

**UCAS' submission to the Department  
for Business, Innovation and Skills  
consultation 'Fulfilling our Potential:  
Teaching Excellence, Social Mobility  
and Student Choice'**

**January 2016**

**Part A: Teaching Excellence, Quality and Social Mobility**  
**Chapter 1: Introducing the Teaching Excellence Framework**

***Question 2: How can information from the TEF be used to better inform student and employer decision making? Please quantify these benefits as far as you can.***

Students exploring the options for higher education need to have access to comprehensive information about their proposed course of study, as well as about the institution they'll be attending and the destinations of former students. Understanding course content, structure, how it will be delivered and assessed is essential, and comparable information about teaching quality, the learning environment, and student outcomes and learning gain would offer richer detail which could help students with their application choices.

However, it should be noted that providing more information to students in itself will not necessarily ensure that they make more informed decisions about their higher education applications, as was reported in the HEFCE lead UK Review of the provision of information about higher education: Advisory Study and Literature Review<sup>1</sup>. Extensive information and advice will need to be provided alongside the TEF metrics to allow students to understand what the information is and how it has been collated. Equally, contextual information will need to be provided in order to ensure an accurate interpretation of the data presented.

UCAS will look to incorporate TEF metrics and outputs in the course search service that it offers for prospective students. We would welcome conversations with BIS to discuss how we could do this and also provide the wraparound information and advice necessary to help students, parents, teachers and advisers use the new TEF information in an informed and constructive way.

**Chapter 2: Assessment, process, outcomes and incentives**

***Question 6: Do you agree with the proposed approach, including timing, assessment panels and process? Please give reasons for your answer.***

One of the outcomes of the introduction of the TEF is that it would see the introduction of variable tuition fees from academic year 2017-18. We wish to highlight the practical challenges that this may pose for higher education providers, given the timing and duration of the admissions cycle.

Alongside provider prospectuses and websites, the UCAS course search tool provides learners with information regarding the tuition fees associated with a particular course.

Assuming the recommendations are implemented, we will work with HEPs to help them keep tuition fee information presented to learners through UCAS channels accurate and up to date. We will also enhance the information and advice we provide to learners and advisers to help raise awareness of the changes to tuition fee levels and associated support.

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[http://www.hefce.ac.uk/media/hefce/content/pubs/indirreports/2014/Provision,of,information,advisory,study\\_and,literature,review/2014\\_infoadvisory.pdf](http://www.hefce.ac.uk/media/hefce/content/pubs/indirreports/2014/Provision,of,information,advisory,study_and,literature,review/2014_infoadvisory.pdf)

Course and tuition fee information for courses starting in the autumn of 2017 for the 2017-18 academic year will go live in the UCAS search tool in May 2016. At this point, prospective students will be able to view the tuition fee information for a particular course and will begin to make choices based on this information with a view to submitting applications from September 2016. If tuition fees change after May 2016, there are consumer law implications since prospective students could be making application choices and admissions decisions based on incorrect and out of date information. Although the impacts on admissions choices are likely to be minimal given the current rate of inflation, we would encourage BIS to clarify its position on when any changes to tuition fees will take place to give prospective students as much notice as possible.

The consultation document notes that in Year two, the outcomes of the assessment process will be announced in spring 2017 for the 2018-19 academic year. Again, we would ask that BIS is mindful that prospective students will be researching courses, including tuition fee information, on the UCAS website from May 2017, and making applications from September 2017 for courses starting the following autumn.

***Question 7: How can we minimise any administrative burdens on institutions? Please provide any evidence relating to the potential administrative costs and benefits to institutions of the proposals set out in this document.***

It is our understanding that TEF will be developed using new and existing data collection functions. We would welcome discussions with BIS and higher education providers about whether and how UCAS might provide data to minimise the administrative burden.

## **Part B: The higher education sector**

### **Chapter 2: Provider exit and student protection**

***Question 17: Do you agree with the proposal to introduce a requirement for all providers to have contingency arrangements to support students in the event that their course cannot be completed?***

Given our mission to inspire and facilitate progression in education we welcome moves to protect the interests of students who may have to move courses or institutions.

UCAS has previously played a role when enrolled students have been displaced from an institution due to unforeseen factors. For example, in 2012, UCAS operated a 'clearing house' to support international students who had been displaced from London Metropolitan University.

If a requirement is introduced for providers to have contingency arrangements in place, then UCAS would want to explore how we could best support students in achieving continuity of their studies, through both the provision of transfer arrangements and information and advice about the options available in different circumstances.

### **Chapter 4: Social mobility and widening participation**

***Question 12:***

***a) Do you agree with the proposals to further improve access and success for students from disadvantaged backgrounds and black and minority ethnic (BME) backgrounds? Please give reasons for your answer.***

UCAS supports the government's agenda to do more to open up higher education to those from all backgrounds. UCAS' latest analysis from the 2015 admissions cycle highlights that, although the differences in entry rates to higher education by socio-economic background continue to reduce, other differences are growing.

