Coronavirus: Easing lockdown restrictions in FE and HE in England

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Summary

On 20 March 2020 colleges and universities were closed in response to the Covid-19 pandemic.

The closure of institutions raised a significant number of issues for providers and students and caused considerable concern about the financial future and stability of the post-18 education sector.

This briefing follows on from two earlier briefing papers: Coronavirus: implications for the further and higher education sectors in England, 17 April 2020 which discussed concerns that were raised in the early weeks of lockdown and Coronavirus: Update on Coronavirus: implications for the further and higher education sectors in England, 21 May 2020 which gave updates on developments during lockdown including the Government’s 4 May 2020 announcement of a support package for universities and students.

This paper addresses concerns about the impact of easing lockdown restrictions, such as re-opening campuses and colleges and discusses future delivery of courses and implications of policy changes such as the introduction of temporary student numbers controls and the Higher Education Restructuring Regime. It also highlights issues such as the impact on graduate employability and catch up funding for FE colleges.

The latest information from universities is that around three quarters will start courses again in autumn 2020 and the majority will be a mixture of online learning and some face-to-face teaching.

According to UCAS more prospective new students are considering changing their plans. Their latest planning assumptions are for a cut in new full-time home undergraduates of between 2% and 10% in 2020/21. This is broadly supported by evidence from surveys which show the prospect of online learning has made some students think about alternatives including taking a gap year.

Surveys of overseas students show only a small minority have (so far) decided not to study overseas. There was a strong support for face-to face leaning among overseas students with some prepared to defer entry to later in the year or to 2021/22 to ensure this.

This paper follows a similar format to the earlier paper and was correct at the time of writing. For later information readers should consult Government and stakeholder websites set out below:

- Office for Students: Coronavirus (COVID-19) - guidance for providers and students
- University and College Union: UCU coronavirus advice
- Universities UK: Coronavirus (Covid 19)
- Universities UK: Covid-19 and UK universities: international updates and FAQs
- UCAS: Coronavirus (COVID-19) latest updates
- StudentCrowd: University Responses to Covid-19
1. Higher education

Higher education providers are autonomous institutions and each provider has the discretion to make judgements about the provision of courses and facilities based on their own circumstances following public health guidance.

1.1 Re-opening campuses

On 3 June 2020 Universities UK issued guidance for higher education providers on easing lockdown restrictions, Principles and Considerations: Emerging from Lockdown.

The guidance sets out nine principles and areas that providers should consider when responding to the next phase of the pandemic:

1. The health, safety and wellbeing of students, staff, visitors, and the wider community will be the priority in decisions relating to the easing of Covid-19 restrictions in universities.

2. Universities will make appropriate changes to university layout and infrastructure in accordance – at minimum – with public health advice, including guidelines on social distancing.

3. Universities will review their teaching, learning and assessment to ensure that there is the required flexibility in place to deliver a high-quality experience and support students to achieve their learning outcomes in a safe manner.

4. Universities will regularly review the welfare and mental health needs of students and staff and take steps to ensure preventative measures and appropriate support are in place and well communicated as restrictions are eased.

5. Universities will develop effective processes to welcome and support international students and staff, including throughout any self-isolation period.

6. Universities will regularly review their hygiene and cleaning protocols in all university spaces and adapt them in response to changing public health advice and risk levels, to ensure students, staff and visitors have confidence in their safety.

7. Following appropriate risk assessment, universities will introduce measures to enable research to be conducted in a safe and responsible manner, following government guidance specifically designed to protect researchers in laboratories and other research facilities and spaces.

8. Universities will engage with students and staff, including consultation with recognised trade unions, to ensure the transition from lockdown both protects the wellbeing of staff and students and enables the safe resumption of university activities.

9. Universities will work with civic or local partners wherever appropriate including councils, local resilience forums (in England) and community groups.
Emma Hardy MP, Labour’s Shadow Minister for Further Education and Universities, responded to Universities UK guidance

“The coming academic year will be a very different experience for students and staff alike and producing a clear set of principles on which to proceed, with a focus on the wellbeing of staff and students, is exactly what is needed.

“At a time when leadership is called for it is a matter of regret that the Government has so far remained on the sidelines, introducing heavy handed powers to the Office for Students and allowed uncalled-for caps on English student numbers on the devolved regions.

“Labour urges the Government to take this opportunity to work with UUK to ensure all universities are adequately supported through this crisis.”

The Department for Education (DfE) has also published guidance on re-opening campuses, Higher education: reopening buildings and campuses, 3 June 2020. The guidance aims to help providers make decisions about how to provide facilities and courses in a way that minimises risks to students and staff:

We encourage all institutions to share practice in order that there is a consistent approach to reopening that puts the health and safety of all students and staff at its heart and also recognises the importance of providing access to the high-quality provision that typifies our HE providers.

The publication gives guidance on: re-opening buildings and laboratories, social distancing, transport, international students, accommodation and student wellbeing.

Social bubbles

It has been suggested that students may only be allowed to mix in specific groups or ‘bubbles’ when courses begin in September:

University students may have to live in halls of residence with others on their course and keep within physically distanced social bubbles when campuses reopen in September.

Under plans being discussed at a number of universities, students would mix only with others on certain courses and year groups to minimise the infection risk from coronavirus. On campus, students and staff would move around in a one-way system.

Liz Barnes, the vice-chancellor of Staffordshire University, said the bubbles would allow students to access campus facilities while restricting the number of people they interact with. “It applies wherever they are on a campus,” she said.

