maintenance funding arrangements for foundation years and AHE diplomas.

Some comments expressed disagreement with aligning the two types of courses in terms of loan arrangements, as it was felt that many students rely on the maintenance loan funding that is currently available while studying a foundation year. There were suggestions that, should this maintenance loan no longer be available for foundation years, this would restrict access to HE for disadvantaged students.

Respondents also suggested that the recent increases in the popularity of foundation years suggests student choices are not predominantly motivated by fees, meaning that fee cap alignment would not significantly influence student choice. In contrast, a few respondents expressed concern that cheaper foundation year fees may encourage students to choose this option when an AHE diploma may be a more appropriate pathway for them.

A few respondents felt that foundation years represent better value for the taxpayer as the tuition fee loan is not written off upon completion of the degree. In contrast, there was some suggestion that foundation year loans should be written off upon completion of a degree, in the same way that AHE diploma fees are. A few respondents also requested clarity over whether AHE diploma fees would continue to be written off under the LLE proposals.

In addition, there were a few suggestions for ways in which the debt burden for students could be minimised without reducing funding for foundation years, including reducing or eliminating university tuition fees and reintroducing maintenance grants.

## **Government to make up difference (19 or 10%)**

Comments coded under this theme suggested that any shortfall in funding for foundation year provision because of the fee cap alignment with AHE diplomas should be made up through additional government funding. It was felt that this could mitigate some of the potential negative impacts on students and providers outlined under previous themes.

## **Other comments (23 or 12%)**

Respondents made various other comments about foundation year and AHE diploma provision in addition to the above themes, including:

- stressing the importance of foundation year provision for creating skills pipelines and providing access to HE for certain groups, as well as highlighting the popularity of such provision among students

- suggestions for measures to ensure quality and value for money in foundation year and Access to HE provision

Suggestions to increase the maximum fee cap for AHE diplomas rather than reducing the foundation year fee cap.

Calls for further review and research of the potential impact of the proposals and level of demand for the two types of provision before a decision is made about implementing the proposals.

## **Differences by respondent type**

HE providers and interest groups were more likely than individuals and FE providers to comment on the differences between foundation years and AHE diplomas and the risks to foundation year viability and quality that fee cap alignment may pose. Individuals were also somewhat more likely to agree with fee cap alignment than other stakeholder groups. Across all other themes, the proportions of responses by stakeholder group were generally aligned with the overall proportion of responses coded under each theme.

## **Question 15 What would the opportunities and challenges be of reducing the fee charged for most foundation years, and of alignment with Access to HE fees?**

Across the 177 qualitative responses to this question, including related text in emailed responses, most respondents suggested challenges as opposed to opportunities, with some explicitly stating they saw no opportunities in the proposals, only challenges. The most frequently suggested challenge was the concern, also highlighted in responses to the previous question, that reducing the maximum fee and loan limits for foundation years would risk the viability and quality of much foundation year provision. Relatedly, respondents suggested that reduced availability and quality of foundation year provision could negatively impact widening participation. Only a small proportion of respondents highlighted potential opportunities arising from the proposed fee cap alignment, including, and in contrast to the above concerns, which reduced foundation year fee and loan limits would widen access to this provision for disadvantaged students and improve student choice.

## **Risk to foundation year viability and quality (103 or 58%)**

Comments within this theme generally reiterated previously expressed concerns that reducing the maximum fee and loan limits for most foundation years would risk the viability and quality of much foundation year provision.

Respondents suggested various challenges arising from any reduction in the unit of resource available to deliver foundation years, highlighting that delivery costs are

significantly higher than the £5,197 AHE diploma fee cap. STEM and healthcare courses were frequently cited as courses with particularly high delivery costs, due to the specialist staff, equipment and facilities required. There was concern that any reduction in foundation year fee and loan limits would disincentivise providers from delivering foundation years, particularly in these higher cost subjects. Many of these comments were made alongside concerns about existing financial challenges that HE providers are facing due to the fee cap freeze coupled with rising inflation, which taken together was viewed as a real term reduction in funding.

Respondents also suggested that, where providers were able to continue delivering such provision, reducing foundation year fee and loan limits would compromise the quality of delivery. It was felt that students on foundation years often require more support than degree level students, which could be reduced if providers are forced to make cuts to delivery costs. There were suggestions that a reduction in fee and loan limits could lead to foundation years being taught by less qualified or experienced staff or with reduced access to specialist equipment and facilities, and that providers may increase their intakes to make up for funding shortfalls, with a resulting negative impact on student experience. There was a view from some that such a reduction in quality could reduce the effectiveness of foundation year provision in preparing students to succeed at degree level.

### **Negative impact on widening participation (46 or 26%)**

Linked to the above concerns, respondents suggested that any reduction in the availability and quality of foundation year provision would disproportionately affect disadvantaged students and negatively impact widening participation. It was felt that, should providers decide that such courses are no longer viable, fewer routes would be available for disadvantaged students to access HE. A few respondents commented that this could lead to some disadvantaged students, especially those who do not wish to undertake an AHE diploma, choosing to not enter HE at all.

Also linked to concerns expressed under the previous theme, respondents suggested that the potential for lower fees to reduce the level or quality of support available on foundation years would disproportionately impact disadvantaged students, as these students often require more intensive support. It was suggested that foundation years often result in better outcomes for disadvantaged students than alternative access to HE pathways and that any reduction in the quality of support would compromise these positive outcomes. Furthermore, a few respondents commented that the proposals could create a “vicious cycle” if coupled with OfS requirements related to student outcomes. Should reduced quality of provision impact student outcomes, this could potentially result in reduced provision due to not meeting OfS requirements.

A few respondents also disputed the assertion in the consultation document that the changes to fee and loan limits would have a positive impact on debt averse students,

commenting that this change would not significantly reduce the overall debt burden of a 3-year degree plus foundation year.

Alongside some of the above concerns were suggestions that, because of the potential negative impact on widening participation, the proposals to reduce foundation year fee and loan limits could work against the Levelling Up agenda

### **Other challenges (35 or 20%)**

Respondents highlighted other challenges in addition to the above two themes. These included suggestions that a reduction in fee and loan limits could:

- disproportionately impact smaller HE providers as it was felt that they were more vulnerable and less able to adapt to changes in funding
- lead to more students choosing to undertake foundation years who are primarily motivated by the lower cost, while not considering whether it is the most appropriate pathway for them
- cause a reduction in foundation year provision in strategically important subjects such as STEM and healthcare, potentially resulting in a restricted skills pipeline and skills shortages

### **Suggestions (28 or 16%)**

Some respondents made suggestions relating to the proposed fee cap alignment between foundation years and AHE diplomas. This included suggestion that:

- should fee caps be aligned, there should also be alignment of associated loan arrangements in terms of access to maintenance loans and existing fee waivers for AHE diplomas upon completion of a degree
- the government should provide replacement funding for the income lost through any reduction in foundation year fees

Respondents also suggested types of foundation year provision that should be exempt from any reductions in fee and loan limits, including STEM subjects, higher cost subjects in price groups A, B and C.1 and foundation years taken by students who require additional support to succeed, such as mature students.

### **Opportunities for widening access to HE (19 or 11%)**

A few respondents highlighted widening access to HE as an opportunity arising from the proposed fee cap alignment. It was felt that reducing foundation year fee and loan limits would support widening access by offering greater choice to students from low-income backgrounds and or those who are debt averse. Others suggested that it may encourage those who would normally choose an AHE diploma to consider a foundation year. In

addition, a few respondents suggested that foundation years generate better outcomes for students than AHE diplomas, and that reducing fees would therefore remove barriers for disadvantaged students to access a pathway to HE that they felt was of higher quality.

Greater student choice and equity (13 or 7%)

Related to the above themes, a few respondents felt that aligning foundation year and AHE diploma fee and loan limits would provide an opportunity to “level the playing field” by creating a simpler and fairer system of routes into HE. It was also suggested that fee cap alignment would result in greater overall student choice.

### **Other opportunities (9 or 5%)**

Other opportunities highlighted by respondents included the suggestion that fee cap alignment would:

- give FE providers opportunities to develop their AHE provision and potentially foster collaboration between HE and FE
- lower government costs by reducing the amount loaned which may not be paid back

Other comments (17 or 10%)

Respondents made other comments in addition to the above themes. These comments mostly included reiteration of previously articulated differences between foundation years and AHE diplomas. There were also suggestions that the issue of foundation year fee and loan limits requires further review and research, including consultation with the devolved administrations to better understand any potential unintended consequences of the proposals in the other nations of the UK.

### **Differences by respondent type**

HE providers were more likely than other stakeholder groups to cite risks to foundation year viability and quality as a key challenge. FE providers were less likely than other stakeholder groups to cite risks of fee cap alignment and to express the view that fee cap alignment would negatively impact widening participation.

### **Question 16 Do you agree there is a case for allowing some foundation year provision to charge a higher fee than the rest? Or is there another way for government to support certain foundation years which offer particular benefits?**

A total of 183 respondents provided an open text response to this question. Among those responses, just under two-thirds said ‘no’, when asked if they agreed there is a case for

allowing some foundation year provision to charge a higher fee than the rest, while just over a third said 'yes'.

Qualitative comments included disagreement with differential funding, suggested alternative approaches, concerns about the potential risk of deterring student selection of some courses, agreement with higher fees or suggested negative effects on widening participation.

### **No (76 or 42%)**

Many respondents just said 'no', while a few gave a more considered explanation of why they disagreed with the question. Their wider responses have been coded under the headings below.

### **Yes (43 or 23%)**

Some respondents said 'yes' but explained in their answer that they were comparing foundation year provision with other provisions, such as access courses, rather than comparing different foundation years. Others who said 'yes' explained their view that the unit cost of funding should be in line with full undergraduate tuition fees for all courses or relate to subject price groups. Some respondents said 'yes' but included a caveat that this might bring some of the issues described below. A few emphasised that the higher fee should be covered by the government rather than the student.

### **Disagree with differential funding (42 or 23%)**

Respondents that disagreed with differential funding gave the following reasons for this view:

- a belief that there is no other reasonable or equitable way to differentiate one foundation year course from another
- a view that the fee burden on students should not be increased further or that it was unfair
- a perception that there are no differential fees for degree programmes therefore they should not apply to foundation year provision

While disagreeing with differential funding, some respondents said that if the Government did look to implement this policy, they would encourage maintaining parity with undergraduate fee caps for foundation years in high-cost subjects including those in price groups A, B, C1 and those with high quality access and progression outcomes in other subjects.

One respondent highlighted what they saw as a key problem with this variable fee approach in that, while some more classroom-based foundation year courses might charge fees that exceed their delivery cost, these courses subsidise other foundation

year provision (usually STEM) where the cost of teaching and facilities exceeds that of the fees. They explained that the low delivery cost courses balance out the more expensive ones. Therefore, even if some high-delivery-cost high-gain courses are allowed to charge higher fees (such as medicine), those courses remain in danger of being under-funded, and therefore discontinued, because they would no longer receive residual funding from low-cost foundation year courses. The respondent felt that unless the Government steps in to further fund the foundation years, which they consider to be particularly important, then it risks the reduction of these essential access routes, therefore allowing providers to charge a higher fee would, in their view, be inadequate.

Some respondents gave the reasons described in the headings below as to why they disagreed with differential funding. A few asked for clarification of 'particular benefits' as used in this question.

### **Alternative approaches (41 or 22%)**

A range of alternative approaches were suggested by respondents including the following (with those mentioned the most at the top):

- certain foundation years with specific, additional costs for delivery ought to be able to charge a higher fee, related to subject price groups
- to attract more students into specific subject areas the Government could offer bursaries and or grants to support these students while they study. Respondents explained that giving students a tangible financial incentive that will help them while they study, while not pricing other students out of subjects that they choose to study, would be an acceptable alternative
- foundation years with higher rates of progression to HE could be allowed to charge higher fees
- in the same way as developers are required to provide a percentage of social housing to secure a contract and planning permission, there might be some requirement for providers - whether colleges or universities - to provide access or foundation year provision in return for higher SNCs
- restrict eligibility for fee loans to specified subjects
- consider the eligibility of the National Scholarship Scheme as a way to offset the costs of the foundation year
- steps would need to be taken to alleviate the financial strain on these students
- support for foundation years could involve providing additional funding for foundation years and access to education courses
- provide an outcome such as a certificate of higher education or a diploma in higher education for completing a foundation year

A few respondents emphasised that if some foundation year provision could be charged at a higher rate the criteria for doing so will need to be clearly set out. In considering this approach, they thought that any proposal should take account of cost of delivery across a wider remit than, for example, STEM subjects, arguing that practice-based subjects such as performing arts, psychology and computing carry a greater cost.

### **Risks of deterring selection of some courses (23 or 13%)**

Respondents were concerned that variable fees might incentivise students to select subjects that are cheaper which may not otherwise be the students' preferred option and may be to the detriment of provision in high cost but strategically important subjects such as engineering or construction.

Related to this, some respondents felt that offering differential fees for foundation years is likely to result in the perception that some foundation years offer higher value, or conversely may drive students from lower socioeconomic backgrounds away from a particular course, which could further entrench disadvantage. Specifically, any reductions in funding were considered likely to lead to a reduction in the provision of foundation years and a reduction in the volume of disadvantaged students progressing onto level 4.