In particular, the participation rate between men and women has widened again, with entry rates for young, white men falling even further behind. This is stalling progress in reducing the overall widening participation gap.

Our 2015 End of Cycle Report examines offer rates and entry rates in detail for applicants from various social and ethnic backgrounds, including offer and entry rates to the most selective, higher Tariff institutions. Whilst the results are encouraging, with entry rates of young disadvantaged applicants to English universities and colleges, including higher Tariff institutions, at record levels, the gap in participation remains wide and is largest for higher Tariff providers.

Our analysis also shows that understanding the widening participation challenge is complex and multi-dimensional. To respond to this we have introduced new measures into our reporting that are able to give a more holistic picture of equality. These measures, which in the first instance combine sex, ethnic group, income and area background to understand the likelihood of entering HE at 18, show wider differences in entry rates and less progress in closing entry rate differences (<https://www.ucas.com/corporate/data-and-analysis/ucas-undergraduate-releases/ucas-undergraduate-analysis-reports/ucas>).

UCAS will be working with the UUK-led Social Mobility Advisory Group to develop this evidence base further.

With regard to the consultation on **name blind applications** (paragraph 17), UCAS is running a consultation exercise in two stages.

**Stage 1:** The first stage is an evidence gathering exercise. We are seeking views and feedback from universities and colleges in order to understand better how a name-blind approach could work in practice, what innovative approaches there are to this and what other steps UCAS could take to support universities and colleges in their efforts to minimise bias in admissions and support widening participation.

**Stage 2:** Based on the feedback we receive, and after discussion with Universities UK, GuildHE and the Association of Colleges, we will approach universities, colleges, schools, advisers and students to consult on a number of options which could help higher education providers in their efforts to minimise bias and widen participation.

We anticipate that any recommended changes could be incorporated into the development of the new application management service. The current ambition is for the new service to be ready for the 2018 admissions cycle, which opens in May 2017.

As the consultation on the Green Paper finishes before the UCAS evidence gathering exercise closes on 5 February 2016, we would welcome feedback from BIS about any Green Paper responses which may be relevant to our work in this area.

**Question 13:**

**a) What potential benefits for decision and policy making in relation to improving access might arise from additional data being available?**

UCAS is committed to using its data and analysis to support widening participation and fair access to higher education. This commitment is reiterated in our Corporate Strategy (<https://www.ucas.com/sites/default/files/ucas-corporate-strategy-2015-2020.pdf>) and remains a particular priority for our Board of Trustees. In recent years UCAS has been at the forefront of publishing data about the changing patterns of applications and acceptances to higher education, including the impacts of changes in tuition fees and number controls on underrepresented groups.

Our portfolio of analysis reports, scheduled data releases (including daily releases at important times) and End of Cycle data sets provide the most comprehensive set of higher education data resources of its kind. These resources, totalling over two million data points, are freely available to all and published in a reusable format. For specialised needs, not served by the published resources, we operate a comprehensive commissioned data service that provides variables and statistics to an exact specification. This service is being rapidly expanded with new variables on the development plan for 2016. These include expected offer rates to support equality analysis and non-disclosive individual-level data which can be used to support a variety of modelling and analysis.

We have also integrated this commissioned data service with our non-disclosive tracking service that enables widening participation groups to submit the names of individuals who have participated in outreach activities and receive analysis of their offers and admissions outcomes, including access to all the variables in the commissioned data service (<https://www.ucas.com/corporate/data-and-analysis>).

We believe that the large majority of research questions can be addressed effectively by combining this framework of flexible anonymous data resources with up to date aggregate methodological approaches. However, we recognise that individual level, personal data may sometimes be beneficial, typically where linking datasets would be valuable. As recommended by the Social Mobility and Child Poverty Commission we have been in discussion with the Administrative Data Research Network (ADRN), to establish arrangements so that where applicants give consent, their data will be shared with the ADRN, and will be accessible for a wide range of research purposes through a secure environment employing a robust approvals process. The ADRN has been supportive of this (<http://adrn.ac.uk/news-events/newsitem?newsid=4296>). We anticipate we will start collecting consents from students in February 2016.

This approach will give researchers access to personal and linked data for the full range of research on widening participation and other topics whilst ensuring that students stay in control over how their data is used.

Paragraph 22 of the Green Paper proposes that the government should “*establish a power to require bodies providing a service connected with the provision of higher education to provide relevant data and information to help better target efforts on widening access and success*”.