1.2 Course provision autumn 2020

Many universities have begun publishing plans for the start of term in September 2020. Most universities will provide courses through a

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1 Labour, “Emma Hardy on guidance for universities emerging from lockdown”, 3 June 2020
2 “UK universities plan to create ‘social bubbles’ when campuses reopen”, The Guardian, 3 June 2020
**blended teaching approach** is using face to face teaching when it can be done safely and online delivery.

An updated list of the latest plans compiled by **STUDENTCROWD** showed that as of 12 June:

- 58% of institutions have confirmed an autumn (September/October) start with blended learning
- 2% will start in autumn with online learning
- 16% will start in autumn but have yet to specify teaching methods
- 16% are ‘preparing’ for an autumn start, but not confirmed this, and 8% have not specified plans for 2020/21 delivery.

A survey by **Universities UK** published on 17 June 2020 showed that “the vast majority of UK universities are preparing to provide in-person teaching this autumn”, across the UK, the survey found that;

- 78 (87%) universities are planning to provide in-person sporting, fitness and wellbeing activities for students in autumn 2020
- The full range of student support will be on offer at UK universities – including mental health support; careers advice; study skills. 87 universities (95%) will deliver this using a mixture of online and in-person services and 5 universities (5%) are planning to deliver these services online
- Universities across the UK are consulting with staff and students as they develop their plans
- 83 (90%) universities have communicated their current plans to prospective and current students; others will be doing so imminently
- 75 (82%) universities are working with bars and cafes in the local community as they develop their plans²

**Quality and standard of provision**

Concerns have been raised about the quality of online delivery and the impact that this may have on higher education standards and on the student experience in 2020/21.

The Quality Assurance Agency for Higher Education (QAA) has published guidance to assist providers in planning and teaching for the next academic year, with a particular focus on quality and standards and the student experience. The document **Preserving Quality and Standards Through a Time of Rapid Change: UK Higher Education in 2020-21** sets out five guiding principles for higher education providers:

**Principle 1:** That any move to onsite activity is safe and secure for staff and students

**Principle 2:** That degree-awarding bodies maintain quality and standards in the move to flexible provision

**Principle 3:** That providers engage with students and staff in planning changes to delivery and assessment of teaching and learning

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² Universities UK, **Most universities will teach in-person this autumn**, 17 June 2020

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Although their first term will be different from previous years, most students can expect significant in-person teaching and a wide range of social activities and support services. Universities are committed to providing an engaging academic and social experience for all while ensuring the safety and welfare of the whole university community.

**Alistair Jarvis Chief Executive of Universities UK**
Principle 4: That provider planning scenarios are flexible and responsive to students’ needs

The document contains case studies from universities and colleges.

Prospective students

The Office for Students (OfS) has said that prospective students should be provided with clear timely information on the type of provision that they can expect in the next academic year. The OfS as published a briefing note on providing information, advice and guidance (IAG) to prospective students. ⁴

Some elements of IAG are covered by consumer protection law. The OfS guidance document, Guidance for providers about student and consumer protection during the coronavirus (COVID-19) pandemic, ⁵ 9 June 2020, gives providers advice on the type of information that they should be providing to prospective students.

1.3 Prospects for student numbers in 2020

Home students

A number of surveys have asked prospective starters in 2020 about their intentions in light of the impact of lockdown restrictions on different aspects of higher education. This is largely related to teaching methods (online or face-to-face) but could also reflect accommodation, travel, finance, concerns about catching the virus, part-time employment and prospects for employment after graduation. It is clearly an evolving situation and will remain so in the near future. Without any definitive idea of exactly what form their higher education might take the results should be viewed as broadly indicative only.

UCAS data

According to UCAS their ongoing surveys of applicants have found that an increasing number of applicants are considering changing their plans. ⁶ This had reached around 40% in early June. Students’ biggest worry is said to be “missing out on the experience”, ⁷ 20% highlighted this, the next most commonly mentioned were online learning (16%), lack of facilities (10%) not having enough contact hours and no fresher’s week (both 7%). The number of applicants with at least one deferred choice was up by 2% to 31,380, compared to an overall rise of 1.2% in applicants.

- It’s clear that while more applicants are thinking of deferring, those thoughts are not yet translating into definitive actions.

They added that the number of applicants who originally wanted to defer and take a gap year, but have decided to start this year has increased by 19% to 3,190.

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⁴ OfS, Coronavirus briefing note, Information, advice and guidance for prospective students, 10 June 2020
⁵ WonkHE blog 12 June 2020, Prospective students may consider deferring, but so far few are taking action
Their current modelling suggested that the number of home students starting this year could fall by between 2% (best case scenario) and 10% (worst case).

On 25 June UCAS published data showing that the number of applicants who had accepted an offer to start in 2020 was up by 5,800 or around 1%. Home applicants accepting a place were up by 1%, those from the EU down by 6% and those from overseas were up by 12%. There was a fall in the number accepting an offer for a deferred place; down by 1% overall or 160 applicants. There only group where numbers choosing a deferred place were up were those from overseas outside the EU which were up by 21%. These data look at choices made by applicants, mainly conditional offers which depend on A level results. Their decisions may change before they have to take up their place in 2020 and hence the overall pattern of entry could be different.

The next set of data on applicants through UCAS is due to be published on 9 July and show applications up to June 30. While this will not give the number taking up places (which will not be clear until after A level results are published) it may give some evidence on the impact of the pandemic on later applicants.