### **Agree with higher fees (21 or 11%)**

The points made by those respondents who agreed with higher fees included:

- universities should be allowed to charge more. Respondents explained that as these courses are market sensitive, they do not agree with the reduction, and feel they should have the flexibility to be able to charge more. Respondents went on to explain that for high-cost foundation years, the student should not be paying any more, but that universities should be compensated from the Government through teaching grants, so delivery and quality are not impacted
- all foundation year provision should charge the higher fee to reflect the full university experience students receive, including access to resources, laboratory and library facilities and student support. Respondents believed that if the Government chooses not to pursue this approach, then higher cost subjects (for example STEM, health-related subjects) should have a higher fee to reflect the higher costs of delivery
- some respondents felt there is a case for allowing some foundation year provision to charge higher fees than the rest, particularly those courses leading to societal and strategically important outcomes
- some respondents said that the higher fee could be justified in areas where there is no viable alternative at pre-degree level
- one respondent made the case that foundation year provision is not cheaper to deliver than standard level 6 provision. They stated that foundation year

provision already offers the particular benefit of the greater likelihood of progression to level 6-degree study when compared with AHE diplomas (referenced to OfS' Preparing for degree study: analysis of AHE diplomas and integrated foundation years courses). As such, they believe that there is a strong case for allowing HE providers to charge up to the maximum fee (£9,250) for a foundation year. They went on to state that where the costs of foundation year provision exceed the maximum fee, for example in some STEM or medical programmes, then further government subsidy should be paid to the institution

- a few respondents made the case for higher fees but recognised some of the issues described below as risk factors which would need to be considered

### Subjects for higher fees (20 or 11%)

Respondents made a range of points and suggested varying types of subjects that should receive higher fees. These points are summarised in table 3 in order of the frequency of discussion by respondents. Often these suggestions were made as secondary points to disagreeing with variable fees.

**Table 3: Subjects proposed for higher fees and justifications**

Subjects for higher fees	Justifications
STEM subjects	Higher cost
Healthcare courses, for example, medicine, pharmacy, dentistry, physiotherapy	High costs for practical skills training and require healthcare professionals who are expensive Clear benefit to society
STEM and the creative disciplines	Get a great deal out of being able to offer a Year 0 qualification as it enables study at a greater depth than the 60 credit AHE diploma
Science based courses (for example, physics)	More expensive to run
Engineering	Courses that meet local employer needs Involves practical work, expensive equipment and materials, sufficient space, often with high requirements for safety, and with additional requirements related to accreditation and working with industry
Performing arts, psychology, and computing	Practice-based carry greater cost
Information technology (IT)	High-cost provision including specialist facilities

Creative arts and media	No further information provided by these respondents
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Other examples which did not specify a subject but described types of subjects included:

- courses taken by students who require additional support to succeed (for example, mature students)
- strategically important subjects related to UK economic growth
- national priority subjects in specialist vocational areas
- societal and strategically important outcomes

### **Negative effect on widening participation (18 or 10%)**

Respondents stressed that foundation years support predominantly disadvantaged and marginalised students to access HE by reducing barriers to success. Respondents felt that there might be some negative effects of variable fees on widening participation and social mobility for the following reasons:

- students from less affluent backgrounds may be discouraged to consider courses with higher costs
- foundation years that might be cancelled due to high costs of delivery or have lower take-up may disproportionately affect those from less affluent backgrounds and result in lower numbers progressing on to undergraduate degrees
- perceptions that some foundation years are of higher value (to the economy and society) may affect take-up of those regarded as lower value which could disproportionately affect those from less affluent backgrounds

### **Comparison with Access provision (14 or 8%)**

Some respondents felt that foundation year study in a university is a different product to an AHE diploma and that preparation in a university for further university study comes at a higher cost that should be funded. Other respondents made a similar point that foundation year study enables greater depth than 60 credit AHE diplomas. One respondent specifically said that “a higher proportion of students progress to a degree after taking a foundation year (79%) than following an Access course (62%) and are also more likely to complete a degree course” [Professional organisation].

Other respondents felt that there are many benefits of foundation year provision that are above and beyond the AHE diploma, such as:

- continuity of teaching as the foundation year is an extension of the undergraduate degree
- in some subjects and locations, foundation year provision is more available than AHE diplomas
- advanced resources and facilities that are often not available in FE providers include research labs with industry standard equipment, software, and libraries. This is especially important for mature students or those coming from less well-equipped schools or colleges who want to study STEM subjects to ensure their practical skills are as practiced as other first year undergraduates
- pastoral support through student support and welfare teams who provide direct assistance to foundation year students and signpost them to other university services such as dyslexia support. This was considered particularly important by one HE provider, given that nearly half their foundation year student cohort have declared a disability
- in some HE providers the foundation year has a similar number of teaching contact hours as the first year of the degree and students are taught in the same format in terms of modules, delivery, exam style, problem solving, classes, tutorials, and advisor sessions
- in other HE providers, foundation years are focused on academic content and the skills necessary for successful study at a higher tariff university, preparing students who have faced disadvantage for academic rigour and a multidisciplinary approach
- in some HE providers students who complete foundation years also receive a level 4 qualification (HE Cert) unlike AHE diplomas

Conversely, some respondents believed that for subjects such as nursing and medicine, an AHE diploma provides a solid grounding, and opportunity for progression, with greater flexibility. These respondents felt that students may change their focus throughout the year such as moving to an allied health profession course.

Respondents felt that there are opportunities for Access to HE provision to be designed to meet the needs of the vast majority of students. Some respondents felt that in some cases, an AHE diploma or alternative technical qualification would be a better option for students, than a foundation year.

Some respondents believed that foundation years should only be funded for courses that do not have an alternative AHE diploma – as due to the higher cost of the course, this will ensure that students only take on a foundation year if it is right for them and will aid them in progressing to HE.

A few respondents believed that a foundation year and an AHE diploma should be treated the same.

## **HE provider burden (5 or 3%)**

A few HE respondents felt that differing fees would introduce complexity, “red tape” and “bureaucratic burdens” on HE institutions.

## **Other comments (43 or 23%)**

A few other comments covered an array of related issues including specific benefits of foundation year courses; concerns about negative impacts on the LLE initiative and risks of creating an overly complex system which may be difficult to navigate for prospective students; and comments suggesting a need for the DfE and OfS to utilise the OfS current (B3) conditions of regulation to identify and address pockets of low-quality provision.

## **Differences by respondent type**

HE providers were more likely to disagree with differential funding and to suggest alternative approaches compared with all respondents. Arm’s length bodies and professional organisations were less likely to say ‘no’ and more likely to say ‘yes’ compared with all respondents. FE providers were less likely to disagree with differential funding and more likely to say ‘yes’ compared with all respondents. Individuals were less likely to say ‘yes’ compared with all respondents. Student mission groups were more likely to suggest alternative approaches compared with all respondents.

## **Question 17 If some foundation year provision were eligible to attract a higher fee, then should this eligibility be on the basis of: Particular subjects? Or some other basis (for example by reference to supporting disadvantaged students to access highly selective degree-level education)?**

The greatest proportion of the 132 respondents’ replies to this question related to particular subjects, followed by comments on costs and discussion of disadvantaged groups. While many just confirmed their opposition to the proposal, others set out their reasons for not agreeing and or suggested alternatives. Those supportive of the proposal discussed the implications of variable fees and the basis for eligibility.

## **Specific subjects and courses (40 or 30%)**

In responses where particular subjects were discussed, there was a mix of views regarding variable fees for the foundation year. Those who argued that there should not be higher fees for specific subject areas, discussed their strategic importance for the economy and to address skills shortages. While this group recognised that some subjects were associated with higher delivery costs, they felt that such subjects (medicine, dentistry, and engineering for example) had particular importance and that if fees were higher there would be a risk of a reduced number of applicants.

In contrast to this, other respondents considered that higher fee and loan limits for a foundation year should be based on the delivery costs for each subject area. This would reflect the resources required for delivery such as lab costs. On this basis, specific subjects should attract a higher fee: STEM subjects, computing, medicine, dentistry, veterinary, and nursing or other health related subjects were specifically mentioned.

Reference was made to creative subjects, regarded as being negatively impacted by funding cuts but also more expensive to deliver. Creative industries it was argued, are an important part of the economy that would be disproportionately affected by higher fees at foundation year level.

Other issues raised with reference to 'particular subjects' were:

- the introduction of variations in fee by subject would result in additional administration costs
- it would be challenging to explain to students why additional fees were associated with particular subjects at the foundation year level but not for undergraduate degree courses in the same subject

Course costs (31 or 23%)

The fees associated with foundation year study were a subject of discussion. While some respondents considered that fees should be standardised to avoid choices being driven solely by cost, others felt that charging variable fees was justified and provided their reasons for this. Reasons offered included the following:

- the costs of delivering courses should be reflected in the fees. However, exceptions would be higher costs courses that also have particular strategic importance (for example, engineering)
- charging a higher fee would ensure the future financial viability of courses
- higher fees were regarded as acceptable if a course would result in higher future earnings or employability

Bringing the costs of foundation years courses closer to FE costs was welcomed by a few respondents but it was noted that there may be additional costs associated with additional student support needs. Conversely, it was felt that fee reductions would negatively impact on the ability of some institutions to deliver high quality provision. A respondent proposed a simplified banding scheme: Band A – courses with significant practical elements and Band B – courses with fewer practical elements.

### **Disadvantaged students (33 or 25%)**

Acknowledging that foundation years provide an important route for the most disadvantaged students to access selective higher education, many felt that eligibility should be based on this group who require additional support. Higher fees would be a

disincentive to disadvantaged students and the extra costs associated with some courses it was felt, should not be passed on. Many argued that this group should be subsidised. As such, courses that charge higher fees could offer concessions to the most disadvantaged such as means tested bursaries. It was felt that this would be in line with the government's aim to 'level up' and promote social mobility.

Respondents often noted that if fees were variable, the more expensive courses would result in fewer applicants (despite these often being of strategic importance), with those from disadvantaged or under-represented backgrounds being less likely to apply, primarily because of concerns about accumulating debt. On this basis it was argued, accessibility to foundation year courses should be promoted and they should be inclusive. Furthermore, foundation years it was noted play an important role in enabling universities to meet their widening participation goals.

### **Economic imperative, strategic importance, and skills shortages (21 or 16%)**

The strategic importance of some courses was frequently discussed by respondents. As such it was stated that eligibility could be based on those courses that generate benefits for the economy and or society. Some considered that there should be additional resources for strategically important courses, through government funding. Others felt that foundation year courses that reflect strategic and economic priorities could be those that attract higher fees. Higher income from fees would act as an incentive for institutions to provide these strategically important courses.

### **No, compromises equality of access (17 or 13%)**

A small group of respondents outlined their opposition to this proposal, primarily due to concerns about these generating inequalities. It was felt that higher fees would result in some courses only being available to those from high income backgrounds. This was regarded as discriminatory and would undermine the rights of all students to access foundation year study. This was discussed within the context of the role of foundation year courses in enabling access to high-tariff universities (institutions with the highest quality provision would charge the highest fees).

Others opposed to differentiation in foundation years fees, argued that instead, students should have sufficient financial support to enable them to access HE. This could for example be via bursaries or grants.

### **Other comments (31 or 23%)**

Alongside those confirming their disagreement with the proposal, other comments included those who felt that further research and testing is required or discussed the role of foundation year courses in widening participation. Alternative proposals included:

- fees should be the same across all foundation year courses with the government funding a teaching grant based on the number of students on each course
- means tested bursaries funded by the government would offer a better approach

## Differences by respondent type

Across all themes, the proportions of responses from HE and FE providers was broadly aligned with the overall proportion of responses coded under each theme.

## Question 18 What are your views on how the eligibility for a national scholarship scheme should be set?

A total of 195 respondents provided an open text response to this question. A national scholarship scheme was broadly welcomed by respondents. A large proportion of respondents considered that eligibility should be determined by disadvantage, and many felt that a national scholarship scheme should be accessible and transparent.

Furthermore, applications should be possible at an early stage – ideally at the end of year 12. Many felt that funding should not be limited to those with high grades, as this would exclude key groups. On this basis, it was felt that a national scholarship scheme should be widely available to offer additional financial support.

## Suggested scholarship eligibility criteria and considerations (81 or 42%)

Most of the comments coded to this theme suggested specific eligibility criteria or commented on the approach to determining eligibility. Specific eligibility criteria mainly related to protected characteristics and aspects of disadvantage based on an assessment of need. These included:

- eligibility based on individual or family circumstances (for example, income of £25,000 or less or parents claiming Universal Credit)
- students who have had Free School Meals, Pupil Premium or Services Pupil Premium
- students who have a SEND or who are care leavers
- applicants who are from low participation areas or schools

Others felt that eligibility should be based on merit, that there should be no age requirement, or it should be for students who are talented but do not have financial means (and would not otherwise apply to university).

In terms of the approach to determining eligibility, a range of different suggestions were made as follows:

- an approach that is open, unbureaucratic, clear and aligned to other established markers
- eligibility should be determined through discussion and collaboration between schools and HE providers
- eligibility should be based on reliable and consistent metrics for measuring disadvantage
- consideration should be given to eligibility based on subject specific awards, for example Initial Teacher Training scholarships. Furthermore, performance and creative arts subjects should not be excluded
- there was a call for this to be a national scheme that is centrally administered
- a few felt that eligibility should be confirmed at the earliest possible stage and or prior to application
- an open approach would mean that any applicant who met the HE providers course entry requirements would be eligible to apply for a scholarship

A clear definition of terms was seen to be necessary with specific reference to defining 'disadvantaged' and 'talented'. One respondent suggested drawing on the experience of other countries (for example New Zealand, where outreach work with deprived communities promoted a scholarship scheme alongside a mentorship scheme for secondary-age students).

