MillionPlus

The Association for Modern Universities

POLICY BRIEFING

MillionPlus response to the OfS consultation on APPs

Alan Palmer & Connor Mckenzie, October 2018

Proposal 1: The OfS will place the approval of access and participation plans onto a more strategic timescale, with the number of years during which a plan may be in force to be based on risk. Plans should continue to demonstrate clear long-term ambitions for how providers will achieve significant reductions in the gaps in access, success and progression over the next five years. We will review progress against plans each year. Providers at increased risk of a future breach of condition A1 will normally be expected to submit plans every three years. Providers considered not at increased risk of a future breach of condition A1 will be expected to submit their plans every five years. Where we have serious concerns about a future breach, we may expect more frequent resubmission.

1. 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?				
Strongly disagree	Tend to disagree	Tend to agree X	Strongly agree	Don't know/ prefer not to say

Enabling providers to be more strategic in their aims, ambitions and plans to increase access and participation is sensible. On the whole, MillionPlus is in favour of institutions being given more freedom to plan with greater vision and long-term objectives built on a level of trust between providers and the regulator. Any moves that can reduce the bureaucratic burden on providers while still upholding the appropriate levels of scrutiny are to be welcomed.

However, it is important that the OfS is aware of the potential dangers of policy changes. One potential pitfall of increasing the timespan between APPs is that certain institutions are let 'off the hook' and there is not the same level of expectation for continuous improvement. There is also the possibility that such a move will open more space for 'gaming' within the system.

It is unclear, though, why 5 years is considered automatically strategic, while 3 years is not. Three years may well be strategic in some cases for some providers, though the proposals as stated would ensure that this is seen as a problematic approach.

We agree that moving away from annual plans is the right decision, but the evidence provided in the consultation of the rationale for 5 years is unconvincing. In fact, in paragraph 57, it states that providers believed three-year plans would be far more effective, useful and relevant.

It is also not clear what triggers the need to submit a plan earlier than 5 years. The point is made about a provider being at risk of a future reaching of condition A1. However, no mention is made of sanctions on a provider that breaches that condition, or in the case of some of the first providers that have recently been added to the register already has specific conditions of registration imposed.

Proposal 2: Providers will be required to publish and submit to the OfS an impact report each year. Financial information previously collected in our annual access and participation monitoring process will be submitted as part of wider OfS financial reporting processes

2a. How effective, if at all, would the proposed approach of annual impact reports and action plans be for…					
	Not at all effective	Not very effective	Fairly effective	Very effective	Don't know/ prefer not to say
…Assessing a provider's progress compared to the sector as a whole?			X		
…Assessing a provider's progress compared to other institutions?			X		
…Improving a provider's strategy to improve access and participation?					X

	Not at all effective	Not very effective	Fairly effective	Very effective	Don't know/ prefer not to say
…Engaging students in the monitoring of access and participation?		X			
…Capturing good practice, and findings from evaluation?				X	

2b. 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?				
Strongly agree	Tend to agree	Tend to disagree X	Strongly disagree	Don't know/ prefer not to say

The submission of an action plan would, by its very nature, only show how the provider is accountable to the OfS, given that it will be produced where either the provider or the OfS has judged that there is a lack of progress against the APP, or where the OfS has imposed conditions of registration. The extent to which students and the public will engage with APPs, annual impact reports and action plans is likely to be extremely limited, outside of the scope of student representative organisations. These are not strong reasons to compel providers to produce action plans.

Action plans, it is assumed, are one of the of the "broad range of measures" referred to in these consultation proposals. In this respect, they are a lever that the OfS can pull to help nudge institutions that are not meeting expectations. It is arguable, therefore, that they will have a mild punitive or corrective function and so will in some way contribute to making providers more accountable overall.

However, it is surely the impact reports that are the primary means of accountability in relation to

the public and students. Action plans will only be demanded in special circumstances and contribute to the process of monitoring providers, which is the responsibility of OfS first and foremost (if not exclusively, in its official capacity).

2c. 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?				
Strongly agree	Tend to agree	Tend to disagree	Strongly disagree	Don't know/ prefer not to say X

Notwithstanding the points about the right length of the cycle in our response to question 1, burden will be reduced if the obligation to produce plans yearly is removed.

However, it remains to be seen whether the proposals will reduce the level of burden for providers. More detail is needed on the policy proposals in order to make a suitably informed assessment of this. It may be that the real level of burden will only become apparent during the initial rollout of the process itself.

One important point that needs clarifying in order to help deduce this is: what is the primary purpose of the impact reports? It is appreciated that impact reports are intended to help create a balance between maintained scrutiny (annual output) and reduced burden, but the document could be a little clearer of the relative weight of each of these ambitions. If this is not further clarified there is a risk that impact reports become as burdensome as existing APPs in attempt to satisfy both ends equally, defeating the point of the exercise.