Prospective students had until 18 June to decide on their firm and insurance choices as part of their application. Clearing is due to open on 6 July. A level results day is 13 August. After then UCAS will publish daily figures on the number of accepted applicants overall and those placed through clearing.

Other surveys
A survey by MyUniChoices of 1,000 college and sixth form pupils in late May found that 37% had planned to go to university but were now looking at other options.7

A survey for UCU in May of 500 applicants to higher education found that around one quarter were moderately or very worried that their university could go bust because of the crisis. Half were moderately or very worried that their university would have to make cuts. 71% were moderately or very supportive of moving the start of the university year to a later time if it would mean more face-to-face teaching.8

A survey for London Economics in May of the same group of applicants found that 87% said they would attend their chosen university if it were ‘operating as usual’ from Autumn 2020. This fell to 72% if it were operating with most classes delivered online in the first term and university activities ‘severely restricted’. The report also concluded that

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6 UCAS News 25 June 2020, Rise in number of students planning to start university this autumn
7 Totum news 27 May 2020, Over a third of school leavers now unsure about going to university
8 UCU news 3 June 2020, Almost a quarter of prospective students fear their university could go bust as a result of Covid-19 crisis
25% of home students would consider switching university during clearing.\(^9\)

The Student Hut Covid-tracker found that the proportion of prospective students considering a gap year increased from 16% before lockdown to 33% in May. It also asked existing students about their likely actions if their university did not offer face-to-face lectures in 2020/21. 44% said they would defer for a year and 13% said they would want to transfer to a different institution. When asked about their feelings if their university offered face-to-face lectures with a range of Covid-19 safety measures 75% said they would re-enrol.\(^10\)

**Continuing students**

A survey for the NUS of almost 10,000 current students in late April found that just 5% were confident that enrolment would take place in person on campus when universities do re-open. 85% thought the study landscape would be very different from the pre-coronavirus one. 81% were afraid their job prospects had been seriously hit by the pandemic and 85% were worried about the exams and assessments.\(^11\)

**Overseas students**

Overseas students face additional hurdles to starting their courses, particularly around travel restrictions. Various options have been suggested including starting courses with online teaching and moving to face-to-face teaching when possible. Surveys of prospective international students tend not to be just of those who have definitely planned to come to the UK. Many overseas students apply to different countries, but the focus of these reports are on ‘markets’ which are important to the UK HE sector.

Universities UK’s [Covid-19 international insights and resources](https://www.universitiesuk.ac.uk/media/249509/Covid19InternationalInsightsAndResources.pdf) provides useful resources on international higher education from a range of different sources.

A survey of almost 7,000 international applicants to various countries by IDP Connect published in early May found that 69% of those with offers expected to start their courses as planned. 5% said they no longer planned to go to higher education overseas. 31% said they would be willing to start their course online and move to face-to-face learning later on. However, more prospective students said they would prefer to push their start date back to January 2021 if that would mean face-to-face learning were possible.\(^12\)

A survey of institutions for Universities UK International in early May found that 22% had made a final decision about how to change course

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\(^10\) Student Hut 27 May 2020, [Students are now 2x more likely to consider taking a gap year](https://www.studenthut.com/students-are-now-2x-more-likely-to-consider-taking-a-gap-year/)

\(^11\) Totum news 21 April 2020, [Over 80% of students now worried about job prospects due to coronavirus](https://totumnews.com/over-80-of-students-now-worried-about-job-prospects-due-to-coronavirus/)

\(^12\) IDP Connect [International Student Crossroads: Demand for On-campus Education amidst COVID-19](https://www.idp.edu/global/press/2020/05/12)
delivery for new students in 2020/21. Overall 84% said that a blended approach -starting online with a transition to in person delivery -was somewhat or very likely. 30% said that a delayed start to the year was likely, but this was higher for some groups, ie. 47% for international postgraduate students. A delayed start for continuing students was thought likely by fewer institutions (13%), but more likely for international students.13

The British Council has published results of student sentiment surveys for students from a range of different regions.

A survey of over 10,000 Chinese students carried out in late March/early April found that:14

- 57% of those currently studying overseas said it was likely or very likely that they would continue their studies overseas in 2020/21
- 22% of those who had applied to study overseas said it was somewhat or very likely that they would change their plans and 2% had already done so.

A survey of around 1,500 overseas students from India and Pakistan in March/April focussed more on those who had or were thinking of applying to study overseas. It found that:15

- 24% of those from India who had applied to study overseas said it was somewhat or very likely that they would change their plans and 5% had already done so.
- 28% of those from Pakistan who had applied to study overseas said it was somewhat or very likely that they would change their plans and 7% had already done so.

