



ASSOCIATION  
OF COLLEGES

# OfS consultation on regulating access and participation in English higher education

Association of Colleges response: October 2018



## 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. To what extent do you agree or disagree with the proposal that plans should normally remain in place for a period of at least three years, rather than annually as at present?

A1. Strongly agree

AoC supports the proposal to place the approval of access and participation plans onto a more strategic timescale. It will enable providers to prepare more robust and meaningful plans and take a strategic view of their access and participation initiatives. A longer cycle will also help providers to focus on impact and assess their activities and reduce the burden of annual submission of plans.

The key here will be annual monitoring that will not only help OfS ensure that providers are making necessary progress but also for providers to keep themselves on track and not lose sight of their targets and necessary milestones. We feel a longer cycle of APPs will be helpful although we feel consideration must be given to a slightly shorter cycle and to submission of these plans every three years rather than five years.

Colleges typically have smaller cohorts of students and it takes longer to establish trends, and small differences in student recruitment and other targets year on year are more noticeable. A longer term and more strategic approach to plans will be generally helpful for colleges.

Q2a. How effective, if at all, would the proposed approach of annual impact reports and action plans be for...

...Assessing a provider's progress compared to the sector as a whole?  
Fairly effective

...Assessing a provider's progress compared to other institutions?  
Fairly effective

...Improving a provider's strategy to improve access and participation?  
Fairly effective

...Engaging students in the monitoring of access and participation?  
Fairly effective

...Capturing good practice, and findings from evaluation?  
Fairly effective

Q2b. To what extent do you agree or disagree that the submission of an action plan would make providers more accountable to their students, the OfS, and the public for their performance in access and participation?

Tend to agree

We agree that if a longer cycle of APPs is introduced, there will be an increased need for regular and ongoing monitoring. We feel an action plan will help providers become more accountable to the OfS as well as assist with internal ongoing monitoring and commitment.

An action plan that will be publicly available will help provide transparency and the ability for other institutions to view these will also help share good practice across the sector. However, there will be need for any public facing document to be contextualised. The HE sector is very diverse and like any other document,

such as TEF submissions, the action plans will not be comparable without the underpinning context of the providers.

Also, OfS should encourage and safeguard the interests and commitment of 'honest triers'. Publication of action plans should not limit or inhibit the implementation of innovative ideas about enhancing access and participation.

Colleges are considerably under-resourced and often have one person who holds responsibilities and is accountable for several HE commitments. Colleges find it helpful to work with templates when making submissions and value any accompanying advice and guidance. This will be even more valuable for those colleges that have not had any access agreements in the past.

Out of over 200 colleges that deliver HE, only circa 75 colleges had access agreements approved by OFFA in 2017/18. Since the introduction of variable fee, while all universities decided to charge higher fee, the only element of price competition in the sector remained in college HE. Even those colleges that had access agreements in place did not charge higher fee for all of their programmes. We anticipate that the costs of delivering HE will rise (considering the subscription fee for OfS, QAA and other bodies), and more colleges are likely to charge higher fee in the foreseeable future.

We agree that many providers and third sector organisations already produce annual impact reports detailing the outcomes of their access and participation activities, however this is less likely to be the case for small providers and it is important that any additional reporting is not unduly burdensome for small providers of HE.

Likewise, student engagement is helpful to comment on providers progress and their work, however, colleges often do not have student bodies such as student unions that can be more readily involved and provide feedback. OfS should provide advice and guidance on what other sources and processes can be used by FE colleges to capture student voice that will be deemed credible and robust by the OfS.

Q2c. To what extent do you agree or disagree that the approach of a longer-cycle plan with annual impact reporting, and ongoing OfS monitoring, will reduce the level of burden for low risk providers and apply greater scrutiny for providers at increased risk of a future breach of one or more conditions?

Tend to agree

We feel that a longer planning cycle with annual impact reporting and ongoing OfS monitoring will reduce the level of burden for low risk providers and this is broadly in line with the OfS's strategy to lower the burden for low risk providers. However, the burden (albeit necessary) of producing impact reports should not be underestimated. Colleges do not have designated teams or staffing in place to take responsibility for submitting reports and to undertake detailed evaluation activities. We hope that setting up the Evidence and Impact Exchange will provide support to smaller providers in assessing the impact and evaluating activities. Any evaluation also needs to be contextualised, for providers that have small volumes of HE, tools like controlled trials or longitudinal surveys will not be meaningful. It is also important that realistic targets are set that accommodate possible fluctuations in college HE because of small HE cohorts.

