

Consultation on the OfS strategy for 2022-25

Questions

Proposal 1: Do you have any comments to make on the OfS's proposed strategy for 2022 to 2025 or the priorities set out within it?

The EPC is committed to equity and welcomes the OfS focus on improving equality of opportunity in access and participation. However:

1. Higher education in the UK is perceived internationally as one of best provisions in the world. It is unclear what "problem" this approach is trying to solve that is not addressed by existing mechanisms? Students already see themselves as customers and demand the very best from their provider (as they should). Competition between institutions for students (both home and international) and existing performance controls (such as benchmarked drop-out metrics, satisfaction surveys and employment outcomes) have served students well.

2. We dispute the assumption that progress in improving equality of opportunity is dependent on and supported by progress in raising quality and standards as defined and proposed to be measured by the OfS. In fact, although we recognise that the intention is to encourage institutions to add more value through teaching and support, given our view on (3) below, we think the two are mutually exclusive based on the approach outlined. By indirectly rendering universities accountable for addressing the failings of education pre-higher education, OfS will encourage HE institutions to avoid selecting students with lower prior attainment or any other circumstances that might hamper their employment outcomes (such as socioeconomic disadvantage, ethnicity, gender, disability, etc.). The effect will obviously be the opposite, undermining OfS' legal duty to promote fair access. Ultimately, the approach as it stands is likely to encourage universities to be risk-averse in their admissions, effectively raising the bar for any students that don't look like those who have been successful in the past, thus closing down opportunities and making higher education ever more the preserve of those whose pre-existing privilege is the most ingrained while marginalising those for whom the transformation potential of higher education is the greatest.

3. We have serious concerns that the strategy either pre-judges support for the proposals set out in the ongoing OfS quality and standards consultations or does not pay due regard to the sector feedback. We are mindful that the OfS' response to the phase one quality and standards consultation, and subsequent thinking on the follow-up consultation, did not take proper assessment of criticism from a "large proportion of respondents", including the EPC.

In particular, we challenge whether a crackdown on providers based on supposed quality is efficient and effective use of OfS resources where the measure of quality relates to "minimum" baselines in relation to successful employment outcomes. These outcomes are only indirectly related to factors within the universities' control such as the quality of teaching and support. This is simply not justified nor has any attempt to evidence the causal effect been made. The outcomes baselines proposed in the initial consultation (and not yet revisited with the sector) assume that power and money are proxy measures of educational quality when these measures are highly influenced by region, by national and regional economic conditions, by industrial sector and by imbalances in recruitment practices (gender, socio-economic background, etc.). This approach supports out-of-date thinking around measuring success through high-achieving entrants going on to learn large sums.

4. We find the strategy, when coupled with the approach outlined in the ongoing consultations to be a significant and unhelpful intrusion on the constructive autonomy of institutions as protected in law by the Higher Education & Research Act (HERA). This autonomy serves diverse societal, economic and labour market needs and is often cited as a contributing factor to the UK's high quality HE sector. Autonomy allows and encourages innovative approaches, driving quality and adaptation to an ever-changing world (which is particularly important in Engineering). It facilitates innovation and diversity to serve diverse needs and a diverse body of students. OfS should use its position and powers to encourage innovation rather than incentivise homogenous approaches designed to deliver metric-satisfying outcomes.

5. The value of higher education in improving social mobility, developing local economies, and "levelling up" – especially post-pandemic – is in addressing the precise inequalities that this strategy ignores. The approach would benefit from a regional appraisal and nuance to prevent local brain drains and enforced geographic mobility. Local retention / employment is not only a positive outcome for graduates, but also a really positive choice for the Government's goal of levelling up regions by creating high-skilled employment in disadvantaged areas. Given regional variations in the labour market, the goal of regional development through educating and upskilling the local workforce is inconsistent with the desirable outcomes as set out in the strategy as it stands.

6. The proposals do not pay due regard to robust timing. Any measures for the next few years which might be used to inform judgements on quality may be wildly unrepresentative of actual standards or performance over time. Even outside a pandemic, recession or recovery (which would account for most of the past decade and a half), outcome will always be the product of the health of the economy in the context of global, national and regional market forces that are far beyond the control of the sector. We do

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not want to endorse a deficit model, but it is unrealistic to ignore pre-HE "gaps"; widely evidenced amplification of disadvantage will distort the creaming effect further.

7. The provision of Higher and Further Education has four main aims:

a. Exchange Value: the development of skills and knowledge in order to pass the required assessments and gain a "qualification" that will allow the individual to access career choices that are not possible without this qualification;

b. Use Value: the development of skills and knowledge for use in employment and everyday life;

c. Self-actualisation: the benefits for mental and spiritual wellbeing given to an individual when they are able to reach their full potential;

d. Education of the next generation: by educating one generation, we are providing the generations to come with a support-network better able to nurture their educational needs. The critical role played by the family in supporting education has never been more clear as during the pandemic where parents and guardians have been expected to home-school.

The proposals suggest that only the first of these purposes is recognised as valuable by the OfS. This leads to a distortion of education where "teaching to the test" becomes the norm; this also leads students to view their educational experience as transactional rather than the rich transcendent experience that it should be. This generates an employee pool which does not reflect the requirements of business; life-long learners driven to deliver their very best every day.