QS has carried out a series of surveys about the plans of prospective students. These have had more than 30,000 respondents and found that in the early days of the outbreak in February 27% said coronavirus had affected their plans to study abroad, this increased to 46% in April, 57% in May and 59% in June. The nature of these changed plans has shifted over time with fewer students saying they plan to study in a different country as the pandemic spread across the world. In June 55% of those who said they had changed their plans reported they planned to delay or defer entry to next year, 9% planned to study in a different country and 7% no longer wanted to study overseas. 62% of prospective students expected to start in 2020, 35% in 2021. Only 2% thought that the UK had handled the coronavirus outbreak the best of any country. New Zealand was the most popular choice with 22%. Just over half of respondents said that the way different governments had handled the outbreak had made them reconsider where to study overseas.16

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13 Universities UK International Course delivery in 2020/21 – summary of findings from UK universities
14 British Council 8 April 2020 Covid-19 update: China survey results
16 QS June 2020, The Outlook for University Admissions: The Impact of COVID-19
Tier 4 visas

Home Office document, Covid-19: Guidance for Tier 4 Sponsors and Migrants and for Short-term students Temporary concessions in response to Covid-19, 16 June 2020 states that overseas students who are continuing learning through distance learning, or starting courses this way and intending to transfer to face-to-face learning will be eligible for Tier 4 sponsorship:

Distance learning

2.11 Tier 4 sponsors can continue to sponsor existing Tier 4 students who are continuing their studies through distance learning, whether they are in the UK or another country. Sponsors can also commence sponsoring new students who will start studying through distance or blended learning in the 2020-2021 academic year provided they intend to transition to face-to-face learning as soon as circumstances allow.

2.12 Sponsors do not need to withdraw sponsorship for new students who have been issued a Tier 4 visa but are undertaking distance learning because they have been unable to travel to the UK, or are in the UK but have not yet been able to attend their studies in person due to Covid-19. If a student stops engaging with their distance learning, whether overseas or in the UK, their sponsor must withdraw sponsorship immediately. P6

Outward student mobility (home students on placements overseas)

A survey by Universities UK International of institutions in April asked about changes to their plans for outward student mobility. This found that 46% had cancelled all and 25% some of their summer mobility programmes. Around 40% were planning to go ahead with programmes as scheduled in 2020/21 and around 30% had put the decision on hold pending the progress of the outbreak. Around 30% were actively discussing the cancellation or postponement of programmes. Just over 40% reported funding “challenges” for students planning to undertake mobility schemes in 2020/21.17

1.4 Temporary student numbers controls

On 4 May 2020, the Secretary of State for Education announced a package of measures to stabilise university admissions and support the HE system in England - this package included the introduction of temporary student number controls (SNCs) for academic year 2020/21.

The DfE publication, Introduction of temporary student number controls in response to coronavirus (COVID-19), June 2020 gives details of how SNCs will work; a brief overview of the provision is given on p4:

These temporary SNCs provide for English providers to recruit students up to a set level, based on 2019/20 numbers, provider forecasts, and with an allowance for additional growth of up to 5%. SNCs also apply in relation to England-domiciled students studying at institutions in the devolved administrations, again allowing for growth. The Secretary of State

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17 Universities UK International UUKi COVID-19: Impact on student mobility for 2020-21 survey summary
will also allocate up to an **additional 10,000 places** on top of the initial controls.

[...]

Where a provider has chosen not to abide by its SNC, it will have taken more than its fair share of taxpayer funding, and this imbalance should be redressed the following academic year. The Government has chosen to address this through the tuition fees and loans system as this is the place where the Government has the ability to control the flow of public funds to HE. We will lay draft Regulations - The Higher Education (fee Limits and Student Support) (England) (Coronavirus) Regulations 2020 – so that, if a provider exceeds its SNC, the **sums available to the provider through the student finance system in the subsequent academic year will be reduced**. 18

The Minister for Universities, Michelle Donelan, outlined the measures in a [written statement](#) on 2 June 2020:

**Higher Education stabilisation package draft Regulations**

The minister has sent letters to colleges and universities on the OfS registers informing them of their control total (for full-time student entries) in 2020/21.

Draft regulations to introduce SNCs have been laid before parliament - [draft explanatory memorandum](#) is expected that the financial impact of exceeding SNCs will be proportionately greater for more teaching-intensive providers (which have a greater reliance on domestic tuition fee income) and smaller providers (which have smaller and less diversified income streams than their larger counterparts). A similar analysis applies to institutions in the devolved administrations. 19

The draft regulations were debated by the House of Commons Delegated Legislation Committee on [1 July 2020](#)– the regulations were agreed.

An analysis of the SNC on the Wonkhe website states that the controls will "**overwhelmingly benefit larger, more prestigious, providers**". 20

On 23 June 2020 the DfE published updated guidance on SNCs, [Student number controls: further guidance](#), the new guidance sets out further detail on which students the policy will apply to and the penalties on providers who exceed their limit.

### Devolved regions

The SNCs will [apply to students from England enrolling at universities in Wales, Scotland and Northern Ireland](#). The devolved Governments were [not in favour of controls](#) which they said could destabilise their own institutions:

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18 DfE, [Introduction of temporary student number controls in response to coronavirus (COVID-19)](#), 2 June 2020, p4-5
19 [HC WS252](#), Higher Education stabilisation package draft Regulations, 1 June 2020
20 [Explanatory Memorandum to the Higher Education (fee Limits and Student Support) (England) (Coronavirus) Regulations 2020](#) para 12.1
21 Wonkhe, "[Does the student number cap incentivise over-recruitment?](#)" 14 June 2020
Kirsty Williams, the Welsh education minister, said after meeting Donelan: “I disagree strongly with England’s approach on this matter.

“I respect decision-making in and for England, just as I do for the other governments in the UK. Quite simply, I expect the same respect from the minister. I will continue to consider my options.”