### **Scholarship programme implementation and delivery (59 or 30%)**

Respondents outlined their view regarding how a national scholarship scheme should be implemented and delivered. With reference to approaches to implementation, many considered that a collaborative approach between students, FEIs and HE providers would work best, perhaps with a taskforce that included representation from all key stakeholders. There was a call for more detail on how such a scheme would be implemented specifically with reference to: definition of terms, scheme eligibility, operation of the scheme and how it would be accessed by prospective students.

Views on the delivery of the scheme emphasised a streamlined, clear, and straight forward approach alongside the following:

- applications via the prospective student's school or college
- an equal division of scholarship funds between all HE providers and funds not being limited to specific courses
- the view that schools and colleges should nominate students for the scholarships

- a call for this scheme to work in tandem with Access and Participation Plan funded institutional bursaries
- the recommendation that a formula should be set to determine how much HE providers will receive
- administration of the scheme should be undertaken by a national organisation such as OfS or UCAS

Other suggestions were for award levels (such as £15,000 based on £5,000 per academic year), school or college funding to enable students to attend HE open days and setting up a 'Levelling Up Scholarship Scheme.'

### **Disadvantaged students and widening participation (75 or 38%)**

Responses coded to this theme were expressing support for disadvantage as the most important consideration in relation to eligibility of the national scholarship scheme. However, it was stated that it should not duplicate bursary and scholarship schemes already in place for this group. Specific consideration should be given to the following disadvantaged groups:

- those who have spent time in local authority care or care leavers
- those eligible for free school meals (FSM)
- under-represented groups in HE
- those with disabilities

Some expressed concerns about target student groups not being included in the scheme if it was only made available to those with the highest grades. Many argued that students should be able to benefit, regardless of which HE provider they apply to. It was frequently outlined that there are many reasons why those with academic potential are unable to achieve high grades – these are mainly linked to disadvantage.

### **Comments on higher education fees and funding (56 or 29%)**

Responses to this question included general comments on HE fees and funding alongside specific suggestions concerning the allocation of national scholarship scheme funds. The scope of these comments is set out below:

- a suggestion that the national scholarship fund should instead be put into maintenance grants and or bursaries for all students
- payment of fees should be removed for HE altogether
- those students who are unable to take up part time work while studying (due to contact hours) should receive additional funding support
- the national scholarship scheme should be for maintenance costs only or a mix of maintenance costs and fees

- the national scholarship scheme funds should not be limited to high tariff universities
- the view that the £75 million national is insufficient to make an impact on the life chances of disadvantaged students

## **Qualifications, academic achievement, and attainment (23 or 12%)**

Discussion was generated with regards to the focus on high performing students. A mix of views were expressed although most argued that disadvantage and contextual circumstances mean that students with potential do not always achieve the highest grades. It was argued that the focus of the scholarship scheme should be on 'high' grades as opposed to 'highest' grades to reflect this.

On this basis, consideration should be given to contextual factors with prior attainment being an indicator. In contrast to this, a small group stated that the scholarships should be awarded on merit alone.

Suggestions for level of qualification included:

- students achieving 3 'A' grades at A level and also from a disadvantaged background
- academic progress and A level results alongside family income

## **Other comments (39 or 20%)**

Most of the other comments made in relation to this question were calls for further details. Respondents requested further information, greater clarity, and more consultation on this proposal. Some felt that there needed to be an agreed definition of the language and terms used, such as talented and disadvantaged.

Setting up a task group was suggested. Such a group would be able to develop the scheme and to draw on previous experience. Offers to work directly with the DfE to progress this proposal (by developing criteria or contributing to administration) were made by 4 respondents.

## **Differences by respondent type**

FE providers were less likely than HE providers to suggest scholarship eligibility criteria or considerations. Across all other themes, the proportions of responses from HE and FE providers was broadly aligned with the overall proportion of responses coded under each theme.

## Section C: level 4 and 5 courses in England

**Question 19 How can Government better support providers to grow high-quality level 4 and 5 courses? You may want to consider how grant funding is allocated, including between different qualifications or subject areas, in your response.**

A total of 150 respondents provided an open text response to this question. Growth of the level 4 and 5 market and provision was generally welcomed by respondents. A large proportion of respondents expressed concerns and highlighted potential barriers to market growth including financial concerns of resource and capacity for qualification development and delivery, in addition, shared concern regarding limited market demand and qualification recognition among young learners and employers. Several suggestions were provided to help address these outlined issues such as improving career information, advice, and guidance in schools, raising awareness of actual prospective outcomes for employability and career progression, and encouraging local partnerships between providers and employers for qualification design and development and to ensure work opportunities for learners.

### **Greater market recognition for level 4 and 5 qualification benefits (65 or 43%)**

There is a shared view that a key requirement for growth in the level 4 and 5 market is greater recognition of the benefits and value level 4 and 5 qualifications can bring, for both employers and potential learners. Many respondents expressed the view that there is limited public awareness and recognition of high-quality technical qualifications and pathways as alternatives to degrees. For example, T Levels and the recent introduction of HTQs, about which there were concerns that more needs to be done at a national level to raise their profile and market status in order to attract potential learners. While there was an acknowledgement of the introduction of the 'quality-mark' to help signal the prestigious endorsement brand of HTQs, it was felt that HTQs, in general, are not widely understood in terms of the knowledge, skills and behaviours acquired and therefore hinder their prospective market value and perceived employability to both employers and learners – essentially the tangible outcomes of attaining HTQs. A commonly mentioned term used by respondents in association with improving the profile and market status of level 4 and 5 qualifications is ensuring the 'relevance' of these qualifications to employers, industry sectors and the wider economy. It was felt that making distinct connections between learners undertaking these qualifications and the actual prospective outcomes for employability and career progression would lead to greater public understanding of the true value, and therefore attractiveness, of level 4 and 5 qualifications.

There were concerns about the potential limited market demand for level 4 and 5 qualifications, especially for younger learners. Many respondents highlighted similar concerns of there being limited public awareness and recognition of the value undertaking level 4 and 5 qualifications can bring to learners as mentioned above, especially for those who are younger and new to the skills and qualification market. It was felt that level 4 and 5 qualifications were not commonly viewed as high-quality alternatives to more 'traditional' routes to HE, but rather misinterpreted as a 'lesser' qualification and education pathway. To improve the visibility and promote the true market value of level 4 and 5 qualifications, there were calls for greater investment in providing career information, advice, and guidance to younger learners as part of their career education in school so they can become fully aware of and view level 4 and 5 qualifications as practical, high-quality opportunities available to them for either post-16 education or HE progression.

Aligned with this, there were also calls by a few respondents for greater support to employers to better understand the opportunities available to their workforce who wish to retrain or upskill. Comments commonly mentioned that while some qualification types (for example, HNCs and HNDs) are well known in certain industry sectors, more could be done to raise the profile and visibility of sub-degree qualifications and technical education among employers. There was the view that if employers recognise the high value of HTQs, this may result in these qualifications becoming more of a viable option for learners when considering their future career or retraining.

### **Financial concerns about level 4 and 5 provision (60 or 40%)**

Many respondents welcomed the proposed growth of high-quality level 4 and 5 qualifications and market, including the introduction of HTQs, to help prepare young learners for skilled jobs and for adults looking to retrain or upskill. Aligned with this, there were statements of support for the LLE, Growth Fund and FE funding which was felt to be a positive inclusion as some respondents expressed concerns about the financial costs to design, pilot and deliver new high-quality level 4 and 5 provision.

These financial concerns are mainly focused on the initial investment of level 4 and 5 provision for providers including staff time and capacity to design and pilot the qualification structure, cost of specialist equipment, facilities and resources for qualification delivery, and recruitment of specialist staff if necessary. These concerns were further associated with the current uncertainty about the market demand for level 4 and 5 provision, with some respondents stating the view that it is a high-risk investment for providers and awarding organisations. Aligned with this, an important factor outlined by some respondents was related to the short-term nature of the qualification, especially for the proposed modular study approach, compared to 'traditional' 3-year degree qualifications where returns on investment are more certain for providers. As such, there were suggestions for greater grant funding from the Government to allow providers to maintain and stabilise provision for a long period (over a suggested five-year period) and

to also reassure providers about the viability of the level 4 and 5 market and reduce the initial views of level 4 and 5 provision being a high-risk investment. A few respondents stressed the point that a short-term approach to funding level 4 and 5 qualifications would act as a barrier to market growth itself.

The importance of the relationships and partnerships between providers and employers was also emphasised by some respondents. It was felt that employer engagement was a key factor in the growth of the level 4 and 5 market, especially at a local level, as providers need to better understand the skill and qualification needs of employers and how best to retrain and upskill the current workforce, through level 4 and 5 qualifications, to meet those needs. To help support the costs associated with setting up and maintaining employer engagement, there were calls for additional grant funding or financial support to be available for providers to ensure that this key factor is not overlooked and also conducted to a high standard. Benefits of greater employer engagement outlined were establishing and maintaining relationships with employers, raising awareness among employers about the provider's offer, maintaining communication with employers on how best to meet their current and future needs, and partnership working for establishing real work-experience opportunities for learners and co-design of technical qualifications. This was felt to be all vital information to gather which can influence the provider's willingness to grow and invest in specific qualifications and or subject areas.

A few respondents held financial concerns about the cost of recruiting specialist teaching staff and their corresponding salaries to provide level 4 and 5 provision within strategic skill priorities such as STEM. It was stated that many of the strategic skill priorities outlined in the proposal are highly skilled sectors and high-cost subject areas to deliver for providers, and the key driver of the cost is teaching staff. While there was some recognition that further Strategic Priorities Grant (SPG) funding has been proposed in order to address some of the recruitment and delivery staff costs, it is viewed that recurrent funding was more important than initial development funding in order to deliver financially viable programmes.

There were other financial concerns related to level 4 and 5 provision mentioned by a few respondents. These concerns included learners' access to adequate levels of funding and student loans for level 4 and 5 qualifications to cover education and living costs, concerns about the greater administrative burden and delivery costs of the proposed modular study approach on providers, and the suggestion for funding to be allocated to potential providers through a competitive bidding process, similar to skill training delivery contracts.

## **Calls for more partnerships and engagement between FE, HE, and employers (39 or 26%)**

Greater partnership working at a local level between providers and employers was viewed to be a necessary step in order to successfully grow learner demand for the level 4 and 5 market. Many respondents expressed the importance of partnership working for qualification design and development to ensure that local provision is aligned to the local economy and skills infrastructure (for example, aligned to Local Skills Improvement Plans) and can offer direct routes to local employment opportunities. By involving employers with qualification development, it can also ensure that employers better understand the thought-processes behind the inclusion of certain modules for accredited qualifications and therefore may become aware of the benefits these modules may bring learners, which is important when moving towards modular study. Some respondents also acknowledged examples of good practice and successful partnerships working between providers and employers that they are aware of, such as the cases of IoTs, but also lessons learned such as the administrative burden, time and capacity of partnership working has on employers which may be a potential barrier to employer participation.

Respondents also acknowledged the benefits of partnership working between HE and FE providers in general and how they relate to the growth of the level 4 and 5 market. The benefits mentioned were clear progression pathways between level 4, level 5 and level 6 qualifications, greater opportunities to study locally, widened participation access to HE, and reduced market competition for potential learners. As such, there was the view that learners would be more inclined to undertake level 4 and 5 qualifications if it were a part of their education journey to HE, as opposed to being viewed as an endpoint.

## **Concerns about market demand for level 4 and 5 qualifications (25 or 17%)**

Some respondents expressed concerns about learner demand for level 4 and 5 qualifications. It was felt that there is a degree of uncertainty around the specific demand for level 4 and 5 qualifications from both learners and employers, especially for certain types of courses and subject areas such as engineering and creative arts. As such, there were calls for more to be done by the Government to evidence the demand for these qualifications and allow providers to better understand the market landscape before making initial investments. Commonly mentioned methods to evidence market demand included further commissioned research to explore both learner and employer demand and how such demand can be best met in context of the LLE and of employer needs, and qualitative consultations with both targeted learner types and employers across a diverse range of industries. Aligned with greater evidence gathered through research, there were also calls for the Government to undertake a communications campaign at a national level to raise the profile and visibility of level 4 and 5 qualifications, with the T levels marketing campaign being a good example mentioned.

## **General agreement with proposed growth of level 4 and 5 market (23 or 15%)**

As mentioned above, many respondents welcomed the proposed growth of high-quality level 4 and 5 qualifications and market, including the introduction of HTQs. It was felt that growing provision for higher level skills across all areas of the market would not only result in greater choice, flexibility and career satisfaction for all learners but also drive economic and social prosperity.

Respondents also provided statements of support for the introduction of LLE to deliver additional support and funding to providers to help cover the financial costs for level 4 and 5 qualification design, development, and delivery. The intention to offer an equivalent student finance package for HTQs was also warmly welcomed.

## **Equality for all higher-level courses and subject areas (19 or 13%)**

A few respondents expressed concerns that the development of high-level level 4 and 5 qualifications would be highly weighted on certain subject areas, such as STEM, and funding would not be fairly allocated across FE institutions and specialist areas such as the arts, music, and creative sectors. The main argument proposed by respondents was that all subject areas provide societal and economic benefit and investment allocation should be based on detailed criteria such as resource and capacity needs of certain 'high-cost' subject areas for qualification delivery. As such, greater clarity on how investment would be allocated to different subject areas would be welcome.

## **Other comments, concerns, and suggestions (56 or 37%)**

A few respondents commented about other concerns and suggestions made in response to this question that do not align with the themes outlined above.

