**Annex A: College response to the APP consultation**

**Introduction**

On 6 October 2022, the OfS published their [consultation](https://www.officeforstudents.org.uk/publications/consultation-on-a-new-approach-to-regulating-equality-of-opportunity-in-english-higher-education/) on regulating equality of opportunity in HE, which includes the new approach to Access and Participation Plans.

The College’s consultation response (below) was drafted by Strategic Planning with input from the Directors of Outreach and Marketing, Recruitment and Admissions. It has been reviewed and approved by the Vice-Provost Education and Student Experience and Vice President (International), Associate Provost (Academic Partnerships) and the Provost.

**Summary of proposals**

When answering questions about the extent to which the College agrees to a proposal, we need to choose from the following:

• Strongly agree • Tend to agree • Tend to disagree • Strongly disagree • Don’t know or prefer not to say

The text which will be included in our response is in blue.

**Proposal 1: Risks to equality of opportunity**

APPs should be focused on ‘risks to equality of opportunity’, which should be identified with consideration to the OfS Equality of Opportunity Risk Register (EORR)

Sector-wide EORR: To help providers identify their own risks to equality of opportunity for current, past and future students, the OfS propose publishing a sector-wide EORR on its website, alongside the publication of Regulatory notice 1 in February 2023.

The EORR would be updated annually, and include the following:

* The identified risk to equality of opportunity.
* An objective associated with the risk to equality of opportunity which indicates that it is an OfS equality objective.
* The students to whom the risk relates.
* The evidence used to identify the risk and an assessment of impact.

Providers will not be expected to address all risks in the EORR.

**Questions**:

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

Strongly agree

The College is satisfied that the access and participation dashboard is a good source of data for identifying risks to equality of opportunity. The EORR will help providers ensure their target-setting helps address national as well as provider-level priorities.

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

No comment

**Proposal 2: Four-year plan duration and publication of information about a provider’s delivery of a plan**

The OfS will publish information about their judgement on whether a provider has delivered the commitments in its plan

Initial approval of a plan would (continue to) be for one year and that approval would then automatically roll over for each subsequent year for a maximum of three years, unless the OfS expressly notifies a provider in writing that a new plan needs to be submitted for approval.

**Questions**:

1. 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.

Tend to disagree

The College’s view is that a four-year duration is at odds with the intention for providers to evaluate their interventions. Prospectuses are published 18 months ahead of intake and the majority of the College’s undergraduate degrees are four years in duration. As such, interventions need to run for more than four years in order for us to build rigorous evidence – more frequent revisions to APPs are likely to lead to difficulties in monitoring and the risk that evaluation is less effective.

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

If evaluation is now a key priority in the APP process, a longer time frame would be more appropriate, to allow for more effective, in-depth monitoring of outcomes.

**Proposal 3: Format and content of an APP**

Included alongside the APP will be:

* A targets and investment plan (TIP)
* A fee information document (FID)
* An accessible summary of a plan (3 pages maximum, template in Annex D)
* An optional student submission.

APPS will have a 30-page limit, not including annexes (assessment of performance, accessible summary, fees/investments). No minimum length.

Monitoring returns will no longer be required, and this process will be left to providers

The APP should include intervention strategies linked to named objectives and address risks to equality of opportunity

**Questions**:

1. 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.

Tend to agree.

The College is supportive of the continuation of the risk-based approach taken to monitoring providers this year.

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

The inclusion of a fee information document is an unnecessary burden on providers, when this return is already a standalone, annual submission. The level of detail required on each intervention strategy is also likely to increase the burden on providers, whilst keeping within the overall page limit will restrict the level of valuable information we can provide (particularly around Theories of Change and evaluation).

The OfS has stated that it expects providers to include the evidence used to underpin interventions that are laid out in the APP. While this is sound in principle, the College would welcome some flexibility on this, as sector-level conclusive evidence is still lacking for a number of interventions.

**Proposal 4: Targets**

Objectives should be translated into numerical targets with measurable outcomes-based milestones, set over the duration of the plan. Targets should also be captured in a targets and investment plan

Where possible, these targets should be measurable using the OfS APP dashboard. It is recognised that this will not be the case for objectives relating to pre-16 attainment – these should use measurable targets based on intermediate outcomes.

Targets should be stretching, outcomes based, measurable on a consistent basis (with baseline data), set over a maximum of four years, with annual/interim milestone to monitor progress

**Questions**

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

Strongly agree

The College agrees with the principle of measurable targets. Interim milestones are an appropriate method for tracking a provider’s progress.

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

No comment

**Proposal 5: Evaluation**

Requirement to significantly increase volume and quality of evaluation across APP activity

Providers will need to include information on:

* + What will be evaluated
  + When it will be evaluated
  + Methodology
  + How and when evaluation results will be published

**Questions**

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

Tend to agree.

The College is in agreement that both the volume and quality of evidence of what works in the sector needs to increase.

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

The consultation proposes that a provider should “engage routinely with the latest research and evaluation evidence available to contribute to refinement, and where necessary, review of its own activity”. While the College is supportive of this idea, there is concern that this approach could lead to insufficient evidence being generated: providers shouldn't be expected to adjust their approach in-flight as a result of provisional findings or those based on small datasets or samples. Results should be replicated and reliable evidence generated before providers are expected to change approach.

**Proposal 6: Investment**

Providers will need to include information on how much we’re investing in each intervention strategy

Providers will no longer need to provide information on access investment in the targets and investment plan document, but will need to continue to provide info on financial support and research and evaluation investment

**Questions**

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

Tend to agree.

