

Cylchlythyr | Circular

Monitoring of institutional behaviour and performance regarding admissions for 2020/21

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To: Heads and governing bodies of higher education institutions in Wales
Response by: No response required
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This circular provides the outcomes of the consultation provided in [W20/13HE: Consultation on HEFCW monitoring of institutional behaviour and performance regarding admissions for 2020/21](#). This circular confirms our approach to the monitoring of data and institutional behaviour regarding the recruitment of full-time undergraduate students.

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Introduction

1. This circular provides the outcomes of the consultation in [W20/13HE: Consultation on HEFCW monitoring of institutional behaviour and performance regarding admissions for 2020/21](#). The circular confirms our approach to the monitoring of data and institutional behaviour regarding the recruitment of full-time undergraduate students.
2. It is important to be clear that our approach is not intended to limit the overall numbers of students entering higher education in 2020/21. It is fully recognised that institutional stability and, by extension, that of the higher education sector, depends on strong recruitment overall. As Wales recovers from COVID-19, it is widely expected that the economic consequences of the virus will include higher rates of unemployment. Provision of opportunities for those affected to reskill, or upskill, will be a key priority for the Welsh Government over the coming months and years and the arrangements outlined in this circular are intended to maximise, not limit, those opportunities.
3. The policy intent behind this intervention is to contain institutional admission behaviours which would so distort the normal pattern of admissions that some institutions are destabilised as a result. The Minister for Education confirmed, via a letter issued to HEFCW on 10 August 2020, that she would “like HEFCW to take the steps it deems necessary to achieve stability in the Welsh sector without adversely impacting on the opportunities available to study in Wales.”
4. The approach set out in this circular applies to universities, rather than all regulated higher education providers, as regulated providers delivering higher education under validation agreements will be subject to the terms of those agreements with their validation partners.

Background

5. [Circular W20/13HE](#) outlined our proposal to introduce a student number control for universities in Wales in relation to home (UK) and EU domiciled full-time undergraduate entrants in 2020/21, in order to maintain stability in the sector, following the outbreak of COVID-19.
6. The circular set out the proposed method for calculating the individual number controls, and the calculations were sent to universities during w/c 11 May 2020. Universities were asked if the data we proposed to use was appropriate and we also said that we would follow up with universities where we believed their forecasts were based on assumptions which were not realistic at the time. We have taken account of comments in these areas.
7. The consultation closed on 1 June 2020. Council has considered the consultation outcomes and has approved the outcomes for publication.

8. Since the publication of our consultation, the Department for Education (DfE) in England has published student number controls for England-domiciled students studying at institutions in the devolved administrations in 2020/21. These will be monitored by DfE. HEFCW is working to understand the implications of these controls for Welsh institutions. We have engaged with the DfE in respect of a large number of technical issues and have been sharing information with the sector. We continue to work with DfE colleagues as they develop their monitoring arrangements and will communicate with the sector as appropriate.
9. [Circular W16/13HE](#) provides guidance on partnership arrangements for franchise education provided on behalf of regulated institutions in Wales. It notes that partnership agreements generally set maximum numbers of students/credit values, stating whether or not the other body may recruit beyond the maximum number which the regulated institution agrees to support, and any conditions or penalties which may apply. Therefore, we expect providers to adhere to their partnership arrangements and not disadvantage their partners, while remaining within their student number control.

Consultation outcomes

10. We received eight responses to the consultation. A brief summary of the response to each question, together with the summary of our approach, is provided below. **Annex A** provides a more detailed breakdown of responses received, together with a list of respondents.

Q1. Is the data which we propose to use to calculate a numbers control appropriate? Please explain.