Some respondents held concerns about the prospective value and benefits that level 4 and 5 provision would bring to learners. They felt that focusing on subject areas that are considered to be strategic priorities would limit opportunities and attractiveness of pursuing careers and skill progression within other subject areas, such as the creative industries. Other respondents held concerns about the potential financial barriers for learners to access funding and student loans for level 4 and 5 provision. They cited that greater funding for adult learners needs to be made available to help with ongoing living costs, childcare costs, and improved study flexibility around life commitments.

There were a few comments made about establishing and maintaining quality assurance for level 4 and 5 provision. Notably, there were concerns about how these qualification types would be regulated and by which authority. Comments about the regulatory 'overburden' between OfS and the Institute for Apprenticeships and Technical Education (IfATE), and some emphasis given that awarding bodies and providers which provide approved HTQs should be signed up to the Office of the Independent Adjudicator for

Higher Education (OIA) in order to provide a consistent approach for complaints from students.

A small number of comments suggested that there should be greater support available for employers as part of the reforms for growing level 4 and 5 provision. Specifically, additional funding could be utilised to link employers and providers together in order to provide employment and work experience opportunities during or at the end of qualification delivery. This was felt to heighten the commercial value of undertaking such qualifications and would be a key benefit to market towards target groups.

The lack of a definition for 'high-quality' was called into question by a small number of respondents and as such, greater clarity about what this would constitute were called for. One example of a definition included, "fully funded providers which offer students choices to study the subject area they are most interested in, with a larger offering of apprenticeship routes for those who wish to learn while at work".

### **Differences by respondent type**

FE providers were more likely to highlight that there needs to be greater recognition of the benefits and value level 4 and 5 qualifications can bring, especially among young people. HE providers were more likely to call for greater local partnerships and networking between providers and employers in order to successfully grow the level 4 and 5 market, as well as more likely to hold concerns about the limited market demand for such qualifications.

### **Question 20 What drives price differences at level 4 and 5, where average fees in FE providers are significantly lower than in HEIs?**

A total of 108 respondents provided an open text response to this question. Most respondents recognised that there was a considerable difference in average course fees for level 4 and 5 provision between HE and FE providers and stated several reasons that may contribute to this difference. The main reason provided was staff wages with HE providers paying substantially more for staff than FE providers, reflecting higher-level qualifications and greater professional experience. Another key reason provided was the cost of qualification delivery, with the view that the resources and facilities available through HE providers are generally of higher quality and volume compared to FE providers. Other reasons provided included perceptions of qualification value and education delivery, affordability, and price sensitivity of learners, OfS registration and approval as a fee cap provider, and course offerings between FE and HE providers.

## **Staff wages, qualifications, and professional expertise (53 or 49%)**

Most respondents provided comments which recognised that there was a considerable difference in average course fees for level 4 and 5 provision between HE and FE providers and stated several reasons that may contribute to or underlie this difference. The most frequently mentioned reason was higher wages for teaching staff at HE providers compared to FE providers, which leads to a higher cost of teaching for course delivery. As evidence, many respondents cited a research study published by the Association of Colleges (AoC) in 2021 (which is no longer publicly available) that suggests “staff wages are a substantial contributor to the difference in the unit cost of delivery for level 4 and 5 provision between HE and FE providers”. Aligned to this, respondents made detailed references to the diversification of staff time and responsibilities as part of a teaching job role between HE and FE providers. There was a shared view that HE staff have more time devoted to non-teaching activities such as academic research, pastoral care and course preparation compared to FE staff, who may spend more hours teaching and guided learning. As such, while the biggest cost for qualification delivery is staff wages among both FE and HE providers, respondents believed that staff working at HE providers would be expected to earn more due to the dual aspect of their job role.

Furthermore, some respondents cited that staff working at HE providers were more likely to be qualified at a higher level (postgraduate degree and or doctorate) and tend to have more professional experience including specialist subject knowledge, research skills and be chartered members of professional bodies in their respective industry. Given the greater experience and higher qualifications that HE staff tend to possess, this is reflected in their wages which contributes to the higher cost of teaching for HE providers compared to FE providers.

While recognising that there is a considerable difference between level 4 and 5 course fees between providers, a few respondents acknowledged that the gap is shrinking due to greater market competition and financial pressures. Though respondents acknowledged that pricing decisions at FE providers were a complex process and informed by multiple factors including staff costs, validation costs and resources, there was a view that FE providers have started to raise their course prices to:

- better meet delivery costs, particularly for high-cost subject areas such as STEM
- better meet the required wage demands of more experienced and qualified staff who are highly competitive in the job market to attract

## **Cost of qualification delivery including resources and facilities (47 or 44%)**

Respondents commonly mentioned that a key differentiator of price differences at level 4 and 5 courses is accounted for the higher cost of qualification delivery with the view that the resources and facilities available through HE providers are generally higher quality and volume compared to FE providers. This was specifically mentioned in reference to certain high-cost subject areas and for HE providers that are research-intensive, in which specialist equipment, learning resources and research facilities may be required and only be available in HE providers. Furthermore, there was a shared view that HE providers were more likely to provide additional benefits as part of their qualification offer which may include access to a personal academic supervisor, pastoral and study support, high-quality laboratories, high-quality digital and IT resources, and research-informed teaching, which better supports the development and the health and wellbeing of students. Aligned with this, respondents also highlighted that HE providers tend to provide a better offer for students' lifestyle and living environment including community and campus facilities, social opportunities, extracurricular activities and clubs, and sports and leisure facilities.

Respondents also held the view that HE providers tend to have greater links and network opportunities with local industry and employers compared to FE providers. A few respondents highlighted that there is typically a rich community of peers and academics within HE providers that have access to unique social networks and contacts within their respective fields that they can use to help provide employment and work experience opportunities for students, compared with FE providers.

## **Perceptions around qualification value and education delivery (27 or 25%)**

There were some comments provided by respondents which referred to the misconception that learners tend to equate higher course fees with higher quality provision. Anecdotal evidence provided by a small number of respondents highlighted that where HE providers have reduced their course fees previously for level 4 and 5, they have often seen student numbers applying for the courses decline, with potential learners assuming that lower price correlated with lower quality. As such, some learners may choose where they study a level 4 or 5 qualification dependent on their perceptions of the institution's education delivery using price as a proxy. Aligned with this, respondents also held the view that HE providers tend to be higher quality and more reputable than FE providers and as such, qualifications attained through HE providers are subjectively perceived to be of higher value than the same qualifications attained through FE providers.

## **Affordability and price sensitivity (9 or 8%)**

While not directly responding to the question, a few respondents commented that some FE providers do consider market and price competition in their local area and target learner groups. As such, FE providers may cost certain courses to ensure that it is financially viable for themselves and potential learners, particularly for mature learners and learners who come from disadvantaged backgrounds.

## **OfS registration (9 or 8%)**

The alleged price differences at level 4 and 5 courses between HE and FE providers may be dependent on whether a provider is registered and approved as a fee cap provider by OfS, as some respondents mentioned. If a provider is not approved on the OfS register, they would be constrained by the fees that they can charge by the loan amounts available to students. As such, this may contribute to the price difference that may exist between FE and HE providers based on the assumption that many FE providers are not on the OfS register as an approved fee cap provider.

## **Course offering (9 or 8%)**

Some respondents noted that course offerings between FE and HE providers may contribute to the price differences at level 4 and 5. Notably, there was a view that FE providers are more likely to offer courses in subject areas that are cheaper to deliver and tend to be popular, such as business studies, whereas HE providers would be more open to delivering courses that tend to be more expensive, such as STEM subjects.

## **Other comments (42 or 39%)**

Respondents mentioned other factors that they felt may contribute to or underlie the price differences at level 4 and 5 between FE and HE providers. More commonly made suggestions are listed below, in order of how frequently they were mentioned:

- FE providers typically cater to local or regional markets where prospective students who are more likely to be from disadvantaged or low-income backgrounds, meaning fee decisions are informed by a desire not to deter these students
- the cost of developing bespoke qualifications in collaboration with employers and colleges is more expensive than delivering existing qualifications provided by an awarding body, resulting in higher prices at HE
- administration of courses is more resource intensive at HE
- HE providers charge higher fees as they are more conscious of perceptions that lower cost is often equated with lower value

- price differences are driven by under-funding of FE rather than over-funding of HE

A few respondents also suggested that there is greater variation in prices between institution type, such as between colleges, universities and private HE providers, than between qualification levels. Others called for further research into the issue of price differences in the FE and HE sector.

Other comments included the suggestion that it would be fairer to set a fixed price or price range to reduce the size of the price difference at level 4 and 5 between HE and FE providers. However, there were acknowledgements that fees do vary from provider to provider based on multiple factors that influence the price.

### **Differences by respondent type**

There were no notable differences in the percentage proportion of comments provided between respondent types for this question.

## **Question 21 To what extent do the drivers of fees at levels 4 and 5 differ from those for level 6 (including between universities, further education colleges and independent providers)?**

A total of 127 respondents provided an open text response to this question. The theme with the largest number of respondents highlighted that they were unaware or not sure about the main differences of fee drivers between qualification levels or provider types. Other respondents suggested that drivers of fees may differ as qualification delivery for level 6 courses costs more in terms of resources, facilities and staff time compared to levels 4 and 5 courses. Some discussed that course fees may differ depending on market demands and learner types, suggesting that fees are adaptive to the needs of the local market and learners' access to funding. A small number of respondents felt that there were no differences in fee drivers between qualifications levels or provider types.

### **Not sure or do not know (37 or 29%)**

Many respondents did not provide a position or view in response to this question. Most comments provided stated that they did not know, not sure or not aware of how fee drivers differ at levels 4 and 5 courses compared to those at level 6 courses.

### **Cost of qualification delivery (24 or 19%)**

Of those who did provide a view for this question, the most frequently mentioned reason for differentiation of course fees between qualification levels was the cost of qualification delivery. Notably, respondents highlighted that the cost of providing level 6 courses

would be greater than level 4 and 5 courses as higher qualification level courses often need access to specialist resources, high-cost equipment and facilities, and expert staff. For example, a greater number of staff hours was thought to be required for teaching and research activities, practice and work-based learning environments and opportunities, and high-quality research facilities.

Furthermore, some respondents highlighted that a significant driver in level 6 course fees has been the need for HE providers to increase their income from fees in order to maintain the unit of resource investment per learner, particularly after the reduction of teaching learning grants post education reforms in 2012 as referenced by respondents. Additional comments mentioned that HE providers are still faced with ongoing financial pressure due to frozen fee caps and growing inflation rates and therefore, are likely to continue to charge the maximum fees possible for level 6 courses.

### **Market demand pricing (15 or 12%)**

A few respondents expressed the view that course prices are adaptive to market demand, particularly at a local level. It was viewed that limited demand for certain courses can lead some providers to offer qualifications at a reduced or discounted price. For example, one respondent highlighted that they were aware that one HE provider offered up to a 40% discount on the full cost of a high-level qualification in order for the course to meet learner number targets. However, respondents also acknowledged that there is a misconception that learners perceive cheaper courses to be of lower quality. Therefore, providers may be sceptical about adapting course fees dependent on market demand accordingly to protect their reputation and prestige.

### **Course fees differ by learner types (14 or 11%)**

There was a view held by some respondents that the learner market differs significantly across learner groups. Certain learner groups were mentioned as more price sensitive than others, such as learners from disadvantaged backgrounds, mature learners and learners who have caring or work responsibilities. As such, these learner groups may opt to study level 4 and 5 qualifications as they are more affordable and financially viable to undertake as FE providers offer these qualifications at a cheaper price than other provider types.

### **No difference (11 or 9%)**

Some respondents held the view that the same fee drivers exist at levels 4, 5 and 6 and do not differ between HE, FE, and private providers. It was suggested that the cost of qualification delivery should be the same at these levels and this cost is mainly driven by the size of the fee available for providers to charge and duration of the qualification delivered.

## **Other comments (28 or 22%)**

A small number of respondents provided other comments about the fee drivers between HE and FE providers. Reasons provided emphasised that some fee differences may exist, as HE providers are able to charge more for qualification delivery compared to FE providers due to perceived greater value of attaining qualifications at HE providers by learners and better course and subject area offerings at HE providers.

In terms of fee drivers between level 4, level 5 and level 6 courses, a very small number of respondents highlighted that level 6 courses tend to have smaller average group and class sizes. Thus, they may need to charge more per learner to match the same economy of scale as level 4 and 5 courses.

## **Differences by respondent group**

A higher proportion of HE providers' comments suggested that the main factor influencing fees between qualification levels 4, 5 and 6 is the cost of qualification delivery, citing that there are greater delivery costs due to high-quality resources and facilities incurred by HE providers compared to other provider types.

## **Question 22 How can we best promote value for money in the level 4 and 5 market to avoid an indiscriminate rise in fees?**

A total of 139 respondents provided comments to this question. For those who held a position or view, the most frequently mentioned theme was the development of a common informed pricing structure. It was felt that introducing such a mechanism would better ensure that learners are receiving a valued education and that courses are meeting and maintaining quality assurance standards which providers can be accountable for if this proposed mechanism were regulated by an external body.

Other themes consisted of concerns about the perceived qualification value of levels 4 and 5, suggestions to improve public recognition including national-level marketing campaigns and improved careers advice. Other respondents made the case for a greater amount of funding and resources to be made available to cover the rising costs of qualification delivery, regulation changes, and losses attained from low market demand. A small number of respondents expressed that the promotion of value for money could be demonstrated by ensuring the quality of provision across providers and qualification levels and a wider variety of quantifiable outcomes such as learner experience and subsequent destinations.

