

Date 18 January 2013

Applying student number controls to alternative providers with designated courses

Summary

The government intends to reduce the barriers to the growth of alternative provision of higher education. As part of this, it is consulting upon the shape and purpose of the new system for alternative providers that wish their students to be able to access student support from the Student Loans Company; is seeking responses on specific proposals on student number controls; and is inviting views on how aspects of this will operate in practice.

Background

At present, alternative providers are not generally subject to the same regulatory conditions as publicly-funded institutions even though they are able to apply for certain courses to be considered as eligible for the accessing of tuition fees and maintenance support from the Student Loans Company. The government does not propose to use primary legislation to change this provision at the present time but instead intends to move towards a more consistent and coherent regulatory system. It believes that part of this can be achieved by more closely tying those courses provided by alternative providers to student number controls and by ensuring that more robust quality assurance conditions and more detailed checks on financial sustainability, management and governance are in place.

The new principles will apply to all new and existing providers from the 2013/14 academic year.

Alternative provider means any provider of higher education courses which is not in direct receipt of recurrent funding from HEFCE or from equivalent funding bodies in the devolved administrations; does not receive direct recurrent public funding (for example, from a local authority); and is not a college of further education.

Recommendations

- To accept the proposed answers outlined below and to submit them as part of a response to the Department for Business, Innovation and Skills' consultation on applying student number controls to alternative providers with designated courses.

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Consultation questions

Question 1: Respondent details

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Question 2: Do you have a preference for method 1 (control based upon the number of eligible students) or method 2 (control based upon students accessing funding)? If so, why is this?

Answer: Northumbria University believes that method 1 (control based upon the number of eligible students) is the most appropriate method for applying student number controls to providers with designated courses. This method is supported on the grounds that we believe there should be a level playing field between providers of higher education and that the introduction of differential techniques of applying student number controls would prevent this from taking place. This method is also supported on the basis that it is more similar to the student number control system in operation at HEFCE-funded providers than method 2 and should therefore be easier to implement.

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)?

Answer: Designated courses at alternative providers should be required to participate in the Key Information Sets, National Student Survey and the Destination of Leavers from Higher Education survey.

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?

Answer: As mentioned previously, Northumbria University believes that method 1 is the most appropriate method for controlling student numbers on designated courses at alternative providers. We do not recommend any other method for this and would like to reiterate our belief that in order to ensure a level playing field, all providers of higher education should use the same method for calculating student number controls.

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'?

Answer: In line with its view that there should be a level playing field across the provision of higher education, Northumbria University does not believe that there should be an exemption from student number controls for alternative providers with small numbers of students accessing student support. Instead, we believe that the emphasis should be upon

the overall number of students in the higher education system rather than a simple focus upon what providers are able to deal with.

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? What impacts might there be and do you have any evidence of possible impacts?

Answer: Northumbria University has noted that the Government does not, at this time, propose to change the access arrangements so that alternative providers are subject to the requirements of the independent Director for Fair Access. We believe that unless some sort of commitment of this type is put in place, there is a real possibility of discrimination against students from low-participation neighbourhoods, less-affluent socio-economic groups and other under-represented groups across the wider community. Therefore, in order to address this, we believe that the government should introduce requirements for widening participation when setting fees of a certain level and above.

Question 7: Do you have any other comments on the proposals within this consultation document?

Answer: It is unclear whether alternative providers will be required to recognise qualifications that are equivalent to A Level AAB+. It is also unclear what would happen as regards exemptions and access in the event of a merger between alternative providers of higher education, or who is the custodian of the student interest in the case of a private provider insolvency.