Richard Lochhead, Scotland’s higher education minister, said the plan was “deeply disappointing”. “It is completely unnecessary and could add further damage to the sector, given that around 10% of current enrolments are from England,” he said, and called on the UK government to work with the devolved administrations to find a solution.22

A number of PQs have been asked on the devolved aspect, below is an example:

**Universities: Admissions: Written question - HL5316**

**Baroness Randerson**: 04 June 2020

To ask Her Majesty’s Government whether they consulted the (1) Northern Irish, (2) Scottish, and (2) Welsh, governments about their proposals to cap the number of English students who can be admitted to universities elsewhere in the UK; if not, why not; on what date the relevant ministers of those governments were informed of Her Majesty’s Government’s proposals; and what representations they have received from such ministers about those proposals. [T]

**Baroness Berridge**: 11 June 2020

My right hon. Friend, the Secretary of State for Education, and hon. Friend, the Minister of State for Universities, have regular meetings with ministers from all the devolved administrations about higher education issues. These discussions have included the development of student number controls policy. The department’s officials also have regular meetings and discussions with their counterparts.

Student number controls for institutions in the devolved administrations only apply to the number of English-domiciled entrants who will be supported with their tuition fees through the Student Loans Company. The funding of English-domiciled students is not a devolved matter, and it is right and fair that this policy should apply consistently wherever they are studying in the UK.

 Ministers will continue to work closely with the devolved administrations on strengthening and stabilising the higher education system following the COVID-19 outbreak.

The calculation of student numbers for SNCs in the devolved regions was raised by Emma Hardy MP during the Delegated Legislation Committee’s debate on the draft regulations:

The calculation of student number controls is not equitable across the nations. In the case of English institutions, the data used for setting the SNC—we are all fine with that acronym—come from the higher education students early statistics survey for 2019-20, and the base growth rate for each university was derived from forecasts submitted by English providers to the Office for National Statistics as part of their annual financial returns. However, such

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22 “Plan to cap numbers at UK universities to go ahead”, The Guardian 1 June 2020
individual forecasts were not available for Welsh, Scottish or Northern Irish institutions. Instead, their base growth rate was set at 1.5% across the board, with the figure derived from an average of the HESES19 data provided to the Office for Students by English universities. I know of no justification for using data for English universities to set limits for those from Wales, Scotland and Northern Ireland apart from no other data being available.\(^{23}\)

**Responses to the SNC proposals**

Wonkhe has said that the numbers controls are *needlessly complex*:

> We’ve said before that only a handful of monster recruiters are likely to come anyway near last year plus forecast plus five per cent, especially with deferments widely forecast and a demographic low point for UK 18-year-olds. So expectations for this intervention were low.

But somehow it has managed to be worse even than expected. Needlessly complex – requiring a statutory instrument? – and using wildly inapplicable data in a bidding competition that has learned nothing from the clean and elegant way HEFCE used to allocate additional student numbers.\(^{24}\)

The University and Colleges Union (UCU) general secretary Jo Grady said that the proposals could cause *financial instability and problems for devolved regions*:

> UCU will be studying these proposals from government closely. Our concern remains that they will simply push the problems created by coronavirus down the chain and lead to the financial instability of many institutions, as well as create problems for the devolved nations.

> ‘Instead of a ham-fisted attempt to regulate the failed higher education market, students and staff need the government to stand behind universities, protect their current income and encourage cooperation.’\(^{25}\)

### 1.5 Higher Education Restructuring Regime


The scheme is aimed at providers who are *at risk of insolvency* and ‘market exit’ as a result of the pandemic. Under the scheme a providers’ circumstances will be reviewed and the case for restructuring support will be assessed and in the last resort financial support, through *repayable loans* will be provided. Any support given will come with *strict conditions* and must be aligned with the Government’s wider

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\(^{23}\) HC Deb [Draft Higher Education (Fee Limits and Student Support)(England) (Coronavirus) Regulations 2020] 1 July 2020

\(^{24}\) Wonkhe, “Student number controls are back – with deadly penalties for over-recruitment”, 1 June 2020

\(^{25}\) UCU, “UCU response to plans for student number controls”, 2 June 2020

\(^{26}\) HCWS38, *COVID-19 Higher Education Restructuring Regime*, 16 July 2020
priorities. The scheme will apply to Approved (fee cap) providers only—mainly universities; FE colleges have their own system.

Three overarching objectives which will guide the Department’s assessment of cases:

- Protecting the welfare of current students;
- Preserving the sector’s internationally outstanding science base; and
- Supporting the role that higher education providers play in regional and local economies through the provision of high quality courses aligned with economic and societal needs.

The DfE document makes it clear that institutions will be strictly assessed under the scheme:

In line with the Government’s overall approach to interventions to address COVID-19 impacts, the restructuring regime will undertake a case-by-case assessment and intervention will be considered provided the following conditions are met:

- There is a clear economic and value for money case for intervention: not all providers will be prevented from exiting the market. Any intervention should be a last resort measure after all other finance options have been exhausted - including the government-backed business support schemes;

- The problems are related to COVID-19 and there is a clear and sustainable model for future provision as a result of restructuring, meaning that the provider should not need further assistance;

- The failure of the provider would cause significant harm to the national or local economy or society (for example, this could be the loss of high-quality research or teaching provision, a disruption to COVID-19 research or healthcare provision or overall disruption to policy objectives including a significant impact on outcomes for students).\(^{27}\)

Under a Restructuring Regime a provider could be **required to change its course provision** and to provide more high quality courses and courses which deliver strong graduate employment outcomes and specific skills such as STEM:

Restructuring plans will need to pay specific attention to

- **Provision** – examining whether there is any duplication of provision, refocussing provision on high-quality courses, defined as courses with strong learner outcomes (e.g. low dropout rates and large proportions of graduates finding highly-skilled employment) that develop skills that are aligned to local and national economic and social employment needs;