## **Informed pricing structure at all levels (40 or 29%)**

The importance of value for money was recognised by respondents as a key part of the level 4 and 5 market and there were a number of suggestions provided to help promote

value for money and avoid an indiscriminate rise in fees. The most frequently mentioned theme was the development of an informed pricing structure and or mechanism at all levels that showcases that an appropriate proportion of the total course fee or unit of resource per learner is spent on the learner's education. One example of a mechanism proposed was the introduction of a minimum percentage of the course fee to be spent directly on the learner's education, for instance around 50%, justified by a full unit cost breakdown analysis. It was felt that introducing such a mechanism would better ensure that learners are receiving a valued education and that courses are meeting and maintaining quality assurance standards which providers can be accountable for if this proposed mechanism were regulated by an external body. It would also allow providers to price courses below the fee cap if they can justify and provide evidence how their delivery model enables this without compromising on quality. For higher course fees, this would provide greater transparency for any rises in course fees or fee differences for high-cost subject areas such as STEM.

Another route suggested to inform course fees would be to build a common pricing structure around levels 4 and 5 qualifications, including HTQs, such as a common credit framework. One example proposed by some respondents included equating a fixed fee to a certain amount of credits earned as part of a qualification. This would allow learners to be more informed about the driving cost of undertaking part-time or modular study, especially if they decide to study the same qualification across different provider types over an extended period. However, there were concerns raised about standardising course and or module fees across HE and FE providers as some respondents felt it would be inappropriate given the substantial variation in costs and quality of course delivery across provider types.

### **No comment, view or do not know (30 or 22%)**

Many respondents did not provide a position or view in response to this question. The most frequent comment provided stated that respondents either did not know, were not sure or were not aware of how best to promote value for money to avoid an indiscriminate rise in fees in the level 4 and 5 market.

### **Concerns about qualification market value (19 or 14%)**

There was a shared concern raised by some respondents that there was a lack of public awareness and recognition of the benefits that level 4 and 5 qualifications can bring to both learners and employers. Respondents felt that having greater information and knowledge would be useful to improve the perceived value and attractiveness of undertaking level 4 and 5 courses including how these courses fit within the current skills market, links with local communities and economies, and their benefits in terms of employment and career progression. As such, there were calls for national-level marketing campaigns and provision of career information, advice and guidance support

targeted at both learners and employers to strengthen the market value and appeal of undertaking these qualifications.

### **Greater funding and resources (12 or 9%)**

Some respondents provided comments with the view that any rise in course fees is “unlikely to be indiscriminate” but rather a reflection of a “trade-off” between existing financial challenges faced by providers in order to maintain the quality of qualification delivery in terms of expert staff, resources and facilities and the overall market demand for the provision. Increasing costs of qualification delivery, particularly in relation to inflation, and limited market demand for levels 4 and 5 courses were both concerns by many respondents, which they believed can heavily influence the quality of provision and course sustainability. As such, some respondents suggested that providers would require a greater amount of funding to be made available by the Government in order to maintain the quality of provision delivered, especially for high-cost subject areas, and cover the additional losses that may pertain with low-demand courses.

### **Ensuring quality assurance (9 or 6%)**

Respondents expressed the view that value for money stems from the quality of the provision delivered and reducing the gaps in quality between providers and qualification levels would be more advantageous and act as a better market for success compared to any issue related to course fees. It was felt that supporting courses to ensure that they are high quality would raise the prestige and attractiveness of levels 4 and 5 qualifications. However, some respondents suggested that if value for money was more dependent on minimising differences between course fees or reducing the cost of qualification delivery at level 4 and 5 more generally, this would negatively affect the quality of provision and ultimately undermine the drive for quality and value for money, as mentioned by a few respondents.

### **Driven by cost and regulation changes (9 or 6%)**

Some respondents expressed the view that rises in course fees would be mainly driven by the increasing cost of qualification delivery and related regulatory changes. Additional costs that were often mentioned by respondents included recent changes in regulation and requirements to pay network subscription fees with multiple bodies. These included OfS, Quality Assurance Agency for Higher Education (QAA), Higher Education Statistics Agency (HESA) and OIA, validation fees and degree awarding powers (DAPs), class and group sizes, costs associated with buildings and estate, and costs associated with research activity.

## **Quantifiable measures and outcomes to demonstrate value for money (7 or 5%)**

A small number of respondents suggested that value for money can be demonstrated to potential learners using a variety of quantifiable measures and outcomes. While many existing mechanisms demonstrate value for money by focusing mainly on graduate earnings, it was suggested that a wider variety of related graduate outcomes could also be used, particularly for certain subject areas and professions such as health care and education. Commonly mentioned outcomes included employability, career progression and positive experiences during learning and subsequent work. In addition, it was broadly proposed by a few respondents that there needs to be a culture change in the promotion of value for money to move away from graduate earnings and focus more on the learner's experience and subsequent employment to better reflect the true value of money that the qualification can bring. This could be in the form of personalised journeys for learners, showcasing the learner's experience over time from applying to their next destination.

## **Other comments and suggestions (13 or 9%)**

A small number of respondents provided other suggestions on how best to promote value for money in the levels 4 and 5 market to avoid an indiscriminate rise in fees. These suggestions included:

- the use of digital tools and technology to inform strategic careers advice for learners and employers, to address financial challenges faced by learners such as the fees associated with rented accommodation
- greater communication with beneficiaries and staff involved with the delivery of level 4 and 5 qualifications on what constitutes value for money and reduce the overlapping burden from multiple regulatory bodies

There were a number of repeated responses from different respondents that expressed statements of opposition to the recent OfS proposal regarding quality and standards for the use of student outcomes to demonstrate value for provisions to learners. There were concerns that the outcomes proposed were "narrow in scope and fail to identify the full value of higher education to learners and society".

## **Differences by respondent type**

A higher proportion of FE providers, than other respondents, made comments raising concerns about the market value for levels 4 and 5 qualifications, citing that there needs to be greater recognition of the education and experience delivered and its value to the employment market for both learners and employers.

## **Question 23 Which learner types are more or less price-sensitive and what drives this behaviour? As part of your response, you may want to specifically consider the learner cohorts described above and the equalities considerations set out in the level 4 and 5 section of the equality analysis document, published alongside this consultation.**

Text responses to this question were provided by 143 respondents, including those with related text from emailed responses. Many respondents referenced different learner types that they perceived to be more price sensitive, with the most frequently mentioned being learners from disadvantaged backgrounds. This was closely followed by mature learners, part-time and self-funded learners, and learners with protected characteristics and SEND. Common factors influencing price sensitivity were related to access to student funding and loans, access to local education provision, and perceived time constraints of concurring employment and family commitments alongside study.

### **More price-sensitive – learners from disadvantaged backgrounds (45 or 31%)**

The most frequently mentioned learner type who were viewed as more price sensitive by respondents were learners from disadvantaged background and communities. Many respondents cited anecdotal evidence from an academic research paper (Callender and Mason, 2017) which infers that there are differences in debt adverse attitudes among social groups, with learners from disadvantaged backgrounds more likely to exhibit debt adverse attitudes than other learner types.<sup>3</sup> In addition, the paper also identified a relationship between greater levels of fear of financial debt and a learners' willingness to participate in higher education, suggesting that debt averse attitudes seem more likely to deter planned higher education participation among economically disadvantaged learners. With this in mind, respondents proposed that increasing course prices may further widen the participation gap among learners from disadvantaged backgrounds.

Furthermore, it was suggested that economically disadvantaged learners may not be as informed about how student loans are repaid, leading to fears of financial debt. While the student loan system ties repayments to salary, there were calls for greater marketing and information to make this message clear to this learner group.

### **More price-sensitive – mature learners (40 or 28%)**

The second most mentioned learner type perceived as more price sensitive and debt averse were mature learners when compared to younger learners. Respondents provided comments saying that while there is evidence to suggest mature learners are

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<sup>3</sup> Callender, C. and Mason, G., 2017. Does student loan debt deter higher education participation? New evidence from England. *The ANNALS of the American Academy of Political and Social Science*, 671(1), pp.20-48.

more sensitive as a learner group, the main underlying factors that may influence their decision-making processes about studying is related to the availability to undertake study locally, preferably at their local provider, or remotely online. It was viewed that mature learners' participation is more likely to be influenced by their local education opportunities as they tend to be more reluctant to move away from home to study. In addition, respondents also commented that mature learners are more likely to weigh up the cost of planned education with their salary and household income, alongside the need to afford existing financial commitments such as housing and childcare costs. Research conducted by MillionPlus was cited by a few respondents which further emphasises that the lack of maintenance support to cover the loss of earnings incurred by studying was the biggest barriers among mature students.

### **Factors influencing price sensitivity (31 or 22%)**

As part of the responses discussing price sensitivity among certain learner types, there were a number of common factors mentioned by respondents. The main factor cited was access to adequate amounts of student funding through the student loan system to cover the total costs of a qualification. As mentioned previously, some respondents cited anecdotal evidence from a research paper (Callender and Mason, 2017) which suggests that disadvantaged learners are more sensitive to fluctuations to course fees and increasing course fees may widen the participation gap in higher education for those who are economically disadvantaged. The rising cost of living, inflation and financial commitments were also cited as monetary considerations when weighing up the option to study for those who are from disadvantaged backgrounds and low-income households.

Other factors commonly mentioned across learner types included the perceived time constraints of concurring employment and family commitments alongside study, which the roll out of modular deliver of HTQs will help address, as well as the perceived value of financial return and career progression from undertaking a qualification.

### **More price-sensitive – part-time and self-funded learners (25 or 17%)**

Another learner group mentioned as more price sensitive by respondents were learners studying part-time. Comments provided expressed that many part-time learners are not eligible for financial support through maintenance loans and therefore more likely to weigh up the cost of study with their financial commitments and household income. As such, it was suggested that flexible learning and modular study should be better supported through maintenance loans up to the same amount as full-time learners to help reduce financial burden and immediate pressure for these learners.

Respondents also mentioned that some part-time learners may be sponsored by their employer to undertake further qualifications as part of their career development. While some of the cost of the qualification may be covered, respondents highlighted that some

employer sponsored learners may weigh up the losses of earnings incurred by the time commitment dedicated to studying.

### **More price-sensitive – learners with protected characteristics and SEND (10 or 7%)**

A few respondents mentioned that learners with protected characteristics may be more price sensitive such as learners from ethnic minority groups and learners with special educational needs and disabilities. Respondents expressed the view that these learner groups may be more risk-adverse to the incurred costs of studying at further and higher education as they may undervalue their own ability to achieve certain levels of attainment compared to other learner groups. Further action to encourage confidence among these types of learners could result in greater participation.

### **Calls for more research into price sensitivity (7 or 5%)**

A small number of respondents expressed the view that more information needs to be gathered around the topic of price sensitivity, debt adversity and the factors influencing decision-making on whether to undertake education for both further and higher education. It was noted that more academic and government research could be undertaken on these topics, as well as wider research on factors influencing access and participation into education and demand for lifelong learning.

### **Other price-sensitive learner types (14 or 10%)**

A few respondents mentioned other learner groups that are perceived to be more price sensitive or debt adverse. These groups include equivalent or lower qualification (ELQ) learners as they are unable to access student loans, self-funded learners, learners that live abroad, carers and those with caring responsibilities, and learners from middle-income backgrounds.

### **Other comments (19 or 13%)**

A small number of respondents provided other comments in relation to price sensitivity, particularly around calls for greater financial support for the most underrepresented learner groups to encourage participation and calls for equal access to full student loans for all learners regardless of the type, level, or duration of study. A few respondents expressed statements of opposition to the term “learner types” used in the consultation due to the adverse disposition of learner categorisation.

### **Differences by respondent type**

FE providers and independent providers were more likely to provide comments suggesting that mature learners were more price sensitive than other learner groups,

while arm's length bodies and professional organisations were more likely to suggest learners from disadvantaged backgrounds.

## **Question 24 What are your views on the current barriers, including non-financial barriers, that providers face in offering and marketing level 4 and 5 courses?**

Text responses to this question were provided by 153 respondents, including those with related text from emailed responses. Many respondents commented that the main barrier that providers may face in offering and marketing level 4 and 5 courses was the uncertainty about employer and learner demand for these qualifications and poor recognition of the benefits and value these qualifications can bring to potential learners and employers. This was closely followed by financial barriers for providers related to the cost of qualification design and delivery, access to student funding and loans, regulatory burden and duplication when designing new programmes and courses, and concerns about market competition between FE and HE providers.

### **Uncertainty about market demand, employability, and qualification value (61 or 40%)**

Many respondents welcomed the proposed growth of high-quality level 4 and 5 qualifications and its market to help prepare young learners for skilled, technical jobs and further study and for adults looking to retrain or upskill. Respondents recognised and agreed with the testimony outlined in the proposal that there is a need for more people to be qualified to at least levels 4 and 5 and possess higher, technical skills to meet the needs of the labour market and economy now and in the future. To achieve this, respondents expressed that employer and learner demand for these qualifications is important to the success and growth of the market. However, there were concerns that there is not enough clear evidence of strong demand or perceived value of these qualifications to justify market growth. As such, the key challenge outlined by respondents is to increase employer and learner demand for standalone level 4 and 5 qualifications, and to do so without reducing competition for traditional 3-year degree courses.

As pointed out above, there is a shared concern regarding low learner demand for level 4 and 5 qualifications. Many respondents expressed that there is poor recognition of the benefits and value these qualifications can bring to potential learners and employers. It was felt that level 4 and 5 qualifications, including HTQs, are not widely understood in terms of the knowledge, skills and behaviours acquired and therefore learners do not fully understand the prospective market value and perceived employability value of attaining qualifications at this level. In addition, there were also concerns about limited public awareness of high-quality technical qualifications and pathways as alternatives to degrees. As such, there were calls for more to be done at a national level to raise the

profile and market status of level 4 and 5 qualifications to attract potential learners and to ensure clarity on progression routes to higher education.