11. The majority of responses agreed with our proposal to implement a student number control and the methodology of our approach, indicating that this would have a positive impact on the sector. One respondent noted that the ability of universities to apply control measures would be difficult to achieve without rescinding offers to existing applicants. Respondents also suggested the use of other data, e.g. non-completion/non-continuation rates and the application of subject-level controls.
12. Conclusion: We will implement a student number control for home (UK) and EU full-time undergraduate entrants in 2020/21 as outlined in our consultation, which will be applied for AY 2020/21. Where any institution exceeds its number control then we will engage with them to understand the extent to which this relates to commitments already made. We do not expect institutions to rescind offers already made to applicants. Exceeding the number control, therefore, becomes a trigger for further engagement between us and the institution.

Q2. Is there any other information which we should monitor in order to maintain stability of the HE sector in Wales? Please explain.

13. The responses included examples of other information which we could monitor in order to maintain stability of the HE sector in Wales. Suggestions included monitoring incentives offered to applicants, carrying out spot checks on adherence to UCAS terms and conditions and reviewing the impact of pre-moratorium behaviour to understand its impact on the stability of the sector.
14. Conclusion: we consider that there is no firm basis on which we could include pre-moratorium behaviour in our monitoring nor to check adherence to UCAS terms and conditions except where we are notified by UCAS of any breaches in their terms and conditions. With those exceptions, we will consider aspects of institutional admissions behaviours post-moratorium in our monitoring, as originally proposed.

Q3. Are there any unintended consequences regarding the proposals in this consultation?

15. Unintended consequences as a result of our proposals included impacts on franchise provision and relationships between universities, and the potential for monitoring tariff reduction to adversely affect universities' ability to recruit widening access students.
16. Conclusion: our proposals are not intended to adversely affect universities' ability to recruit widening access students and we have provided further detail in para 39 of how we will take account of how universities have addressed Welsh Government priorities, including widening access, in our monitoring. We will consider potential unintended consequences in our monitoring of the behaviour and performance of universities in relation to admissions, including the impact on franchise arrangements and widening access students.

Q4. What positive or adverse effects will the policy have on:
a. opportunities for persons to use the Welsh language; and
b. treating the Welsh language no less favourably than the English language.

17. Three respondents noted that the student number controls could adversely affect an institution's ability to recruit Welsh Medium (WM) students or deliver WM provision. Additionally, one respondent considered that competitive admissions practices including, for example, over-recruitment in relation to WM programmes, could have a negative impact on other universities in the sector.
18. Conclusion: any potentially destabilising impact of increased recruitment to Welsh medium programmes will be addressed as part of the overall approach outlined in this circular. Welsh medium education is a Welsh government priority and we don't wish such recruitment to be adversely

affected by the provisions outlined in this circular. We will address this through our response to Q5 below.

Q5. Could the proposals be changed to increase positive effects, or decrease adverse effects on:

a. opportunities for persons to use the Welsh language; and

b. treating the Welsh language no less favourably than the English language.

19. Suggestions were made of actions which could mitigate any adverse effects on the Welsh language, e.g. inclusion of a measure relating to WM within the student number control.
20. Conclusion: in monitoring institutional behaviour and performance, where we see that universities have exceeded their student number control we will remove any increase in the number of students taking 40 credits or more of Welsh medium provision from the monitoring, in order to protect Welsh language provision. This also complements the incentives that the Coleg Cymraeg Cenedlaethol have extended for 2020/21 by increasing the incentive scholarships to cover all students studying 40 credits or more of their course through the medium of Welsh.

Q6. Do the proposals have any positive or negative impacts or unintended consequences in terms of equality and diversity and the Well-being of Future Generation (Wales) Act's seven wellbeing goals, Sustainable Development Principle and five ways of working?

21. Responses to this question were mixed and broadly fell into two categories: the potential impact on the applicant experience; and the potential impact on universities. Some responses indicated that the implementation of a student number control could limit applicant choice or could reduce the number of widening access students which universities could recruit once their individual control levels were reached. Other responses highlighted the potential impact on universities and on the sustainability of the sector as a whole in the event that the number control was not implemented.
22. Conclusion: we will implement number controls as outlined to seek to reduce instability but will take account of Welsh Government priorities and potential unintended consequences in our monitoring.