- **Level** – examining whether any provision could be more effectively offered at Level 4 and 5, either at the institution or at a local FE college;

- **Research** – ensuring research is internationally excellent (as defined by the Research Excellence Framework) or else of direct

and demonstrable value to the national economy or to the local and regional business community;

- **Governance** – strengthening governance and leadership;

- **Efficiency** – reviewing administration costs, including but not limited to senior executive pay, identifying cost savings and efficiencies to ensure future sustainability; selling or repurposing assets to repay loans or fund restructuring; closing unsustainable campuses and considering options for merger, consolidation and service sharing, including with FE;

- **Student protection** – ensuring all current students are supported to complete the course on which they enrolled or an equivalent course. This could either be at the same provider or involve transferring to a different provider.28

The scheme has been criticised for **infringing universities autonomy**. An article on the Wonkhe website commented that the Restructuring Regime would increase Government control over universities and could lead to a change in direction for higher education regulation.29 An article in the *Times Higher Education* (THE) commented on the highly political nature of the schemes conditions:

> The plans will raise fears among universities about potential threats to their autonomy and potential wider alarm about the intensely political nature of the issues raised in the restructuring document, which include a focus on topics popular on the cultural right, such as campus free speech and “niche activism” among students’ unions.30

The THE article also says that the DfE document setting out the scheme ‘goes far beyond emergency loans for institutions at risk of failure’, and sets out the ‘strategy for what the government wants from all universities’.

Universities UK responded that they ‘would encourage government to be more ambitious, to go beyond a small number of universities in financial need’ and that they would seek ‘further clarification about the scheme’s accessibility to universities in all four nations, the process of applying to the restructuring regime and what conditions might be attached to any support offered.’31

**Welsh HE Investment and Recovery Fund**

On 22 July 2020 the Welsh Government announced additional funding of more than £50 million for universities and colleges. The support is part of the Welsh Government’s actions to support students and education institutions and to provide the skills and learning in response to the economic impact of the coronavirus. £27 million will be provided

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29 *Wonkhe*, *The restructuring regime – money, but at a cost*, 16 July 2020

30 “**DfE ‘restructuring regime’ seeks to drive English sector change**”, *Times Higher Education*, 16 July 2020

31 Universities UK, “**UUK response to government’s higher education restructuring plan**”, 16 July 2020
to higher education institutions, with £23 million to support students in FE colleges and sixth forms.³²

The £27 million for HE funding will be provided to universities to maintain teaching and research in the 2020 to 2021 academic year. The Recovery Fund will be established to support universities to maintain jobs in teaching, research and student services, invest in projects to support the wider economic recovery, and support students suffering from financial hardship.

An article on the Wonkhe website commented on the simplicity of the Welsh Recovery Fund scheme:

But what is interesting to note is the complex restrictions and requirements placed on the use of this money:

There are none.

The government is simply giving the money to HEFCW, to use as it sees fit. Imagine that – a government trusting a regulator to distribute money for the good of the sector and nation?³³

³² Welsh Government, “Over £50 million to support Welsh universities, colleges and students”, 22 July 2020
³³ Wonkhe, “The Welsh recovery plan is refreshingly simple”, 21 July 2020
2. Students

2.1 Accommodation

Large numbers of students moved out of their term-time accommodation at the start of lockdown and many of these students now want to move back into their houses.

The Government published updated guidance on 21 May 2020 which covered some student moves within England: Actions for HE providers during the coronavirus outbreak. Students were permitted to return to their student accommodation to collect belongings, they were also allowed to make a one-off move to alternative accommodation:

Students still resident in student accommodation who wish to make a one-off move to an alternative residence may do so providing they take precautions in line with the principles in staying safe outside your home and with other published guidance, such as on travel and social distancing.

Updated Government guidance on moving home was published on 13 May – the guidance made no reference however on moving into shared housing.

Information in a PQ on 12 June however suggests that students may now be able to move back into shared accommodation:

Multiple Occupation: Coronavirus: Written question - 55063

Robbie Moore on: 04 June 2020

To ask the Secretary of State for Housing, Communities and Local Government, whether under covid-19 lockdown measures landlords of houses in multiple occupation are able to move tenants into properties where other tenants are residing.

Christopher Pincher on: 12 June 2020


This includes those moving into an occupied House in Multiple Occupation (HMO): during viewings, HMO tenants should stay out of indoor common areas, such as kitchens, bathrooms or sittings areas. They could remain inside their own private room with the doors closed.

Tenant safety should be landlords’ and letting agents’ first priority in this or any other move.

On 18 May the Government said in a PQ that it was developing guidance on students travelling to and from student accommodation and that this would be published as soon as possible.

2.2 Supporting graduate employability

Many students are concerned about the impact that the pandemic is having on graduate employment prospects. OfS briefing note, Graduate students Getting into employment, 18 June 2020 outlines the issue and
gives an overview of some of the steps being taken by institutions to help final year students and graduates:

Universities and colleges have had to change how they provide careers services, and employers are changing how they are recruiting. Students are also likely to be affected by the decline in the non-graduate jobs market. Non-graduate jobs are often vital for students during holidays, and for part-time students; they can also be a stepping stone for recent graduates, helping them pay off debts, gain experience and develop their skills.

These issues may present particular barriers to students who are vulnerable during the outbreak and may not be able to participate in activities intended to help them into the workplace. This applies, for example, to students who have impairments that have made the switch to online careers activities challenging, and those with additional caring responsibilities resulting from school closures or the need to look after relatives.