Some respondents outlined that employer engagement can help to raise both the demand for, and the value of, level 4 and level 5 qualifications, but there needs to be some consideration given as to how employers may best be engaged as partners with education providers in the design and delivery of high-quality courses. Notably, while most qualifications at this level are likely to be recognised by employers within specific industries aligned with strategic priorities and the levelling up agenda, such as health and social care, employers beyond these sectors may be more difficult to engage with, due to a lack of clear information about the value of such qualifications and limited historic engagement with education providers, as viewed by some respondents.

Respondents said that employer engagement is a key requirement for the growth of qualifications at this level, therefore, a lack of awareness from certain industries means there is limited scope for increasing provision in these industries which may result in low uptake among potential learners. It was viewed by respondents that many employers, particularly small- and medium-sized employers, have limited time and resources to engage with education providers, and as such, more needs to be done to afford employers the time to work with providers on a regular and consistent basis.

### **Suggestions to address barriers (51 or 33%)**

Respondents provided suggestions to help address barriers that providers may experience in marketing and offering level 4 and 5 qualifications. The main barrier outlined was the lack of recognition and understanding of qualification value among employers and potential learners. As mentioned above, one suggestion to improve employer understanding of the benefits such qualifications can bring to their workforce is greater involvement and engagement between employers and education providers in the design and delivery of level 4 and 5 courses, as well as the time and resources to allow this to happen on a regular and consistent basis. Another suggestion proposed would be for the Government to ensure a clear message of the value of level 4 and 5 qualifications to employers and the wider economy, clarifying what courses involve, and the tangible outcomes they provide as part of a nationwide marketing campaign.

To improve the perceptions around level 4 and 5 qualifications among potential learners, it was suggested that more could be done within schools and colleges as part of their career education curriculum, particularly for those looking to meet the Gatsby Benchmarks 2 and 7. Notably, it was highlighted that the educational landscape from post-16 onwards is perceived to be complex, with multiple options and pathways available for potential learners. By introducing level 4 and 5 qualifications, including HTQs, as high-quality alternative routes to degrees early on in a learner's career education, it was viewed that this would grow awareness, confidence, and uptake among younger learners.

A few respondents highlighted that there is limited information and evidence about the market demand and value for level 4 and 5 qualifications for both potential learners and employers. As such, it was suggested that more research could be commissioned to better understand the audience types for these qualifications as well as the main barriers faced. Further research with education providers could also be conducted to better understand the main non-financial barriers associated with offering level 4 and 5 courses.

The flexibility planned as part of the LLE was seen by respondents to be an important addition to ensure that all learning is recognised, recorded, and valued. This was viewed to be a key policy in helping change the culture around perceptions of non-completion and dropouts. One suggestion was to ensure that partially completed qualifications and learning are still recorded and valued. This was believed to help reduce negative stigma and prejudice against learners who leave education viewed as a “failure” and allow them the confidence to pause their learning due to personal circumstances or have the flexibility to change their course at a later date.

### **Capacity and resources to deliver (21 or 14%)**

Some respondents believed that a key barrier faced by providers in offering and marketing level 4 and 5 courses is financial, mainly related to the cost of qualification design as well as the capacity and resources needed to effectively deliver and market their courses. It was viewed by respondents that providers who wish to grow their level 4 and 5 provisions may experience high up-front costs for the recruitment and salaries of suitably qualified and industry-experienced staff, up-to-date equipment and facilities, and subject-level professional development. In addition, respondents flagged the ongoing costs to sustain the quality of the provision and financial implications for any courses with low initial uptake.

### **Access to funding and loans (20 or 13%)**

Respondents provided comments which suggested that one barrier for potential learners to undertake level 4 and 5 qualifications would be accessing appropriate student loans and funding. It was viewed that some learner types, such as part-time learners, may be disproportionately affected as they are not eligible for financial support through maintenance loans and therefore more likely to weigh up the cost of study with their financial commitments and household income. In addition, respondents also commented that mature learners may face similar financial barriers as they are more likely to weigh up the cost of study with their salary and income, alongside the need to afford existing financial commitments. As mentioned in question 23, research conducted by MillionPlus was cited by a few respondents which further emphasises that the lack of maintenance support to cover the loss of earnings incurred by studying was one of the biggest barriers among mature students.

## **Regulatory barriers (11 or 7%)**

A few respondents expressed concerns about regulatory barriers in relation to the design of new learning programmes and courses. For providers who are registered by the OfS, respondents highlighted that those providers are bound by the threshold standards set and therefore may be wary of designing new programmes that may not have the desired outcome in the first few years while, demand and uptake may be lower than anticipated. In addition, respondents also outlined issues with regulatory burden and different regulatory standards set by IfATE and by the OfS. With this in mind, respondents suggested that it would encourage providers to grow their level 4 and 5 provision if the OfS set different threshold outcome standards for new courses.

## **Market competition (9 or 6%)**

A small number of respondents commented that an underestimated barrier providers may face in offering and marketing level 4 and 5 qualifications is competition between FE providers and HE providers for learner engagement and enrolment, at a national and local level. There were concerns raised by respondents that the current technical education landscape is already highly competitive with the introduction of T Levels and higher-level apprenticeships. Therefore, they believed adding further qualification types to the market would only exacerbate competition between providers.

## **Other barriers (27 or 18%)**

Respondents mentioned a range of other barriers that providers may face in offering and marketing level 4 and 5 qualifications. These barriers were associated with learner demand which included learner's accessibility to and mobility between local providers, affordability to undertake study, rising cost of living, and approved released time from employers for study.

Other barriers that providers may face, mentioned by a small number of respondents, were the administrative and paperwork burden of the introduction of different governance and administrative structures, lack of online facilities, IT infrastructure and digital poverty, engagement with hard-to-reach learner groups, and English and maths entry requirements for mature learners.

## **Other comments (21 or 14%)**

A few respondents provided other comments made in response to this question that does not align with the themes outlined above. These comments mentioned an independent regulator for student complaints and the provision of funded education across all levels, as well as raising concerns about the lack of flexibility for student funding.

## **No comment, no view or not sure (25 or 16%)**

Some respondents did not provide a position or view in response to this question. Respondents stated that they either did not know, were not sure or were not aware of the barriers providers may face in offering and marketing level 4 and 5 qualifications.

## **Differences by respondent type**

FE providers were more likely than other groups to provide comments regarding uncertainty about market demand and the value of level 4 and 5 qualifications among learners and employers.

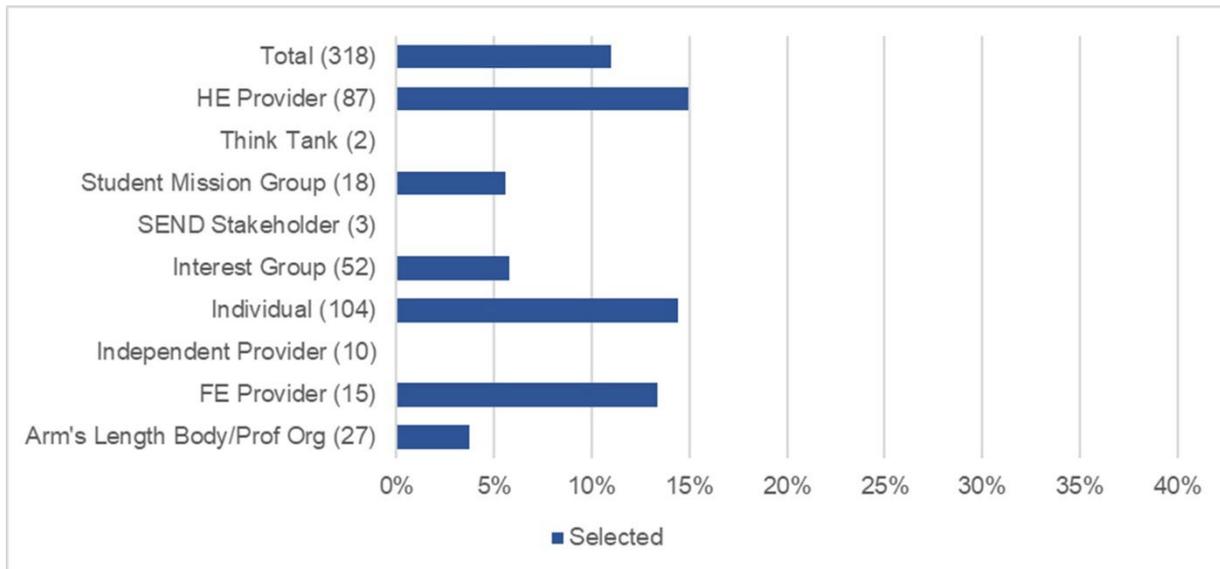
**Question 25 We want to ensure that under a flexible study model, learners studying HTQs still develop occupational competence. We also want the quality and labour market value of individual higher technical modules to be signalled. Which of the approaches below, which could be introduced separately or together, do you prefer for delivering these aims?**

Only 24% (75 out of 318) of all respondents indicated a view against the closed questions of their preference out of the 3 options. Three quarters of those who responded (56 out of 75) selected a single option, the remainder selected two or three options.

**Question 25(a) Introducing requirements for each module to be individually assessed and or for students to complete a summative assessment at the end of a qualification**

Just over 1 in 10 respondents (35 out of 318) selected option (a) (Figure 11). HE providers, individuals and FE providers were more likely to select this option than other groups.

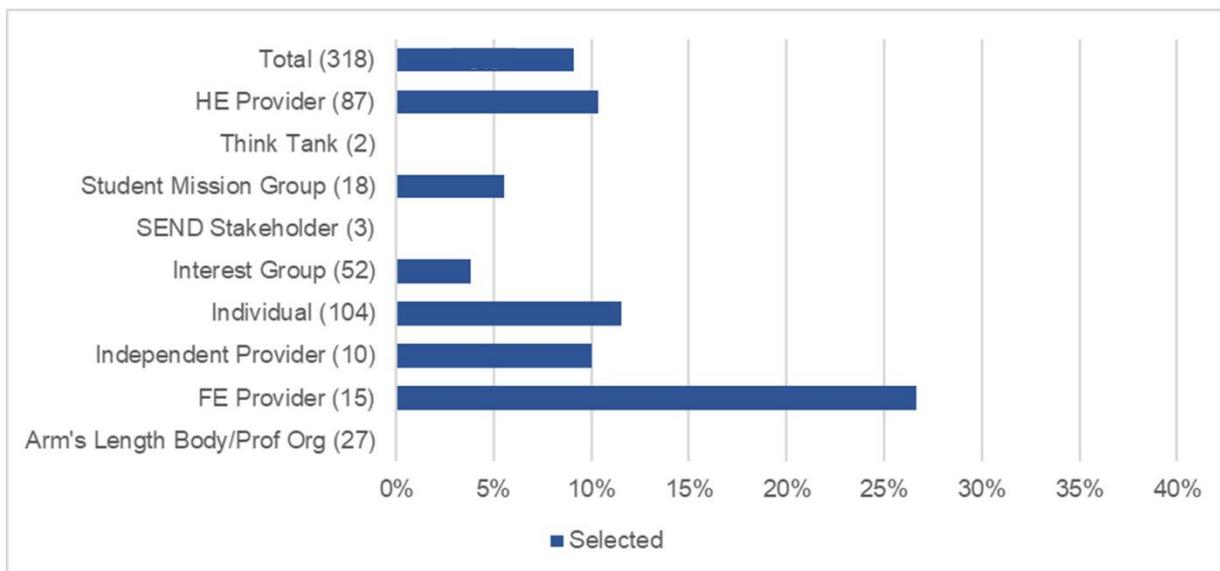
**Figure 11: Question 25(a) Respondents by Stakeholder Group**



**Question 25(b) Awarding bodies submit qualifications with a modular structure and the Institute carry out an assessment of the quality of individual modules to provide assurance of their value to learners and employers**

Just under 1 in 10 respondents (29 out of 318) selected option (b) (Figure 12). FE providers were more likely to select this option than other groups.

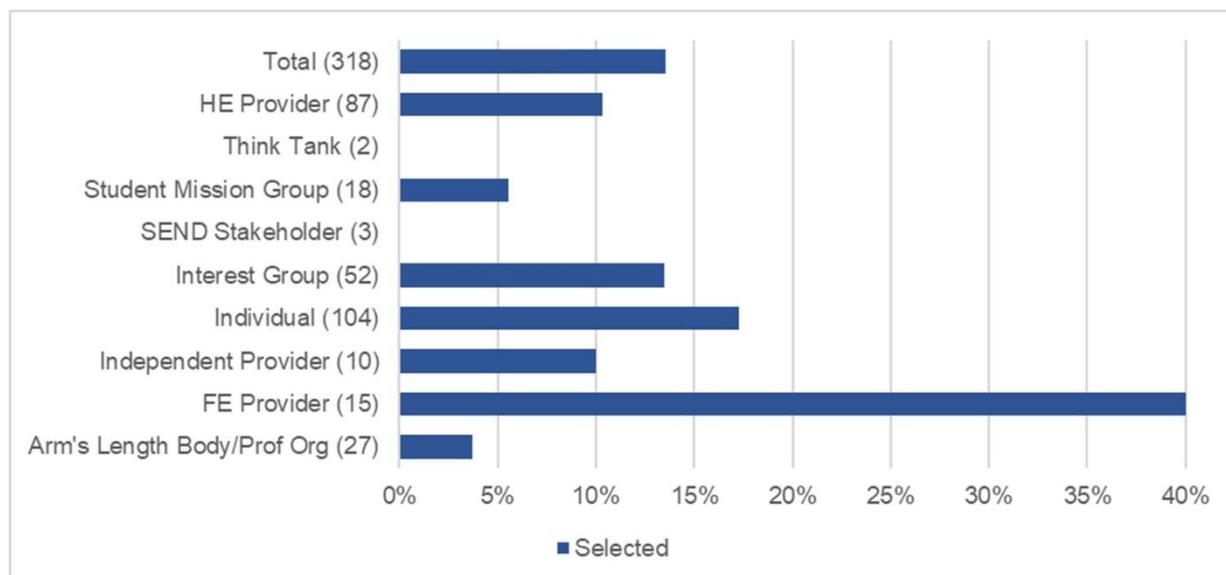
**Figure 12: Question 25(b) Respondents by Stakeholder Group**



### Question 25(c) An Institute or employer-led process to develop a common modular structure for HTQs, to support credit transfer and labour market currency of modules.

