

Consultation by OfS on a new approach to regulating equality of opportunity in English higher education (including regulation of access and participation plans).

Response of the Association of School and College Leaders

Introduction

1. The Association of School and College Leaders (ASCL) represents over 22,000 education system leaders, heads, principals, deputies, vice-principals, assistant heads, business managers and other senior staff of state-funded and independent schools and colleges throughout the UK. ASCL members are responsible for the education of more than four million young people in more than 90 per cent of the secondary and tertiary phases, and in an increasing proportion of the primary phase. This places the association in a strong position to consider this issue from the viewpoint of the leaders of schools and colleges of all types.
2. ASCL welcomes the opportunity to contribute to this consultation. In addition to the responses below we would urge the inquiry to consider ASCL's published works on "[The forgotten Third](#)", and our association's "blueprint". Both of these documents give valuable context to our responses on widening participation and promoting equality of opportunity.

Key points in answer to questions

Question 1: To what extent do you agree with our proposals relating to risks to equality of opportunity? Please provide an explanation for your answer.

Risks to equality of opportunity is a valid approach but it is an incredibly nuanced area. POLAR can be too wide as can the various ethnic group breakdowns.

Question 2: If you consider our approach should differ, please explain how and the reasons for your view.

More scope could be given to the increasing problems caused by economic disparities and the extent to which some young people are forced to work long part-time hours or act as carers.

The use of HMRC information could provide better family background information.

HEIs should also evaluate the effectiveness of their WP efforts by analysing student cohorts once they have actually enrolled.

Question 3: To what extent do you agree with our proposals relating to a four-year plan duration and publication of information about a provider's delivery of a plan? Please provide an explanation for your answer.

Four years seems a reasonable timeframe for a provider's plan duration.

Question 4: If you consider our approach should differ, please explain how and the reasons for your view.

The four year cycle does not encourage HEIs to work with schools and communities on a more longitudinal basis but focuses instead on upper school students only.

Question 5: To what extent do you agree with our proposals related to the format and content of an APP? Please provide an explanation for your answer.

The proposals around format and content (and a maximum 30 pages) seem appropriate. The publication of financial support and eligibility criteria is particularly welcomed.

Question 6: If you consider our approach should differ, please explain how and the reasons for your view.

Being able to evidence the impact of financial support on resulting HEI participation should be an important part of the Access and Participation Plan.

Question 7: To what extent do you agree with our proposals related to targets? Please provide an explanation for your answer.

There is encouraging ambition in the type and range of targets.

Question 9: If you consider our approach should differ, please explain how and the reason for your answer.

There is a danger with the proposal on targets that it encourages strategic relationships with schools that might be the easiest to engage with in order to hit that target. However this could actually exacerbate inequalities.

Question 10: To what extent do you agree with our proposal related to evaluation? Please provide an explanation for your answer.

HEIs should also include an evaluation of their WP practices based on the cohorts who eventually enrolled who engaged with their various outreach and other activities.

Question 11: If you consider our approach should differ, please explain how and the reason for your answer.

Evaluation in educational outcomes and other situations is highly complex. Too many variables are inevitably at play and so great care needs to be taken when evaluating results and suggesting causality.

Question 12: To what extent do you agree with our proposals related to investment? Please provide an explanation for your answer.

Cost-effectiveness should naturally be a consideration but it may be necessary to evaluate cost-effectiveness over longer timeframes and at many different micro levels (student, programme, school etc).

Question 13: To what extent do you agree with our proposals related to raising attainment in schools and collaboration? Please provide an explanation for your answer.

Whilst working with schools in collaboration with other providers is essential, it must be remembered that the exceptionally dire financial situation in school funding (especially post-16) may result in unintended or unusual findings.

Question 14: How might the OfS support providers to develop strategic partnerships to raise attainment in schools?

We are concerned about situations where new schools may be established with particular entry criteria, as well as HEIs potentially sponsoring schools. This is a very controversial and unproven development.

Question 15: What support would help foster collaboration between higher education providers, schools and colleges around information, advice and guidance (IAG), outreach and attainment raising, and why?

HEIs tend to be extremely poor in providing consistent accurate information back to schools about the destinations and performance of their students - despite this being increasingly required as a school accountability measure. HEIs should be constantly liaising back with their feeder schools over this information.

Question 16: To what extent do you agree with our proposal related to the assessment process? Please provide an explanation for your answer.

We agree that the published access and participation data and other contextual provider data is extremely important and should be at the heart of the APP assessment process.

Question 17: If you consider our approach should differ, please explain how and the reasons for your view.

The proposals do not address the thorny issue of how to measure disadvantage on a micro level in a region e.g. where a school in a highly disadvantaged area has large proportions of advantaged students - and vice versa.

Question 18: Do you have any feedback on the whole proposed approach to regulating equality of opportunity in English higher education, including regulation of access and participation plans?

It is highly fanciful to expect the OfS regulatory approach to address all the problems of inequality of opportunity that exist in the country (especially post-Covid and in the midst of a cost-of-living crisis). However given that caveat the OfS approach is to be generally commended.

Question 19: Do you foresee any unintended consequences resulting from the approach set out in this consultation? If so, please indicate what you think these are and the reasons for your view.

The main problem may be where HEIs focus on short-term activities that are easily measurable.

We also reiterate the point about the potential dangers in HEIs establishing new schools or sponsoring certain schools.

Question 20: Are there aspects of the proposals you found unclear?

We are not sure that this consultation captures views over "the recognition of achievement in context" - our experience tells us this can be very helpful in judging student potential.

Question 21: Do you have any comments about the potential impact of these proposals on individuals on the basis of their protected characteristics?

We feel that the general direction of travel of these proposals is positive, especially the inclusion of certain groups that have been hitherto excluded from the process.

3. Conclusion

We hope that this response is of value to your consultation. ASCL is willing to be further consulted and is happy to assist in any way that we can.

Kevin Gilmartin
Association of School and College Leaders
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