The note sets out some examples of best practice in overcoming difficulties with delivering careers services and engaging with employers.

On 25 June Universities UK published, Supporting graduates in a Covid-19 economy, the report says that “the class of 2020 will be graduating into a challenging labour market” and the report makes a number of proposals including paid internships for 2020 graduates:

1. Targeted support for universities and businesses to set-up paid internship opportunities for graduates.

2. Greater support to co-ordinate graduate internship opportunities including better communication of existing schemes.

3. An in-study interest break on the Postgraduate Master’s Loan to encourage more – including those from poorer backgrounds – to consider postgraduate study.

4. Policy change to support a growth in modular and bite-size learning opportunities to help meet immediate business needs.

Emma Hardy MP, Labour’s Shadow Minister for Further Education and Universities said that Labour supported Universities UK’s proposals:

“Labour has been calling on Government to take action to support this year’s graduates who are facing a very uncertain future. That’s why we need a Back to Work Budget with a focus on jobs, jobs and jobs.

“These proposals are both sensible and practical and will enable graduates to gain vital work experience and build on the skills and knowledge acquired in their degree courses. The support the proposals are receiving from bodies such as the CBI and the Local Enterprise Partnership Network is a strong indication Government must take them seriously.”

34 Labour, “Government needs to take action to support this year’s graduates – Emma Hardy”, 25 June 2020
2.3 Student experiences of the Covid19 pandemic

The Higher Education Policy Institute (HEPI) published results of a survey of student experiences during the pandemic. The poll showed that students wanted better communication about the next academic year, but that they had realistic expectations that in future social distancing was likely to remain in place and that blended teaching combining online and face-to-face teaching would be the norm.

The key findings were:

- One-in-five students (19%) say they have had ‘very clear’ communications on Covid-19 from their higher education institutions (down from 31% in March).
- Two-thirds of students feel positive about the communications, three times higher than the proportion who feel negative – 66% say the communications are ‘very clear’ or ‘quite clear’ against 21% who say they are ‘quite unclear’ or ‘very unclear’.
- Nearly half of students feel they have received clear communications about the next academic year from their higher education institution – 10% say the communications about next year have been ‘very clear’ and 33% ‘quite clear’.
- The majority of students are satisfied with the way their higher education institution has handled their remaining assessments for this academic year – 20% say they are ‘very satisfied’ and 43% say they are ‘quite satisfied’.
- Fewer students are satisfied with the online learning that has replaced face-to-face teaching than they were in March – 42% are either ‘very satisfied’ or ‘quite satisfied’ compared to 49% in March.
- Just under half say they are satisfied with the delivery of support services, such as careers support and mental health support, during lockdown – 13% are ‘very satisfied’ and 31% are ‘quite satisfied’.
- Just over half of students (57%) are living away from their usual term-time residence and nearly a third (30%) of all students say they have received a refund on accommodation costs or early release from a contract.
- There is a clear hierarchy of expectations among students on the measures that institutions are exploring for the next academic year: 75% expect increased hygiene, 71% expect some learning online and 71% expect social distancing measures but only 26% expect limitations to courses, 25% expect a delayed start to term and 18% expect all learning to be online.35

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35 HEPI, Students' views on the impact of Coronavirus on their higher education experience, 30 June 2020
Emma Hardy MP, Labour’s Shadow Minster for Further Education & Universities, made the following response to the report:

“These figures show that whilst universities have responded quickly and largely successfully to problems, there are still significant numbers of students not getting the support they need.

“Not all of this can be laid at the door of universities, which have had to meet the challenges with no meaningful help from government.

“It is paramount that the government provides the support needed so universities can feel confident in dealing with students over the impact of COVID-19 during the next academic year.

“The government must also provide increased support to students regarding their mental health and wellbeing and providing well-sourced and sufficient hardship funds to universities so no student gets into further debt because of the pandemic.”

2.4 Students’ mental health and disability

Students with disabilities and mental health issues have found coping during the pandemic particularly difficult. Social isolation and the move to online learning have proved challenging for some student groups.

The OfS has published briefing notes outlining the range of actions taken by higher education institutions to help students with disabilities and mental health issues during the pandemic:

- Disabled students
- Supporting student mental health

2.5 Refunds of tuition fees

A number of e-petitions have been posted by students asking for the refund of university tuition fees due to the disruption of their studies caused by the pandemic. In response the Petitions Committee conducted an inquiry, The impact of Covid-19 on university students – a draft report was published on 13 July 2020.

The report contained recommendations on the re-imbursement of tuition fees and stated that new guidance should be produced for students a new process should be established for dealing with requests for coronavirus based refunds:

Students have a right to seek a refund or to repeat part of their course if the service provided by their university is substandard, but the exact circumstances in which students should expect to receive a refund or be able to repeat part of their course are not clear. Furthermore, given the scale of the disruption that has been caused by Covid-19—in addition to the strikes earlier in the year—and the numbers of students who may feel they are entitled to some form of reimbursement, it is not acceptable to expect individual students to seek satisfaction through existing complaints procedures or the courts. A new process needs to be put in place to consider complaints arising from Covid-19, and other out-of-the-ordinary events that affect the courses of large

36 Labour, Emma Hardy responds to HEPI report on effects of Covid-19 on students, 30 June 2020
numbers of students, including large-scale strikes. The Government should work with the Office for Students and Office of the Independent Adjudicator for Higher Education to produce guidance on the circumstances in which university students are likely to be entitled to seek a refund or to repeat part of their course, and to establish a new system which enables all students to easily seek a full or partial refund of their tuition fees, or to repeat part of their course, based on an independent and objective assessment of the quality of education they have received over the academic year.

