



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:

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### 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.)

University of Sheffield, 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?

We would prefer that a standard approach is taken to the allocation of student numbers which is offered by Method 1. We would welcome the development of single standards for accountability across the sector to ensure parity between HEFCE funded HEIs and Alternative Providers. The majority of students are eligible for public funding which brings with it a requirement for institutions to be accountable for the funding they receive either directly or indirectly through students. It is important that this accountability is equitable both in terms of the mechanism by which student numbers are allocated and the reporting requirements placed on institutions.

We would suggest that student number allocations should be based on trend data and would suggest that the most recent data should also be taken into account where possible. This would reduce the impact of in-year variation and enable institutions to manage recruitment more effectively.

We note with interest the implication in the consultation that a lighter touch regime for management and regulation of student places is theoretically possible. We would urge BIS to consider whether this also implies that the existing regulatory regime which currently applies to the rest of the sector could be revised in light of this consultation.

### 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)?

The University is of the view that where providers of higher education are in receipt of public funding they should be subject to a single monitoring and reporting regime. If alternative providers are allocated student numbers this should bring with it the requirement to submit statutory data and to be involved in providing data to inform student choice including the KIS, NSS and DHLE. They should also fall within the remit of the QAA to provide assurance of quality and standards.

While we agree that where subjects attract small cohorts the data should be aggregated, we would suggest that any provider in receipt of public funding should be required to submit equivalent data to HESA even where this data is then published in aggregate form only.

We support the work HESA is undertaking to minimise administrative burden in the sector and suggest that HEFCE, HESA, UCAS and the SLC should work together to co-ordinate efforts to reduce complexity, separate reporting and the total volume of reporting for all higher education

providers.

#### 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, in the interests of parity across the sector we would strongly recommend that rather than devising a range of methods for controlling student numbers, a single, clear and transparent methodology is used for all eligible providers.

#### 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'?

No, if providers are eligible for an allocation of student numbers this should be subject to the same levels of accountability as 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 would suggest that the ongoing change and increased complexity associated with the creation of a market in higher education continues to have a detrimental impact on some students. In previous consultations we have suggested that the current HEFCE equivalences disadvantage a range of students with non-standard qualifications who must be considered as part of the Student Number Control Limit (SNCL) even in cases where students are high achievers.

We have already noted in our responses to HEFCE that the implementation of the AAB+ policy has created a reduced SNCL which, alongside SIV targets, leaves little core SNC to meet widening participation (WP) goals. We would also flag ongoing concerns that the potential distribution to alternative providers will have the effect of taking places from the most selective institutions and redistributes them elsewhere in the sector. We would suggest that WP is best served by high achieving applicants getting to the best Universities, whatever their background. The ABB+ policy will also affect WP students by reducing opportunities for institutional flexibility to recruit borderline students during Confirmation, Adjustment and Clearing. Previously this flexibility has been used to recruit students from WP backgrounds who show the potential to succeed in HE but who may be on the grade boundaries for their A-level performance.

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<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?

We would urge BIS to fully evaluate the potential impact of allocating publicly funded student places to alternative providers without also extending the accountability and regulatory regimes which are in operation for the rest of the sector. We have noted concerns regarding a lack of parity across the sector and would suggest that transparency and clarity can only be provided through the implementation of single system.

We recognise the need to control the student population in the broader context of financial management. However, we would suggest that there would be unintended consequences associated with moving student places away from high quality providers which would impact on the quality of education which students receive and that this should be avoided by careful implementation of the policy to increase marketisation and competition in higher education.

We note with disappointment that this consultation does not appear to have been informed by responses to the BIS Technical Consultation (which closed in June 2012) and would urge BIS to revisit the concerns previously raised. The key points from our response which are also relevant to this consultation are:

- We raised concerns regarding the dilution of the University title by reducing the number of students required for an HEI to be classed as a University and the need to protect the characteristics of a UK University which have contributed to the UK's strong reputation;
- We suggested that consideration should be given to managing exit from the sector as well as entry, in the context that alternative providers may well be driven by other motives, far removed from lifelong learning and scholarship.

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

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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

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