Proposal 1: Do you have any comments about any unintended consequences of the proposed strategy or the priorities set out within it, for example for particular types of provider, particular types of student, or for individuals on the basis of their protected characteristics?

What is measured will always draw the focus and distract from other dimensions of quality, and therefore create unintended consequences. When proxies are used for decision-making, people are incentivised to pursue the data rather than – and even at the expense of – the intended goals.

OfS has not evidenced sufficient grasp of how student factors, including widening participation and protected characteristics, influence and are influenced by different institutions, different disciplines and different regions. As OfS will be aware, a 2016 Institute for Fiscal Studies study showed that one of the most significant influences was whether they came from an already wealthy background with school attainment a stronger predictor of graduate earnings than subject or university choice.

Rather than improve higher education, the strategy based on current OfS quality and standards thinking is likely to narrow fair access. Is it really fair, or in the wider economic interest (given that UK revenue from education related exports and TNE activity reached £23.3 billion in 2018), for the OfS to hold an HEI that helps diverse students establish rewarding lives to the same standards as a university with nearly half of its intake with straight As from privileged backgrounds? This directly opposes OfS intent to ensure that all students, whatever their background, are protected from low-quality courses or qualifications that do not meet sector-recognised standards. Instead, the best bet for any institution will be to try to recruit high-performing, well-spoken, white, male, well-networked, able-bodied, tall, straight, students with the result that universities will be rewarded for doing as little as possible to close the gaps. This defies the access and participation agenda.

OfS may seek to mitigate this by imagining that it is a question of where the quality bar is set in terms of outcomes. However, so long as the bar exists and uses measures that promote undesirable and unintended outcomes, it will either be so low as to be a pointless exercise or high enough to imperil institutions taking on those students for whom high education could be most transformative.

Under this regime, some universities and courses could end up being sanctioned for reasons to do with a) their subject mix and b) their intake, rather than anything that they might actually be doing wrong. Quite the opposite, trying too hard to do the right thing may open them up to sanctions.

For example, drop-out rates are higher among students with extra financial or social challenges, and bias in recruitment practice disadvantages certain graduates. So, if students are from lower socioeconomic or minority ethnic backgrounds, or they are disabled or they are returners to study, their course might look 'low quality' while actually the prospects of those students (compared to not having achieved that degree) have been greatly improved.

BTEC students, for instance, have far higher non-continuation rates on engineering courses than students with A level Maths and Physics. When they do graduate, they face higher hurdles in gaining employment because they may not have the social capital and may not have had the same extra-curricular opportunities. However, the earnings premium for BTEC students in engineering is greater relatively than for their high-achieving A level counterparts.

To drive genuine improvement and transformation, and to create the workforce of the future, we need to add value to the system, not exclude swathes of student who "have the capability and potential to successfully complete their course" but are disadvantaged by their circumstance or prior educational experience. The best course is not the one with the best students, but the one whose students gain the most from their educational experience.

Proposal 2: Do you have any comments to make on the proposed addition to the regulatory framework?

We agree that the inclusion of a link to the current strategy in the regulatory framework makes the link clearer and more transparent. However, the "subject to change" clause in the main body of the text and the footnotes was inferred by us to mean that both the annual action plans and strategy could be subject to change. Changes to the strategy would only be appropriate subject to sector consultation and should not be introduced to the regulatory framework without absolute transparency.

Are there aspects of proposals 1 and/or 2 you found unclear? If so, please specify which, and tell us why.

It is unclear to us if the annual action plans or overall five-year strategy as referred in the proposed addition to the regulatory framework were subject to change.

It is not clear to us how the OfS will also continue to work closely with Scotland, Wales and Northern Ireland, when the direction of travel in relation to quality and standards is more diverged by the proposed strategy and approach. In particular, the dismissal in the quality and standards consultation of the UK Quality Code, Subject Benchmark Statements and the Standards and Guidelines for Quality Assurance in the European Higher Education Area (ESG) is a concern in engineering where it has UK wide value, particularly in relation to Professional, Statutory and Regulatory Bodies (PSRBs). This is a mainstay of the high regard around the world for the UK's HE system and the massive economic benefit of the internationality of engineering.

Do you have any other comments?

We fear that the approach (strategy plus consultation details) as we understand it does not adequately accommodate courses which allow students to do anything other than join a course, stay the duration, and graduate. Given the Government's intention to expand flexibility throughout the education sector to encourage lifelong learning, modularity and hop-on-hop-off courses, the applicability of the strategy in the light of hop-on-hop-off and emergent HTQs is remiss. This is a game changer for the sector.

We note that the alternative approaches considered cover only the eventuality of no strategy or the same strategy. We would welcome insight into the consideration given to other trains of strategy thought than the one proposed.

Personal information

If you choose to provide personal information with this consultation response, you will need to consent to us processing your data in line with the privacy notice outlined earlier in the survey.

I consent to the OfS processing any personal data I submit in line with the privacy notice outlined earlier in the survey

What is your name?

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What is your organisation? (if relevant)

Engineering Professors' Council

Which of the following best describes you?

Other (please specify):
Representative sector body

Are you submitting

A collective response?

Are you happy for your response to be published on the OfS website?

Yes, I am happy for my responses to be published