Proposal 3: Providers will be expected to include in their access and participation plans a set of strategic, outcomes-focused targets. A small number of these will be recommended by the OfS for use across all providers, and providers will also continue to be able to set outcomes-focused targets related to their own contexts.

3a. To what extent do you agree or disagree, that…					
	Strongly disagree	Tend to disagree	Tend to agree	Strongly agree	Don't know/ prefer not to say
...the stated OfS specified-aims are the national priority areas for access and participation?			X		
…the OfS should specify measures that we encourage providers to use when setting targets related to OfS-specified aims?			X		

...providers should also be able to set additional targets relative to their context?				X	
…the proposal allows for comparability of performance in access and participation across the sector?		X			
…the proposal allows for progress to improve access and participation to be measured?			X		

Proposal 4. The OfS will **collect predicted access spend disaggregated by pre-16 activity, post-16 activity and work with adults and communities in access and participation plans**. We will also continue to **collect information on the financial support that providers give to students, and set expectations that this financial support is robustly evaluated, and communicated clearly to students**. We will no longer require providers to report on student success and progression spend.

4a. To what extent do you agree or disagree with the proposal to collect and publish, in a transparent way, access investment?				
Strongly agree	Tend to agree X	Tend to disagree	Strongly disagree	Don't know/ prefer not to say

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?				
Strongly agree	Tend to agree X	Tend to disagree	Strongly disagree	Don't know/ prefer not to say

For too long, the focus of the access conversation has been young participation into a particular group of institutions. This has tended to ignore the work by modern universities in increasing participation among other underrepresented groups, and in providing greater educational opportunities to local communities. This move will not only enable those providers doing the most in this area to be properly acknowledged but will also encourage those not focusing on these groups to consider new activity.

The division of investment spending makes sense and will presumably enable OfS to try and

encourage more mature student recruitment and expose/celebrate providers based on their recruitment of mature students.

However, there may be a risk that the term "adults and communities" is too nebulous and that some institutions might put any work that they do with their local communities or businesses into this category. More detail about how to invest in and support mature students would be required to really push some institutions on this.

Many providers would argue that their outreach work relating to pre-16 and post-16 would also constitute engagement with the community and that it has an impact that goes beyond the individuals who are the primary targets. Moreover, some outreach work with young people does not necessarily have a return which directly impacts on the institution carrying it out but does contribute towards the wider access and participation agenda.

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 disagree

Effective outcomes do not necessarily require a particular level of investment, so the lack of a target is not a negative approach. Conversely, requiring providers to spend a certain amount of money regardless of activity could mean that the wrong investments are made.

Having said that, however, OfS may wish to reserve the right to apply spending conditions, especially if some providers appear to be benefiting from the investment and activity of others.

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

Paragraph 140 uses the words "our funding" which would suggest that only OfS allocated funding is to be considered when assessing APPs. This may well be the intention, but it leads to confusion given that student success and progression will be supported by other forms of investment and activity implemented by providers (e.g. from tuition fees and/or income from external partnerships). For example, paragraph 119 refers to incentives and pressures that may come from TEF and LEO data. Providers are likely to react to these with investment that is not solely derived from direct OfS funding that is noted in paragraphs 131-137.

There are risks that the principles could be used as an additional instrument by which to scrutinise funding streams and thus justify further cuts to universities. It is not clearly explained why these additional principles are being implemented right now, although there is an opening caveat that all funding streams will be subjected to the outcomes of the post 18 review. One question that occurs on reading this approach to whether these principles designed primarily to benefit students, or ease the operational activity of the OfS?

We believe more clarity is required to explain the relationship between all forms of investment from providers and how these will relate to OfS' assessment of APPs.

Proposal 5: Providers will need to complete a **self-assessment of their evaluation activities against a set of criteria**, as part of their APP. The core purpose of the tool will be to identify and support continuous improvement in evaluation.

5a. To what extent do you agree or disagree that an evaluation self-assessment tool will contribute to improvements in evaluation practice?				
Strongly agree	Tend to agree	Tend to disagree	Strongly disagree	Don't know/ prefer not to say X

In principle it seems logical that self-assessment will contribute to improvements in evaluation practice.

The section within the document appears to be thin on detail and it is therefore difficult to make a judgement on whether or not it is likely to be effective. The document sets out the intentions (in terms of effects) of the proposed evaluation self-assessment tool, as well as some generic explanation on self-assessment tools in an abstracted sense, but there remains much to be expanded upon in terms of how such a tool would function in this context.

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