Monitoring of the student number control and institutional behaviour

Monitoring of institutional behaviour

23. In addition to monitoring the student number control, we will be considering a number of areas as part of our monitoring of institutional behaviour with respect to recruitment of full-time undergraduates in 2020/21.

24. We will monitor trends in relation to Welsh medium provision recruitment and will liaise with the Coleg Cymraeg Cenedlaethol as appropriate.
25. We will monitor data including, but not limited to:
 - The number and proportion of unconditional offers issued after the moratorium was imposed
 - Entry tariffs / qualifications on entry
 - Requests for deferred entry
 - Recruitment of widening access students, for example, those from the bottom one or two quintiles of the Welsh Index of Multiple Deprivation (WIMD) or those in receipt of disabled students' allowance (DSA)
 - Student withdrawals
 - Non-continuation rates
26. To do this, we will look at data for 2020/21 entrants during the application and acceptance process, using data received from UCAS, and also data available at the end of the year, from the HESA student record. The monitoring will include comparisons with the previous year.
27. Unconditional offers made during the moratorium period of 7 April – 4 May, to students already meeting the requirements for admission (including through portfolio, prior assessment or through recognised skills and experience gained through employment), will be considered exempt from the moratorium. Where we raise issues about unconditional offers with providers, they should make us aware of such offers.
28. Where our monitoring of data highlights an issue, we will seek further information from universities. They will have the opportunity to provide any contextual information relating to their offer-making activity and recruitment.
29. We will continue to monitor activity undertaken by universities in relation to informing applicants and continuing students about how provision will be delivered in 2020/21 and what steps are being taken to protect the student interest, including retention measures and support for Welsh medium and widening access students. We will request information, as applicable, on any areas relating to student admission behaviours which could impact on quality, the student experience, widening access and retention.
30. We will monitor universities' behaviours towards their franchise partners. We do not expect to see unplanned reductions or changes from 2020/21 fee and access plan commitments to franchise partners.
31. Where the behaviour of one or more universities contributes, or has the potential to contribute, to the destabilisation of part or all of the Welsh HE sector in the short- to medium-term, HEFCW will take appropriate action, which could include adjustments to future funding.

Student number control monitoring

32. HEFCW will implement a home and EU full-time undergraduate student number control for entry in 2020/21, as outlined in circular W20/13HE. Any university exceeding the student number control may be subject to adjustments to their future funding.
33. The student number control for each institution has been calculated on the basis of the higher of Higher Education Students Early Statistics (HESES) survey returns for 2019/20, 2018/19 intake numbers as confirmed in the End of Year Monitoring (EYM), or forecasts for 2020/21 provided in July 2019, plus a margin of 5%. Where the higher number was the forecast number, we asked providers to let us know if the number contained a significant number of Initial Teacher Education (ITE) leading to Qualified Teacher Status (QTS) students. Where providers have informed us of any included ITE (QTS) numbers, these have been excluded from the student number control. HESES and EYM figures used in the calculation already exclude such students. Additionally, where universities have provided satisfactory evidence of recruitment activity and offers made prior to the publication of circular W20/13HE that would suggest that the student number control notified with circular W20/13HE is not sufficient to fulfil their responsibilities to prospective students, we have allowed an adjustment to be made to the calculation.
34. The numbers do not include ITE (QTS), or Nursing and Allied Health Professions numbers, as these are subject to separate arrangements overseen by the Education Workforce Council and Health Education and Improvement Wales (HEIW). HEIW funded students are excluded from the HESES, EYM and forecast figures as specified in the guidance for these returns. ITE (QTS) provision is excluded from the HESES and EYM figures, and from the forecast figure where this is the figure used in the student number control and providers have informed us of the number excluded. If providers believe that either of these two groups of students have been included in error in their student number control, they should contact us.
35. We will monitor the student number control using EYM data from 2020/21, which are extracted from the HESA student record during the submission process. Providers will have the opportunity to verify the data we intend to use in determining if the student number control has been exceeded. We will carry out interim monitoring using HESES 2020/21 data which will be available at the beginning of 2021. If the monitoring of HESES data suggests that a university will exceed the student number control we will expect universities to provide a full account of factors that have led to this. Where appropriate, that could include provision of data which are not part of our normal data collection arrangements, but which are important to help us to understand the circumstances which a university wishes us to take into consideration.

