



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.)

Professor [redacted] [Personal Response]

### 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?

Method 2 - easier

### 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)?

This should be completely voluntary

### 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?

The consultation seems to conflate two separate issues. The first is the manifest duty of the Government to control public expenditure. The second is the freedom of a higher education institution to choose those students to whom it wishes to offer places. If an institution wishes to offer – say – 200 places on a particular designated programme of study, but the government only wants to fund – say – 50, let the government choose which 50, and inform the remainder accordingly. Why shift the responsibility to the institution?

#### 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 exemptions. The principle must apply to all. [Otherwise there is a grave danger of abuse of the system – an alternative provider might be tempted to 'parcel itself' into smaller units to gain the exemption]

#### 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?

I have no immediate views on this matter.

#### Question 7

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

---

<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.

1. The consultation professes that it wishes to “create a more level playing field of regulation between similar providers,” but the policy outlined does not do that. For example, the document proposes that alternative providers must have each relevant course “designated,” and could have this course-specific designation revoked. Why is this draconian principle not being applied to taxpayer-funded providers? Why do taxpayer-funded providers enjoy a ‘blanket’ designation, but not alternative providers?
2. The consultation document ignores completely those “mixed-economy” institutions that offer both FE and HE and which are currently inspected by the Independent Schools Inspectorate (ISI). There is not a single mention of the ISI in the entire document. Why? Is the intention of the Department to “squeeze out” the ISI from all designated provision? If so this is wholly wrong.

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**