



Department for Business, Innovation & Skills

## Applying Student Number Controls to Alternative Providers with Designated Courses. Response form

There is no obligation to use this form when responding, but doing so will make your responses easier to analyse. There is no obligation to answer all questions. We look further to receiving your feedback.

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

The closing date for this consultation is **23 January 2013**

Please return completed forms to:  
Simon Batchelor,  
Higher Education Directorate  
Department for Business, Innovation and Skills  
2 St Pauls Place,  
125 Norfolk Street,  
Sheffield S1 2FJ

Telephone: 0114 207 5015

Email: [HE.consultation@bis.gsi.gov.uk](mailto:HE.consultation@bis.gsi.gov.uk)

### Question 1

Name of organisation (or name of person if the response is a personal response and is not submitted on behalf of an organisation)?

What type of organisation is it? (e.g. Alternative Provider, HEI, FEC, Regulatory Body etc.)

Lancaster University

HEI

### Question 2

Do you have a preference for Method 1 (control based on eligible students) or Method 2 (control based on students accessing funding)? If so, why is this?

Our preference would be for Method 1 (control based on eligible students) as this would be consistent for the whole sector.

### Question 3

What is your view on submission of data to HESA? Do you think designated courses at alternative providers should participate in the Key Information Set and therefore complete the National Student Survey and Destination of Leavers in Higher Education survey (if student numbers are large enough to permit this)?

Our view is that yes, alternative providers should be subject to the same transparency and regulatory burden as the rest of the sector. This would include HESA, Key Information Sets, National Student Survey and the Destination of Leavers in Higher Education survey amongst others routine data sets. This would provide a level playing field and give students access to comparable and meaningful data.

This issue is likely to become more significant as the number and scale of alternative providers will increase under the new regime.

#### Question 4

Are there any other methods for controlling student numbers on designated courses at alternative providers that you would recommend instead of Method 1 or Method 2?

No

#### Question 5

Do you agree that there should be an exemption from student number controls for alternative providers with small numbers of students accessing student support? If so, do you have suggestions as to how the Department should define 'very small'?

All students accessing student support will place a burden on the exchequer. If there is to be any exemption from student number controls it should be at the very lowest end of the scale (<50). In practical terms it seems that it would be difficult to manage the aggregated position if exemptions are granted and this could lead to unintended consequences. The penalties for over-recruitment should be comparable with the rest of the sector.

#### Question 6

Equality considerations: Do you think that the proposals for applying student number controls will have any equality implications (e.g. positive, negative, or neutral) for people with protected characteristics (as set out in the Equality Act 2010), or people from low income groups?<sup>1</sup> What impacts might there be and do you have any evidence of possible impacts?

We have no view on this

---

<sup>1</sup> Section 149(1) of the Equality Act 2010 imposes a duty on Ministers to have due regard to three specified equality matters when exercising their functions. These are: a) eliminating discrimination, harassment, victimisation and any other conduct that is prohibited by the Act; b) advancing equality of opportunity between people who share a relevant protected characteristic and people who do not share it; and c) fostering good relations between people who share a relevant protected characteristic and people who do not share it. The Equality Duty covers the following protected characteristics: age, disability, gender, gender reassignment, pregnancy and maternity, race, religion or belief and sexual orientation. The duty to have due regard to the need to eliminate discrimination also covers marriage and civil partnerships.

## Question 7

Do you have any other comments on the proposals within this consultation document?

Any system devised now needs to be fit for the likely expansion of the number and scale of alternative providers. It should protect both the student support budget and the individual student from application to graduation. It should also reflect the intention to create a level playing field.

It is particularly important that the risk of institutional failure for these providers is adequately monitored and reviewed. Whilst we welcome the Financial Sustainability, Management and Governance checks that are indicated, the process for dealing with difficulties that arise is not articulated.

As these and other proposals are developed in response to the new environment for Home/EU student recruitment, it is unclear whether there is, or could be, a differential impact by region. This is something that should be kept under review so as not to create unintended consequences.

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

Please acknowledge this reply



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



Yes

No

© Crown copyright 2012

You may re-use this information (not including logos) free of charge in any format or medium, under the terms of the Open Government Licence. Visit [www.nationalarchives.gov.uk/doc/open-government-licence](http://www.nationalarchives.gov.uk/doc/open-government-licence), write to the Information Policy Team, The National Archives, Kew, London TW9 4DU, or email [psi@nationalarchives.gsi.gov.uk](mailto:psi@nationalarchives.gsi.gov.uk).

This publication is also available on our website at [www.bis.gov.uk](http://www.bis.gov.uk)

Any enquiries regarding this publication should be sent to:

Department for Business, Innovation and Skills  
1 Victoria Street  
London SW1H 0ET  
Tel: 020 7215 5000

If you require this publication in an alternative format, email [enquiries@bis.gsi.gov.uk](mailto:enquiries@bis.gsi.gov.uk), or call 020 7215 5000.

**URN 12/1292RF**