36. The EYM data that will be used for monitoring will be the same as that included in the setting of the student number control, but for 2020/21. EYM, HESES and the forecasts use the same definitions, and so the same definitions will be used in both setting and monitoring the student number control. The latest copy of the definitions can be found in the [2019/20 HESES survey](#) and [2018/19 EYM](#) publications. In summary, this is home and EU, full-time undergraduate completed new entrants, excluding students on courses funded by the HEIW and those taking courses leading to QTS. The data will be taken from EYM Table 5, excluding the QTS cells and only including new entrants.
37. In monitoring the student number control, if providers have exceeded the control number, we will look at recruitment of certain groups of students and will exclude any increase compared to the previous year in our monitoring, as described below.
38. As indicated in para 19, where the student number control has been exceeded, we will exempt any additional students studying 40 or more credits via Welsh medium, compared to the previous year, from being counted in the end of year monitoring of the student number control.
39. Degree apprenticeship provision will be included within the student number control where it is recorded as home and EU full-time undergraduate. Degree apprenticeship places are increasing year on year through management of the HEFCW funded scheme, meaning that there will be additional recruitment to the scheme as it develops over time. Where a university exceeds the student number control at the end of year monitoring, any increase in the number of home and EU full-time undergraduate degree apprenticeship students on the HEFCW-funded scheme compared to the previous year will not be counted in the monitoring of the student number control.
40. In addition, where recruitment has increased in other Welsh Government priority areas, and a provider exceeded the student number control, we will take this into consideration in deciding whether to impose a possible funding adjustment. Examples of priority areas include widening access students from the bottom one or two quintiles of the Welsh Index of Multiple Deprivation, students in receipt of disabled students' allowance, and students who entered higher education because they became unemployed, or were at risk of becoming unemployed, as a result of COVID-19. In looking at this, we will consider whether any recruitment increases in priority areas have been at the detriment of other Welsh providers.

Further information

41. For further information, contact Nicola Hunt (tel 029 2085 9735; email nicola.hunt@hefcw.ac.uk). We will be confirming the final student number control with universities individually. We will not be publishing the student

number controls publically as forecast information is provided in confidence.

Assessing the impact of our policies

42. We have carried out an impact assessment to help safeguard against discrimination and promote equality, including consideration of the impact of our proposals on: the Welsh language, and Welsh language provision within the HE sector; impact on people with protected characteristics; and potential to contribute to the goals of the Well-Being of Future Generations (Wales) Act 2015, its sustainability principle and ways of working, including our Well-being Objectives.
43. Our impact assessment indicated that the monitoring of admissions to HE would be a vital contribution to Wales' economic recovery post-crisis by supporting graduate populations in Wales and securing the stability of HEIs across all the regions of Wales. It also indicated that HEFCW should monitor additional data and allow universities to provide contextual information around their offer-making activity, in order to ensure that widening access students and students with protected characteristics, were not disadvantaged by the introduction of student number controls. We will continue to engage with universities and monitor the impact of COVID-19 on equality and diversity, widening access and the student experience and to maintain oversight of the quality of provision.
44. One response to our consultation indicated that the inclusion of a measure relating to Welsh medium within the student number control could result in a positive impact on the opportunities for people to use the Welsh language. We have addressed this through adaptations to our proposals.
45. Contact equality@hefcw.ac.uk for more information about impact assessments.