Fourteen percent (43 out of 318) selected option (c) (Figure 13). FE providers and individuals were more likely to select this option than other groups.

**Figure 13: Question 25(c) Respondents by Stakeholder Group**



### Question 25(d) Why do you say this?

Text responses to this question were provided by 130 respondents, including those with related text from emailed responses. They covered a critique of the proposed options, comments expressing support for specific options and a view that some of the elements already exist.

#### Critique of options (54 or 42%)

The main theme that respondents raised related to risks of burden on the sector resulting from these options. Respondents felt that all the options would result in additional work, especially modular accreditation. Respondents were not convinced about the value of modular accreditation. They felt that quality assessment and regulation would work best if it were light touch (rather than prescriptive or detailed) and was coherent with existing quality requirements. Others felt that current arrangements were sufficient.

Respondents highlighted other areas that would be burdensome due to a combination of cost and time:

- the scale of assessing every module, and the resources, administration, and delays that this would involve, far outweigh any potential benefit

- complex approvals processes may constrain some awarding bodies and providers to submit their qualifications for HTQ approval
- engaging with many smaller employers is much harder and costlier compared with one larger employer
- there was a specific concern that HTQs could become too complex and administration heavy for FE providers
- the risk of reducing the demand for partnership working which may limit the expansion of HTQs
- additional summative assessments will potentially add another layer of complication to HTQs

Some respondents said that the current system for approving HTQs is burdensome and effectively encourages the double validation of study programmes. Others felt that approval on a module-by-module basis is unnecessarily constraining of innovation and autonomy.

There were different views among respondents about the value of a summative assessment. Some felt this was valuable, while others said that modules in higher education are usually individually assessed and so there should not be a requirement for a summative assessment. One respondent contrasted HTQs with apprenticeships, saying that in the event the apprentice does not pass the End Point Assessment (EPA), they still exit with their HE qualification. Therefore, they felt that adding a separate exam for those undertaking the HTQ as part of an apprenticeship can make this process more complicated by adding an additional exam for the HTQ component.

A few respondents suggested potential impacts on students. These included:

- potential knock-on impact for the student of any further changes to exams or summative assessments if a student is undertaking multiple modules
- students are being asked to bear all the financial risks, so employers should be asked to contribute to the development of their staff through HTQs
- the importance of assessing demand from learners for credit transfer within HTQs and therefore where guidance and regulatory approaches need to be prioritised
- the importance of careers information, advice, and guidance as there may be a need to signal to learners that the period over which they complete individual higher technical modules could impact on whether they achieve occupational competence

Some respondents felt that an institute-employer-led process to develop a common modular structure was unworkable as it would be expensive and time-consuming. Respondents explained that developing a suitable structure would require pedagogical expertise which is not typically found among employers. Furthermore, they felt that given

the time taken by trailblazers to develop occupational standards, it seemed unlikely that this model would be workable and that standards would be available in a timely fashion.

A few respondents felt that the lack of commonality between providers was a limiting factor, explaining that a common modular structure for HTQs may be difficult as different academic frameworks operate different credit structures. Specifically, some respondents wondered whether providers would recognise and award a qualification at various stages of step off points and at the end of a fuller qualification where these will not be part of a specific qualification and studied at different providers.

Other comments made by respondents relating to burdens included:

- concerns about modularisation as a way of supporting learning effectively because funding models do not support credit transfer easily
- suggestion that employers often do not have the time to give to curriculum development. One respondent explained that it has been challenging to find employers keen to be involved in HTQs and Institutes of Technology
- a view that all the proposals seek to bring HTQs more in-line with apprenticeship provision than higher education awards. This led the respondent to question why providers would want to go down this road rather than the apprenticeship route, where access to the apprenticeship levy resource provides an incentive to develop provision, and where employer demand is clear. They felt that over-complication of assessment will not assist this practice
- related issues addressed through the consultation on LLE referring to system complexity
- stressing the need to avoid prescriptive approaches to assessment
- suggestions to take an evolutionary not revolutionary approach to assessment improvement
- disagreement with the need for modules from different providers to follow the same template for their content to support transfer of modules between providers and recognition of prior learning (RPL). The view is that this will create more complexity than current institutional arrangements for assessing RPL
- concern that delays in the IfATE Occupational Standards review process may limit the development and approval of HTQs
- one respondent expressed concern that some qualifications may receive the HTQ kitemark even if they comprise less than 120 credits because they meet the 'knowledge, skills and behaviours' signalling occupational competence. They argued this would pose challenges to learners looking to progress onto a level 5 qualification and beyond (as at least 360 credits are ultimately required

to award a bachelors). They requested that DfE ensures that HTQ kitemarks are not awarded for courses less than 120 credits

### **Support for (C) An Institute-employer-led process to develop a common modular structure (29 or 22%)**

Some respondents expressed support for this option while also articulating concerns about difficulties of implementation such as finding employers able to be involved in HTQs and IoTs.

Respondents felt that a modular structure and flexible, holistic assessment of students' capabilities may work better for the types of learners more likely to undertake this mode of study (for example, people who have learning differences or who found pre-16 schooling difficult). Others favoured the development of a common modular structure for HTQs to allow individuals to build up qualifications and develop necessary skills over a period of time. This was also felt to support credit transfer and labour market currency of modules.

A collaborative approach to the development of modules was believed by respondents to make sure that they are suitable for employers' needs and academically rigorous enough to warrant a qualification. They stressed that the ability to transfer employers and providers should be built in to allow people the flexibility to move around the country or to a more suitable employer for them.

Other respondents emphasised the importance of employer buy in, a focus on occupational competence and institutional enthusiasm, to make this option work.

One respondent felt that this approach would ensure that a qualification is aligned to an occupational standard at the same level without compromising on the quality and level of occupational competence students would acquire. This would reduce multiple awarding organisations asking employers for their input on which knowledge, skills, and behaviours (KSB) should be aligned to an HTQ-based study. They felt that following through on this approach would support consistent modularised learning and thus facilitate transferability.

### **Support for (A) Requirement for each module to be individually assessed (18 or 14%)**

Respondents who supported this option generally qualified their response, opposing a summative assessment at the end of the qualification as they believed it would reduce flexibility. Some respondents emphasised that this is the case across the vast majority of HE provision already. One respondent said the 'summative assessment' would be better framed as the 'synthesis and reflection module', which applies the 'task' learning to the professional demands. This, they felt, is more than the summation of the learning so far, and more closely reflects the demonstration of the ability to effectively apply the task competences in a professional context.

Other respondents said this would provide a simple administrative process which would mean that modules can be easily identified and recognised between institutions.

### **Already exists (14 or 11%)**

Respondents felt that some of these elements already exist, particularly option (a). For example, one respondent said that all qualifications developed by degree awarding providers already show the necessary externality in the development of a course and therefore should be exempt from any additional regulatory kitemarking or scrutiny by IfATE. Others emphasised that modularity already exists.

### **All 3 look OK or together (10 or 8%)**

A few respondents said that any of 3 options would contribute to improving the reputation of HTQs. Some said all 3 options (or elements of all 3) should be implemented in combination.

### **Support for (B) Awarding bodies submit qualifications with a modular structure (9 or 7%)**

Stakeholders believed that assessing modules individually would allow learners to gain mid-qualification certification as recognition of their achievements.

Another respondent highlighted that accreditation of individual modules is complex, especially for subject areas that require holistic professional development and linking of knowledge from multiple subject areas. Therefore, it required the KSB element to be mapped across multiple modules in the approvals process.

In considering the merits of EPA, one respondent said that for learners undertaking a HTQ as part of an apprenticeship (where the HTQ is also the mandatory qualification within the standard), it would also have to be considered how the HTQ EPA overlapped with the Apprenticeship EPA. They felt there would always be limits to occupational competency for a learner who is fully classroom trained. Therefore, they question whether an EPA for a HTQ can fully assess a learner's overall competency if that learner has not had hands-on workplace experience. They felt this led to the potential blurring of the distinction between HTQ and apprenticeship study.

One respondent pointed out that the proposed option was confusing because it ignored the fact that universities are awarding bodies.

### **Other comments (22 or 17%)**

Other comments from respondents covered a range of areas

#### ***Disagreement with a common module structure***

A few respondents said that teaching and assessment must be appropriate for the knowledge, skills, and competence that a module is designed to deliver, and a common

module structure would stifle educational innovation. Hence, they feel a common module structure is likely to be problematic, emphasising that any assessment of the quality of modules needs to be completed by people with appropriate industry as well as pedagogical expertise. These respondents also felt that a common module structure will disadvantage those students who would respond better to different delivery and assessment methods.

### ***Too little information***

A few respondents felt there was insufficient information on which to base a decision about these options.

### ***Demand for HTQs***

Some respondents wondered whether there was sufficient demand for HTQs and that since they are based on the same apprenticeship standards and same occupational maps, then rather than develop a new model, consideration should be given to learning from established qualification development models which have already demonstrated how occupational competence and an academic qualification can work together.

### ***Relevance of labour market value***

One respondent was not sure whether 'labour market value' was relevant for courses, except those that are vocational. They felt it was important to preserve the idea that some courses are primarily academic, with transferable skills, but not necessarily a vocational element.

### ***Learning progression***

One respondent felt that consideration should be given to extending HTQs to level 6 and possibly level 7, to promote a clearer sense of the value of the vocational and technical awards. They felt that it was important that there were no dead ends in the qualifications portfolio so learners can move between vocational, technical, and academic routes. They used an analogy of moving on an academic 'climbing frame' rather than ladder, so learners can move sideways as well as up and down.

### ***Differences by respondent type***

Student mission groups and HE providers were more likely to provide critique of the options, whereas arm's length bodies and professional organisations were least likely to criticise the options. FE providers were more likely to support option (c) an Institute-employer-led process to develop a common modular structure, than other respondent groups. HE providers were more likely to support option (a) requirement for each module to be individually assessed, than other respondent groups.

## **Question 26 How would these approaches align or conflict with OfS and or university course approval requirements?**

A total of 126 respondents provided an open text response to this question, including related text from emailed responses. The theme with the largest number of respondents highlighted potential conflicts with provider processes, increased burden, and reduced autonomy. Fewer respondents suggested that existing processes were sufficient, made suggestions to improve alignment, or cited conflicts with other regulations and bodies. A small number of respondents felt that these approaches would align. A large minority of respondents said they were unable to comment.

### **Conflict with provider processes, increase burden and reduce autonomy (36 or 29%)**

Respondents thought the approach would undermine the high quality and innovative technical education delivery in the OfS regulated sector. They did not see alignment in any areas. Constraints on course design were considered by respondents to have a negative impact on the learner experience and on the academic freedom of a university to design the course that best suits the circumstances of learners and potential employers.

Respondents highlighted conflicts between different regulators and unnecessary burden on HE providers. Such respondents felt that “over-regulation” of the sector is a real danger, with risks for the sector, the economy, and a democratic society. Respondents felt that the increased flexibility for learners on HTQs needs to come from a combination of greater flexibility in IfATE processes combined with existing provider processes and frameworks rather than additional requirements or regulation. Respondents also pointed out that any changes to structure or assessment protocols would provide significant issues for course approval requirements, and potentially require a full re-write of qualifications. Respondents felt that providers would incur significant cost here, both in terms of staff time and in terms of financial costs, as some HE partners make providers pay for modification or revalidation processes.

Some respondents thought that these approaches would risk deterring providers from establishing or continuing to offer level 4 and 5 provision.

### **Existing processes sufficient (13 or 10%)**

Respondents explained that they do not support additional regulation, believing that the existing system is sufficient. They regard existing university programme approval processes as fit for purpose and believe the existing system can accommodate level 4 and 5 provision. Additional points made by respondents to support this theme include:

- the increased flexibility for learners on HTQs needs to come from a combination of greater flexibility in IfATE processes combined with existing

provider processes and frameworks rather than additional requirements or regulation

- HE providers already consider professional body standards and other awarding organisations as part of current course approval processes
- awarding bodies submitting qualifications with a modular structure to be assessed for quality would align with existing course approval processes. New courses could therefore be approved under existing structures
- existing frameworks for credit accumulation and transfer should underpin a flexible study model
- OfS oversight of outcomes provides an additional level of assurance

### **Suggestions to improve alignment (12 or 10%)**

Respondents made a range of suggestions that they thought would improve alignment. Some were similar and overlap, while others are distinctly different. These included suggestions that:

- the approaches would align if a national credit accumulation and transfer system were to be developed
- a joined-up approach between the OfS and the Education and Skills Funding Agency (ESFA) would ensure consistency and reduce burden across regulators
- incorporating this approach within existing OfS regulation and where possible, streamlining oversight systems to ensure value for money and reduce the burden on providers
- there should be consideration of having one body to oversee regulation and one body for quality assurance. This, it was believed, would cause less confusion, and streamline the system
- a streamlined regulatory model would help with regulatory clarity, efficiency, and costs to a provider
- the DfE and the OfS could ensure the impact of these changes are reflected in their regulatory activity going forwards. Respondents suggested this could include any guidance to providers regarding quality processes, for example, providing clarity and assurance in relation to the potential for this to reduce institutional autonomy
- the existing QAA guidelines could form the basis of a new universal credit framework. Respondents thought more consistency across the regulators and the designated quality bodies would be beneficial. It was felt that a more holistic approach to LLE regulation would allow for better alignment of provision across both HE and FE providers

- the QAA was well positioned to provide evidence regarding the delivery and quality of HTQs. Respondents thought that if the QAA was able to operate assessments of such providers, then further conversations with the DfE and IfATE could determine how that could work in the future

There was also support from respondents for the idea that occupational standards that underpin apprenticeships, T Levels, and HTQs could improve consistency. This, respondents thought, would provide a stable foundation from which providers could understand the needs and requirements of employers when developing courses.