If this proposed power means that UCAS might be required to provide personal data about applicants to government bodies or HE agencies without their consent, we would argue that such a power is neither reasonable nor proportionate. It is not reasonable because students have told us that while many of them are content for UCAS to share their data with third parties in certain circumstances, they expressly want to be able to consent to the sharing of their personal details – even where this is for a social good like supporting widening participation.

It is not proportionate because, as outlined above, UCAS already makes available very substantial anonymous data assets and is in the process of agreeing arrangements with the ADRN to share personal data with the research community in a controlled way and with the consent of students.

Students care deeply about their personal data and want to be in control over who has access to their data and for what purposes.

Every year UCAS receives the personal data of over 700,000 undergraduate applicants. We take our responsibilities to students’ data very seriously. Our policy is not to share applicants’ personal data outside of universities, colleges and other organisations directly involved in admissions to higher education without a student giving their explicit consent.

Last year 37,000 undergraduate applicants responded to our survey on personal data. 78% of respondents said they had a high level of data trust in UCAS, compared to a 63% level of data trust in academic researchers and 36% level of trust in the government.

Over 60% of students said that researchers should be able to use their application data to understand access to higher education and support efforts to widen participation – provided that they have given their permission first. Over half of those responding also said that their trust in UCAS would be reduced, and 8% would consider not applying to higher education at all, if UCAS were to share their data without their consent.

Overall 89% of respondents said they wanted to be asked for their consent before their data is shared with anyone outside of the admissions service (<https://www.ucas.com/corporate/news-and-key-documents/news/37000-students-respond-ucas%E2%80%99-applicant-data-survey>).

We believe that the government should respect the wishes of students and trust their judgement to decide with whom to share their personal data, and for what purposes - just as the government has recognised the rights of the general public to determine who has access to their healthcare records (in relation to care.data).

This also accords with the agreed text relating to strengthened privacy rights for consumers in the new EU General Data Protection Regulation. The Green Paper proposal would therefore be going against the tide and at odds with the reforms outlined in these Regulations, which require that consent must be freely given, specific, informed and explicit, and demonstrated either by a statement or clear affirmative action.

The NUS has said:

*“NUS does not support any proposals that may require a sector body to share student data without a student’s explicit consent. It is unclear to NUS what, if any, additional benefit will be derived from sharing additional data, beyond that which is already made, or already planned to be made available. Therefore, we feel any additional powers for government in this regard are unnecessary and redundant.”*

Requiring UCAS to hand over students’ personal data to the government without applicants’ consent also risks impairing the quality of some of the important equality monitoring information that applicants provide on a voluntary basis. We would anticipate a significant increase in the number of students choosing the ‘prefer not to answer’ option on voluntary questions such as parental occupation, and particularly those questions relating to protected characteristics such as ethnic origin, sexual orientation or disability.

In summary, we believe that the arrangements that UCAS already has in place to provide data and analysis, coupled with a partnership with the ADRN, are sufficient to enable the effective targeting and evaluation of widening participation activities. Any additional benefits to researchers and policy makers from the forced disclosure of students’ personal data to the government and other organisations are likely to be small compared to the loss of trust in the admissions system and erosion of data quality.

We also note that the proposal raises a number of significant legal implications which are likely to be costly and time consuming to resolve. Aside from data protection and human rights considerations for applicants, as UCAS is a registered charity there would be regulatory implications for the Charity Commission if attempts are made to appropriate or divert the charity’s assets or intellectual property.

We invite the government to determine if the effectiveness of the arrangements outlined above meet the needs of the research and policy community before pursuing the kind of action set out in the Green Paper.

***b) What additional administrative burdens might this place on organisations? If additional costs are expected to be associated with this, please quantify them.***

Given the lack of detail in the proposals, it is not possible to estimate the extent of the additional costs likely to be incurred, although there will be operational costs, and the arrangements also have the potential to limit UCAS’ ability to generate revenue from its own analytical services – all of which use anonymised data.

As an independent charity, UCAS does not receive any direct public funding or subsidy from the government. Approximately one third of UCAS’ revenue is generated from bespoke paid-for services through UCAS Media Limited, including its data and analysis services, predominantly used by education providers to inform their recruitment and admissions strategies. As a result, any requirement to hand over data or analysis could result in increased application fees for prospective

students and capitation fees for universities and colleges. This would create additional costs for those applying to higher education and increase the financial burden on higher education providers.

**Part C: Simplifying the higher education architecture**

**Chapter 1: A simpler system with students at the centre**

***Question 20: What steps could be taken to increase the transparency of student unions and strengthen unions' accountability to their student members?***

Student Unions play an essential role in supporting the welfare of students and making sure that they're able to get the most of their time in higher education. Increasingly they also play an active role in helping prospective students understand if a course of study or institution is right for them. In this context we support the NUS' proposals to retain questions about student unions in the National Student Survey, so that prospective students can continue to access this information.