While the College is understanding of the position that it should be easier for providers to disaggregate spending into individual interventions, at most providers it is likely that there will be some overlap in the resources deployed for delivering interventions, meaning that reporting precise figures for investment will be challenging. This is particularly the case for interventions relating to success and education at the provider. While some are standalone interventions and easily costed, others will effectively represent a change in pedagogical practice within departments, meaning costs are fully embedded and not able to be disaggregated.

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

No comment

**Proposal 7: Raising attainment in schools and collaboration**

The OfS will expect providers to address in their plan key sector-level priorities from the EORR, in particular the target on raising pre-16 attainment in schools through the development of strategic partnerships with schools.

Providers will need to include at least one objective around raising pre-16 attainment in schools. Examples of interventions related to strategic partnerships with schools:

* Delivery of activity and resources to upskill and support existing teachers including through formal continuous professional development programmes and sharing of resources.
* Providing targeted academic enrichment programmes to learners either directly or through working with third sector organisations.
* Tackling non-academic barriers to learning.
* Sponsoring or establishing a school.
* Establishing school governor networks and governor training programmes.

**Questions**

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

Tend to agree

While there are opportunities for universities to assist with raising attainment in collaboration with schools, the fragmented wider education landscape makes systematic and sustained closing of attainment gaps extremely challenging. Universities on their own cannot mitigate for a lack of resources and capacity within the school sector. Supporting disadvantaged pupils to achieve top grades at A-level, through initiatives such as the Imperial College London Mathematics School, remains a high priority to drive progress in closing access gaps at highly-selective universities in the short and medium term.

1. How might the OfS support providers to develop strategic partnerships to raise attainment in schools?

The Department for Education currently limits the level of detail on attainment outcomes for Outreach participants accessible through the National Pupil Database and our tracking services. This significantly limits our ability to efficiently and effectively produce robust evidence of what works to close attainment gaps. The College would recommend that the OfS work with the DfE to remove these barriers and encourage easier data sharing between schools, the DfE and providers.

The OfS could also encourage alignment in targeting measures between HE and schools, for example in the choice of FSM as a measure of disadvantage over IMD or TUNDRA.

1. 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?

It would be valuable to have a consistent approach across the education sector to support specific careers guidance, including IAG on accessing all types of HE (especially at Key Stages 3 and 4). Individual universities, however, will need to continue to engage with students (especially at Key Stage 5) on the appropriateness of their unique offering and culture so that students can make informed decisions.

Collaboration on attainment-raising could be achieved by sustained funding and consistent aims for Uni Connect partnerships to act as regional hubs and points of contact for all schools and colleges, and by requiring Multi-Academy Trusts to work strategically with HE providers.

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

No comment

**Proposal 8: Assessment process**

The OfS will use the published access and participation data dashboard and other contextual provider data to conduct an analysis of a provider’s data, to understand a provider’s context during the APP assessment process.

In considering a provider’s proposed plan the OfS will also:

* Take account of the statistical uncertainty associated with risks to equality of opportunity identified in a provider’s data.
* Consider the materiality of a particular risk to equality of opportunity by considering information about the absolute number of students involved, the proportion of a provider’s students this represents, and a provider’s context.
* Understand how many students the provider has from particular groups for which a key sector-level risk to equality of opportunity has been identified.
* Consider groups with data limitations, particularly in relation to minority groups, or student groups where there are low numbers in higher education overall, such as care leavers.

As part of conducting an assessment, the OfS will also consider the other information held about a provider, such as relating to previous APP plan decisions and the reasons for these, outcomes from general monitoring activity, and compliance with other conditions of registration.

**Questions**

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

Strongly agree

The College is satisfied that the access and participation dashboard is a good source for the OfS to analyse providers’ data. The College also welcomes the OfS’s commitment to account for statistical uncertainty in provider’s data.

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

No comment

**Aspects of the existing approach that will be retained**

Student submissions:

* Students must be involved as active partners in the development, implementation and evaluation of access, success and progression work.
* Providers must demonstrate how they have meaningfully engaged students in APP activity, specifically how they were provided with an opportunity to express their views, and the steps taken following this feedback.

Monitoring condition A1:

* The OfS will continue to take a risk-based approach to APP monitoring, using the information they hold (dashboards and investment) rather than requiring annual returns.
* If the OfS’s monitoring identifies areas of concern, they will ask for more information.

Whole provider approach:

Expectation is that there is alignment and consistency across the organisation to create an approach from which all students benefit irrespective of where they are located within the provider. The essential features of a whole provider approach are:

* Students are supported to access, succeed in and progress from their time at a university or college.
* Staff from departments, services and units across the provider are engaged.
* There is clear and explicit leadership and provider commitment to access, success and progression.
* A pragmatic approach to change developing a culture and structure that promotes and supports inclusivity and consistency.

The APP is also expected to demonstrate that a provider has considered its obligations under the Equality Act 2010. Where relevant, this should include an explanation of how a provider’s APP strategies align with other strategies developed to achieve the published equality objectives.

**Changes to the APP dashboard**

Additional student characteristics will be added into the access and participation dashboard, with a new version published later in 2022. These include the Tracking underrepresentation by area (TUNDRA) and Association between characteristics of students (ABCS) measures.

**General Questions**

1. 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 as described in the draft Regulatory notice 1 (Annex C)?

The College’s view is that the APP process is an effective method for regulating equality of opportunity and encouraging providers to engage with their data. We are supportive of an approach that considers the circumstances of individual providers. Convergence with the TEF metrics is valuable for providers, as it minimises burden.

1. 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.

There is a risk that the requirement for interventions to have an existing evidence base of efficacy will stifle innovation, which in turn will reduce the potential for the wider base of evidence that the OfS is hoping to build.

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

No comment

1. Do you have any comments about the potential impact of these proposals on individuals on the basis of their protected characteristics?

No comment