Q 3a. To what extent do you agree or disagree, that...

...the stated OfS specified-aims are the national priority areas for access and participation?

Tend to agree

...the OfS should specify measures that we encourage providers to use when setting targets related to OfS-specified aims?

Tend to agree

...providers should also be able to set additional targets relative to their context?

Strongly agree

...the proposal allows for comparability of performance in access and participation across the sector?

Tend to agree

...the proposal allows for progress to improve access and participation to be measured?

Tend to agree

We feel that OfS should specify measures that providers could use when setting targets related to OfS-specific aims, however it is crucial that providers are able to set targets that are specific to their own contexts. Colleges already recruit substantial proportion of students from disadvantaged backgrounds and the position varies based on geography, local demographics etc. It is likely that colleges far exceed some national targets and are less able to meet the targets in other areas (based on the profile of the population where colleges recruit from).

OfS targets on raising attainment in schools can be problematic and challenging for FE colleges and this can be partly attributed to an element of competition between schools and colleges as well as a level of reluctance amongst schools to promote college HE. Such national level targets are less likely to be met by all FECs that deliver HE.

We also feel that while setting OfS-specific aims and targets and focussing on national priorities, emphasis should be placed on fostering collaboration between schools, colleges and universities. Colleges are providers of both FE and HE and students progress from FE to HE at FE colleges or they choose to study at universities. It is important that colleges and universities collaborate rather than compete and funded initiatives such as NCOP have been helpful in developing these relationships and help institutions work towards a common goal.

While we recognise that funding is beyond the scope of this consultation, we feel it is an important part of this discussion. FECs teach a significant proportion of underrepresented students and rely on funding (student premium, NCOP) to support these students. Any reduction in this funding will limit success in this area.

Overall, we feel that OfS should specify measures but these should not be mandatory. Providers should be given an option to explain why particular measures may be less suited to them and they should also be allowed to identify alternative measures. Also, it is important that attainment, success and progression captures those who are not studying for three-year honours degrees and there is a recognition that providers teach qualifications that lead to a top-up year or are used as exit awards (HNDs/Foundation degrees).

Q 4a. To what extent do you agree or disagree with the proposal to collect and publish, in a transparent way, access investment?

Tend to agree

We broadly agree that an increased focus on targets for access, student success and progression in conjunction with TEF and LEO will ensure student success and progression is sufficiently resourced and it is difficult to disaggregate spending on student success and progression from wider spending on supporting teaching and learning within institutions.

Point 123 in the consultation states 'we will collect all other financial information about a provider's spend through the financial returns submitted by providers as part of condition D'. ESFA is the financial regulator for FE colleges and OfS should obtain financial information from ESFA where possible and colleges should not be required to provide any additional information.

We agree that providers should provide details on how public money is being used to improve access. However, colleges will be challenged in disaggregating their spend for pre-16, post-16 and work with adults and communities. Colleges offer many services in student support where it will be difficult to disaggregate the spend for pre-16 and post-16 activity.

Also, point 127 suggests the requirement for a minimum level of spend to secure sufficient level of activity in area. We feel this could be tricky, considering each provider is different and depending on the demography of the region, for instance, some providers may have a low BME population and may not be able to justify spend in this area.

Q 4b. To what extent do you agree or disagree with the proposal to disaggregate access spend by post-16, pre-16 and work with adults and communities?

Tend to disagree

While we recognise that the OfS has a role to play in applying pressure to providers to deliver and sustain long term outreach programmes with pre-16 as well as older learners, as providers of both further and higher education and working with learners in different age groups, colleges will be challenged in disaggregating their spending for pre-16 and post-16 learners.

We feel different providers will have a different focus, approach and set of priorities for access and outreach. Providers should not be compared on a like for like basis against each criterion. Colleges in rural areas will not be comparable with city-based institutions and there will be regional disparities (for instance some regions such as London are very cosmopolitan in contrast with remote parts of South West or North West of England and many colleges operate in cold spots).

