



ASSOCIATION
OF COLLEGES

OfS consultation on calculating student numbers

A response from the Association of Colleges:
October 2018



The Association of Colleges

1. The Association of Colleges (AoC) represents nearly 93% of the 266 colleges in England incorporated under the Further and Higher Education Act 1992.
2. Colleges are transformational – they help people make the most of their talents and ambitions and drive social mobility; they help businesses improve productivity and drive economic growth; they are rooted in and committed to their communities and drive tolerance and well-being. They are an essential part of England’s education system.
3. College HE Key Facts
205 colleges offer Higher Education (HE).
159,000 people study HE in a college.
Colleges deliver 85% of HNCs, 82% of HNDs and 58% of foundation degrees.

Q1. What do you think about how we propose to measure intensity of study?
What are the benefits of this approach?
Do you have any concerns about this approach? If so, what and why?

A1.

Where students are registered with one provider but taught by another under a subcontractual arrangement, we agree that students are attributed to the provider with which they are registered. However, we are less clear on the coverage of students for TEF purposes, considering that TEF assessment is based on where the teaching takes place. Clarity is required in communicating students that will remain in scope for TEF assessment, considering that a substantial number of colleges have not yet taken part in this exercise. We feel that TEF assessments should continue to recognise excellence in teaching at the institution where teaching takes place.

We support that providers that teach as part of subcontractual arrangements only should be placed in lowest fee band for the purpose of registration fee. However, any communication must remain clear and consistent that such

providers (subject to Tier 4 license conditions) can exercise their option to register with OfS.

We note that point 250 in the regulatory framework states that for full DAPs 'the calculation will only take into account students who are registered with the provider, rather than students registered with another provider but taught by the provider'. However, we feel it is important when assessing applications for DAP purposes, some consideration is given to the total number of students studying HE under direct as well as subcontractual arrangements. FE colleges that apply for DAPs (in particular those applying for TDAP at level 6), are likely to be disadvantaged if the students studying as part of subcontractual arrangements are completely excluded for the purposes of DAP assessments. This is in line with point 251 of the regulatory framework that refers to a more flexible approach that can be adopted by the OfS when assessing TDAP (level 6 or BDAP) applications. The OfS should consider additional factors such as the number of students studying on level 4, 5, 6 (and 7) courses delivered by the providers, the overall number of students studying on level 6 courses as well as number of students who progress to level 6 courses.

We welcome the new method of calculating student numbers that will be based on the actual activity during the year rather than making assumptions based on mode of study that is no longer helpful. Definitions and interpretations of full time and part time are very fluid and it is logical to recognise the number (and proportion) of credits studied by students during the year rather than the mode of study.

In principle, capturing the activity of further education students when assessing applications for DAPs or university title is logical. However, clarity is required in determining how this activity will inform any assessments. For instance, a larger volume (and proportion) of FE activity and therefore a relatively overall smaller proportion of HE at any provider should not negatively impact on the assessments. It is also important that derivations of FTE on the basis of standard learning hours per programme has a clear recognition of what constitutes a 'programme'. This is important considering the different types of programmes that have varied learning hours and different structures of delivery. Also, clarity is required in what is meant by 'standard learning hours' and whether it is the total time Criteria or 'Guided Learning' under the RQF. If guided learning is used, colleges typically offer a more intensive form of timetabled instruction than other HE providers and often teach fewer students but a higher teaching intensity.

Q2. What do you think about our proposal to include overseas activity once reliable data becomes available?

What are the benefits of this approach?

Do you have any concerns about this approach? If so, what and why?

A2.

We feel registered providers are responsible for their students, wherever and however they study. So, once this data on students that study wholly overseas becomes available, we support including these in student number calculations.

Q3. What do you think about our proposal to include all higher education provision, including provision the OfS will not generally fund, such as provision listed on the Ofqual register of regulated qualifications?

What are the benefits of this approach?

Do you have any concerns about this approach? If so, what and why?

A3.

There has been a longstanding lack of clarity on regulation and quality assessment that surrounds non-prescribed HE. This has impacted upon the status and prestige of some of the qualifications that are categorised as 'non-prescribed' or 'non-recognised'. We believe that there are merits in breaking away from the legacy of language and categorisation and thereby offering parity to NPHE with 'recognised' or 'prescribed' HE. Small providers that deliver different types of HE can benefit from inclusion of NPHE students as 'HE students' particularly for DAP purposes and we feel that consideration should be given to all students studying at levels 4 and above when assessing applications for DAPs, offering a clear recognition to NPHE provision.

However, if the same method of calculating student numbers across all regulatory activities is to be applied by the OfS, we strongly disagree with including NPHE students in student number calculations where OfS does not fund the provision. This could potentially mean that the HE student numbers at FE colleges will be higher, which could mean that a college could move from a lower fee band to a higher fee band for registration purposes and hence required to pay a higher registration fee when OfS will not fund or support this provision otherwise. This can considerably disadvantage colleges that run a variety of programmes including those that might be listed on the Ofqual register and/or funded by the ESFA. These programmes have significantly lower fee than that for courses of recognised HE, and inclusion of students on

these programmes can disproportionately increase the registration costs for colleges.

Additionally, participation in TEF is mandatory for providers with 500 or more students. Including HE provision that OfS will not generally fund will bring a larger number of students within scope (although there will be no TEF metrics available for these students) and potentially make TEF participation mandatory for more FE colleges. TEF will be at subject level and will be burdensome for smaller colleges that do not have the resource to meaningfully engage in this exercise. Some FE colleges that deliver larger proportion of NPHE and relatively smaller volumes of recognised HE might not wish to participate in TEF.

Q4. What do you think about our proposal to use existing data, where possible, to calculate student numbers?

What are the benefits of this approach?

Do you have any concerns about this approach? If so, what and why?

A4.

We agree that OfS should use existing data, where possible, to help reduce burden on providers to submit bespoke data.

In instances where data will be drawn from HESA and ILR, and there is full-cost provision especially when students study NPHE courses, it will be helpful to provide providers such as FE colleges an opportunity to review and verify their HE data.

Q5. We have proposed that the same approach to counting student activity should apply across all the regulatory activities mentioned above (i.e. to assess applications for degree awarding powers and university title, to determine mandatory participation in the TEF and to determine what band a provider is in for registration fees). Do you have any concerns about its application to one or more of these activities? If so, which one(s) and why?

A5.

While the same approach to counting student activity to all the regulatory activities offers a greater degree of consistency in OfS's approach, as highlighted in our response to question 3 above, we feel counting student numbers that are not funded by OfS in student calculations can disadvantage colleges. The registration fee bands (based on student numbers) have not been agreed and published yet. High costs of registration with the OfS are of significant concern for FE colleges. The previous indicative OfS fee tables

published by DfE suggest that the costs are likely to be disproportionately higher for smaller providers of HE. While the provision and mix of recognised and NPHE provision varies from one college to another, we are anxious that student number calculations can impact on colleges strategies for expanding HE. For instance, FE colleges with higher number of NPHE students (and those that will not be funded by OfS) may limit their growth of HE if the costs of expansion maybe disproportionate to returns.

Q6. Overall, what do you think about the proposed principles of the new method for calculating student numbers?

Is there anything you would like to see added? If so, what and why?

Is there anything you would like to see changed? If so, what and why?

A6.

As above.