A few respondents believed that the arrangements referred to in the question would need to run separately from existing national quality arrangements initially. Respondents thought that after a period of say 5 years, once new courses were established, then the possibility of incorporating them into one overarching quality assurance approach could be explored.

### **Conflict with other regulations and bodies (7 or 6%)**

Key areas of conflict with other regulations and bodies included:

- OfS, Office for Standards in Education (Ofsted) and universities' responsibilities to uphold standards. HE providers (or any award validators) are understandably sensitive about any changes which might be imposed to force them to recognise modules which they have not validated
- there may be some conflict under a flexible study model with updated condition B1 (in force from 1st May 2022) regarding the coherence of a higher education course where individual modules are studied in isolation over an extended period, potentially at multiple providers
- a flexible study module cannot be quality managed by the OfS in the proposals outlined in the B3 consultation, as it was felt these are simply too rigid and do not support a truly flexible offer. A university respondent said they were unclear how a student undertaking a module would impact on continuation, completion, and success data
- these approaches would be entering a crowded arena of QAA Subject Benchmarks, Apprenticeship Standards and accrediting and professional bodies, which are themselves industry led, as well as the statutory autonomy of universities

### **Would align (5 or 4%)**

Some respondents explained that they felt these approaches would align with OfS and or university course approval requirements.

Examples of why the respondents said this included:

- awarding bodies submitting qualifications with a modular structure to be assessed for quality would align with existing course approval processes. New courses could therefore be approved under existing structures
- a common framework could be adopted as a sector recognised standard by the OfS which would add weight and ensure that all registered providers had to abide by it. It was felt this would help with the transfer and portability of credits and qualifications and act as a benchmark for the course design and approval process and for ensuring consistency with national standards
- the QAA has been working with the IfATE in relation to the development of external quality assurance for end point assessments for integrated degree apprenticeship provision. Therefore, an understanding has been developed of the vision that IfATE and the Government have in further developing the skills landscape in relation to HTQs
- the approach set out in the consultation would be compatible with university course approval processes because universities are used to revising their courses to keep them relevant, and many choose to use relevant external reference points in doing so. Most providers would also be confident in awarding qualifications at levels 4 and 5, as degree-awarding providers normally plan for suitable “exit awards” of a full degree qualification at these points anyway. Therefore, there is already a strong foundation on which quality HTQs, as complete qualifications, could be developed and approved for delivery

### **Other comments (20 or 16%)**

Other comments were highly varied covering respondents views as follows: questioning why everyone must undertake English and maths, questioning the current approach to quality assurance, highlighting the importance learners place on a model within which modules are individually assessed and “kitemarked” by IfATE, stressing the importance of course approval processes to ensure courses are up-to-date, relevant to employment and attractive to prospective students, concern about reduced student options from the removal of BTECs, suggestions that there has been a lack of joined-up thinking between this (and the LLE) consultation and the recently published OfS strategy and suggestion that the proposals lack sufficient detail to judge whether there is alignment or conflict with university course approval requirements.

### **Differences by respondent type**

A higher proportion of providers (FE, HE and Independent) provided comments raising concerns about conflict with provider processes, increased burden, and reduced autonomy. HE providers were most likely to say existing processes were sufficient. Arm’s length bodies and professional organisations were more likely to make suggestions to improve alignment.

## Question 27 Are there any other approaches we should consider?

Respondents were asked for their views on any other approaches that should be considered. Although there were 122 responses to this question, most of those who answered stated that they did not have a view on this, had no comments to make, referred to their previous answers, or considered that it was not applicable to them (61 respondents or 50%). However, some respondents did outline approaches that in their view should be considered. These specifically referred to qualification delivery, including HTQ pathways, provision, and relationship with apprenticeships, the role of employers and funding. Other comments provided related to the regulatory burden, and the recognition of partly completed qualifications.

### Suggested approaches (39 or 32%)

Responses coded under this theme set out views on the proposals, suggesting different approaches, and making recommendations. The suggestions have been included below under 6 areas in Table 4.

**Table 4: Suggested approaches to consider**

Area	Suggestions
Qualifications	<ul style="list-style-type: none"> <li>Combine apprenticeships and HTQs</li> <li>Conduct a review of the HTQ provision (essentially lessons learned)</li> <li>Make Higher Technical Education more attractive to students, HE providers and employers</li> <li>Clearer HTQ routes</li> <li>Provision of a wider number of HTQs and faster roll-out</li> <li>Call for more apprenticeship courses to be provided</li> <li>Call for fewer routes and qualifications</li> </ul>
Employers	<ul style="list-style-type: none"> <li>Need for more collaborative working between HE providers and employers</li> <li>Call for greater involvement of employers in course development</li> <li>Employers should bear some of the costs associated with gaining qualifications if their business will benefit from them</li> <li>An employer-based or industry final year was proposed</li> <li>Important that employers understand the value of different qualifications</li> <li>Kitemark or quality assurance system for bespoke qualification needed for larger employers</li> </ul>

Reduced government involvement or fewer changes	<p>Call for more autonomy for the HE sector, and for less regulation</p> <p>Request for a less complex system</p> <p>Important to avoid unintended consequences resulting from system change</p> <p>Call for greater investment in existing approaches</p> <p>A similar complaints resolution system should be in place across different parts of the sector</p>
HE funding	<p>Suggestion that fee payments by students should be ended</p> <p>Call for better funding of the HE sectors</p> <p>Suggestion that there should be one flat rate for all students</p> <p>Recognition of completed modules</p> <p>Support for a modular approach to HTQs</p>
Course credit transfer	<p>Request for more flexibility (less than 100% match)</p> <p>Introduction of a credit framework proposed</p> <p>Allow credit transfer up to a certain proportion of a qualification</p>
Consultation	<p>Call for greater consultation with students or prospective students</p>

## Reducing regulatory burden and overlap (19 or 16%)

Some responses outlined their concerns about the high regulatory burden associated with HE reform. Those commenting felt that the bureaucratic burden should be reduced. Specific comments were:

- a call for the assessment for inclusion in the OfS register to be less burdensome for providers
- perceived bureaucracy associated with the Institute for Apprenticeships and Technical Education (IfATE). Comments outlined that this was particularly slow and unclear, including with regards to inclusion on the register of approved providers
- many felt that there needed to be a balance between learner needs and regulatory requirements. This could be achieved through a risk-based approach
- it was stated that there could be greater use of, and alignment to, existing regulatory frameworks to reduce complexity and bureaucracy
- one respondent felt that it is important to avoid the use of too many resources in more regulation
- there was support for the OfS or QAA's data driven approach that was seen to safe-guard quality and meet the needs of both employers and learners

## Differences by respondent type

HE providers were somewhat more likely than FE providers to make suggestions related to reducing the regulatory burden and overlap with existing regulations. Across all other themes, the proportions of responses from HE and FE providers were broadly aligned with the overall proportion of responses coded under each theme.

## Question 28 How should any of these approaches be applied to qualifications already approved as HTQs

As with question 27, many of the 115 respondents who answered this question considered that they had provided a response through previous answers, were not sure, or stated that they did not wish to comment (58 respondents or 50%). The remaining responses to this question included specific suggestions for implementation of HTQs, requests for reduced bureaucracy, and comments on timescales.

### Suggestions for implementation (25 or 22%)

Respondents discussed the implementation of a variety of approaches. The most frequently mentioned suggestions were that such approaches could be applied when HTQs or occupational standards are reviewed, or when reapproval is needed for HTQs. Some suggested that those HTQs that have already been improved could be used as a case study or template for the development of a common modular structure. Other suggestions were for:

- a transitional period of 3 to 5 years
- an ongoing process of quality assurance
- a mapping exercise.
- engagement of employers and professional bodies
- consistent design and regulation

A transitional period of 3 to 5 years was proposed by one respondent and others considered that approaches could be applied as part of a quality assurance process. Some felt that HTQ approvals should only be reviewed when there are major changes to course content. Furthermore, delays in approvals, it was felt, could result in courses not starting on time.

### Risk of burden or bureaucracy (21 or 18%)

The importance of minimising unnecessary burden and bureaucracy was discussed by responses coded under this theme. This, it was felt, would be the case if the HTQ kitemarking process was revised. Many of those responding called for 'light-touch' regulation for university validated courses and those on the OfS register.

## Consider timeframes (9 or 8%)

Comments were made about the timescale for HE changes. It was stated that sufficient consideration needed to be given to the roll out of changes. Such a timescale would need to accommodate a significant lead in time and to ensure alignment (up to one year was proposed). It was suggested that small changes could be made as part of the annual qualification review process relatively quickly. Any delay was seen as being problematic, especially for a few respondents who indicated that they had courses due to start in September 2022.

## Other comments (12 or 10%)

A small number of other comments were made as follows:

- it was stated that there is a need for reapproval and or a review of current HTQs that have been approved by IfATE
- existing qualifications, it was suggested, need to be recognised and seamlessly aligned. That is, those qualifications recognised and assessed as meeting professional needs and HTQs, should be approved by IfATE
- the need to review prior to any change, and then once changes were established was stated
- consideration, it was felt, should be given to a new approval system

## Differences by respondent type

Across all themes, the proportions of responses from HE and FE providers were broadly aligned with the overall proportion of responses coded under each theme.

## Question 29 Do you have any other comments?

A wide range of views and issues were raised by 121 respondents to this question. While some respondents outlined reasons for supporting the proposals and welcomed the renewed focus on more vocational subjects, others expressed concerns about funding, student number controls and the impacts on student choice and access to higher education. The main themes emerging related to funding and student finance, SNCs, comments on the economic and labour market focus, comments on student options, and considerations going forwards.

## Funding and student finance (29 or 23%)

Comments on fees and funding for the HE sector were numerous. As well as general suggestions for reform, there was discussion of the impacts on HE providers and on

students resulting from these proposals. The main points set out by respondents included:

- there were calls for increased funding and resources for the HE sector
- the view was expressed that reductions in course fees will compromise HE providers and negatively impact on the delivery of high-quality teaching
- it was suggested that student finance needs reform
- consideration should be given to the facilitation of funding for a cross border (within the UK) study
- there were calls for equal access to student loans and concerns were expressed that fees and loans result in further disadvantage. Others felt that student charges should be reduced or removed; or that students who are accepted onto courses should automatically be eligible for a student loan
- opposition to an extension of the loan repayment periods was expressed
- with reference to employers, it was noted that employers will not bear any of the financial risks associated with HTQs
- scholarships should be available to those entering FE or HE according to one respondent, while another expressed a willingness to work with the DfE to develop a new funding formula

### **Opposition to SNCs (27 or 22%)**

Respondents expressed their concerns about or opposition to SNCs. Most of these related to perceived inequities in relation to either courses or student groups. The concerns most frequently raised were:

- that SNCs are based on faulty assumptions – for example that STEM courses are a better investment for students and the economy. On this basis social value needs to be considered within a wider context
- that SNCs are a narrow and flawed option that will restrict access to cultural careers
- a recommendation that SNCs should be subject to re-assessment
- SNCs, it was felt, will further disadvantage poorer students, those who are disabled and those from minority ethnic groups

### **The economic and labour market focus (20 or 17%)**

With reference to social value, the focus on economic metrics and the labour market was seen as too narrow and not reflective of the true value and impact of higher education. Furthermore, there was a view that this approach would have disproportionate impact and could negatively impact on the Government's Levelling Up agenda.

## **Student options and choices (16 or 13%)**

Some respondents outlined their concerns about the impact of these proposals on the creative, arts and social science subject areas. It was stated that these subject areas need further consideration and should be more widely recognised for their value and contribution to society. Others expressed concerns that some subjects had been 'cherry picked'. On this basis, there was an assumption in the proposals that STEM subjects automatically lead to a good career or better employment opportunities than other subject areas. It was argued that this is not always the case.

## **Looking forward (9 or 4%)**

With regards to the next steps and looking forward, some respondents made suggestions or proposals for consideration as follows:

- there was a call for further detail on the proposals
- learning from the experience of other countries was seen as valuable and important in ensuring that England does not 're-invent the wheel'
- respondents from Scotland and Wales noted that it is important that students can study at HE providers from across all of the UK and not just England. The specialisms offered by devolved nations should be highlighted and recognised for their contribution to the economy for example, science subjects offered by Welsh universities
- an impact assessment on any proposals implemented should specifically focus on the impact on students from the most disadvantaged backgrounds

## **Differences by respondent type**

Across all themes, the proportions of responses from HE and FE providers were broadly aligned with the overall proportion of responses coded under each theme.



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