Q 4c. To what extent do you agree or disagree that a strong focus on targets and outcomes alone, creates enough pressure to secure sufficient funding in access and participation to achieve change, without an expectation of spend?

Tend to agree

We feel a strong focus on targets and outcomes will be crucial in shaping provider behaviour. We agree that a focus on outcomes is particularly helpful where a provider can achieve a particular outcome at a lower cost rather than being required to spend a specified amount that may be better utilised elsewhere. And sharing good practice will help achieve better outcomes at a sectoral level.

We believe an expectation on spend can also help to set standards but this relevant when comparing providers that have similar profiles. Small providers of HE have lesser additional income to invest in access and it is important that target setting as well as spending is proportional to the size, structure and geography of the provider.

Colleges tend to invest in activities and initiatives holistically and it is often difficult to disaggregate spend. Any differentiation for services such as student support, careers which tend to be cross FE/HE services in colleges, can be difficult.

Q 4d. To what extent do you agree or disagree with the principles in paragraph 140 which we propose should underpin our approach to funding and investment in access and participation?

Tend to agree

Reasons, as stated above.

Q 5a. To what extent do you agree or disagree that an evaluation self-assessment tool will contribute to improvements in evaluation practice?

Tend to agree

We feel that a self- assessment tool will be helpful in improving evaluating activities, however, as stated previously, it is important that these additions are not overly burdensome for colleges that do not have the resource or capacity to undertake rigorous evaluations.

Q 5b. What support do you think the OfS could provide to enable more effective use of tracking services? (max 300 words)

It is less straightforward to answer this in the absence of fuller details of the proposed tracking service and how much it will cost. Colleges cannot afford tracking services that are expensive and perhaps less helpful when tracking small cohorts of students. The tracking softwares and systems that have been available till date are costly and require additional staffing, and colleges are not able to commit to such costs. Colleges are already under considerable financial strain and no tracking services should be made mandatory. It would be helpful if OfS could help provide these services to smaller providers at a lower cost. We also hope that the pilot exercise conducted by University of Exeter will be able to provide affordable and efficient tools for smaller providers of HE. Also, as stated previously, we hope that EIX is able to support smaller providers to develop evaluation tools that are fit for purpose for FE colleges.

Q 6a. To what extent do you agree or disagree that OfS should undertake further work to explore whether data split by age could be included within the transparency information condition?

Tend to agree

We feel while data spilt by age is helpful, it can compromise identity and present data protection issues for small providers.

Q 6b. To what extent do you agree or disagree that OfS should undertake further work to explore whether data split by disability status should be included within the transparency information condition?

Tend to agree

We feel while data spilt by disability is helpful, it can compromise identity and present data protection issues for small providers.

Q 7a. To what extent do you agree or disagree that OfS should create and maintain an access and participation dataset?

Tend to disagree

In theory, creating and maintaining an access and participation dataset that provides a sector level picture can be positive. However, as indicated in point 164, unlike TEF, the proposal suggests that this data will not be aggregated. Colleges teach small cohorts of HE students and small numbers present challenges because of non-reportable metrics and potentially compromising student identity and data protection issues. Splitting the data further based on additional characteristics (age, ethnicity, disability) will present even more complexities for FE colleges. Small data sets also present issues of presenting a steeper and striking changes in student populations year on year, that can be less helpful when presenting a picture of access at FECs. We feel any dataset must be contextualised and benchmarked in relation to the context of the provider and not just rely on absolute values.

Q 7b. To what extent do you agree or disagree that the proposed datasets would support you to hold providers to account on their performance against targets?

Tend to disagree

As above.

Q 7c. Are there any measures you feel are missing from the dataset? (max 300 words)

Travel distance can be a useful indicator, students from underrepresented groups do not travel far from where they live and this is reflected in recruitment at some providers that mainly recruit locally rather than nationally or internationally.

We feel measures such as 'good degrees' and 'highly skilled employment' are often inadequate when assessing and evaluating success, 'distance travelled' and 'value added' (while difficult to measure) are more significant when evaluating success in college HE. The data set does not include part-time which can be a useful measure in addition to age.