24. While it appears that to date relatively few students have raised formal complaints with their universities or taken individual action to seek a refund of their tuition fees, many students are not happy with how university courses are being delivered. It is essential that all students are made aware of their rights, and how to raise a complaint and seek a refund if they are not satisfied with the education they are receiving. The Government should work with universities and the Office for Students to ensure that all students are advised of their consumer rights and are given clear guidance on how to avail themselves of these if they feel their university has failed to provide an adequate standard of education. This should include details of how to access any new system which is developed in response to our previous recommendation.37

The report also suggested that the Government should provide institutions with funds to cover the cost of these refunds:

Government should consider providing additional funding to universities to enable them to pay any refunds university students are entitled to as a result of the Covid-19 outbreak. The Government could also consider alternative means for reimbursing students, where an independent process has found that they are entitled to a refund, such as reducing student loans of students who are entitled to a refund.38

2.6 University admissions 2020

School and college examinations were cancelled this summer and a new procedure based on teachers predicted grades and external moderation has been used to award final exam grades. The new system had created unpredictability around results. Ahead of results day on 13 August the university minister has urged universities to be as “flexible as possible” with admissions and to keep places open for students if they appeal against their A-level results.

The issue of exam grades is discussed in a BBC article, “Universities told to keep places open for A-level appeals”, 11 August 2020.

37 Petitions Committee, The impact of Covid-19 on university students, 13 July 2020, para 23 and 24
38 Ibid, para 31
3. Further education

3.1 Re-opening colleges

On 28 May 2020 the DfE published updated guidance for colleges on re-opening, Guidance for further education and skills providers.

The guidance stated that colleges should offer some face to face teaching from 15 June 2020. Providers should limit the number of learners attending at any one time to “a quarter of those on the first year of a two-year 16 to 19 study programme”. Flexibility is allowed however to bring back other groups of students including: students aged over 19 on the same 16 to 19 vocational course, 16 to 19 learners who were due to finish this academic year but have not been able to because their assessments have been deferred, apprentices aged 16 to 19 and students on extended programmes.

The guidance states however that remote education “should remain the predominant mode of learning during this time”.

The DfE also gave advice on protective measures that colleges should take and said that any costs should be met from existing 2019-20 budgets.

3.2 DfE updated guidance for further education and skills providers

On 15 June the DfE issued updated Guidance for further education and skills providers, the main changes to previous guidance included:

- additional wording to clarify that we would not normally expect adults to be included in the cohort returning to on-site delivery from 15 June, subject to the flexibilities listed in the changes to delivery section
- additional wording to clarify that providers can offer all learners under 19 years old a face-to-face meeting before the end of term, where it would be beneficial
- small additions to the wording of mental health and wellbeing section
- an additional line on the date traineeship flexibilities run from
- a new section on supported internships
- amended lines on awarding of vocational qualifications
- 3 additional case studies in the toolkit for engaging vulnerable young people
- a disclaimer following the Increasing attendance in FE colleges and other providers checklist
September re-opening

On 2 July the DfE published guidance to support colleges to fully reopen in September 2020. The guidance stated that providers should prepare for all learners to return to education programmes.

DfE guidance also made some marginal updates to its July guidance but has maintained the general prohibition on a return for adult learners until September.

3.3 Post pandemic skills package

On 15 June 2020 the Association of Colleges published, Rebuild: A skills led recovery plan, the report calls for an extra £3.6 billion to upskill the 764,000 people most at risk post Covid 19:

The Association of Colleges warns of increased demand for college places as high unemployment crowds young people out of the labour market; large numbers of young people needing support to catch up as a result of lost learning in lockdown; reductions in apprenticeship places, a large number of apprentice redundancies and a shortage of new places for apprentices; and large numbers of adults requiring training to help them move from struggling sectors into those that recover more quickly, or even grow.

A £3.6 billion package of incentives for business, support for students and investment in colleges would help the 760,000 people most at risk of suffering economically in this recession. It would: guarantee a high quality, education or training place for every 16 to 18 year old, funded to meet their needs and the learning lost; offer a suite of work focussed training programmes, including expanded traineeships and apprenticeships designed to get young people into jobs as soon as they become available; provide support for adults who lose their jobs to train or retrain flexibly up to higher level technical / professional level, aimed at getting them back into the workforce as quickly as possible, with additional training to manage their transition once back in work.

On 10 June 2020 the Association of Employment and Learning Providers asked for a one-off £8.6bn post-pandemic skills package:

AELP says a large chunk – £3.6 billion – of the “costed” proposal should be spent on subsidising wages for half a million young apprentices to protect them from redundancy, while most of the rest should go towards tripling the existing annual adult education budget to £4.5 billion.

[...]

For adult workers, AELP believes that the government should “park” plans for its £3 billion National Skills Fund and £100 million National Retraining Scheme and instead channel the funding mostly into “well-established adult skills programmes”.

The annual adult education budget (AEB) of £1.5 billion “needs increasing to £4.5 billion to help tackle mass unemployment and support vital reskilling for those who have remained in work”.

39 Association of Colleges, REBUILD: A Skills Led Recovery Plan
40 “AELP calls for one-off £8.6bn post-pandemic skills package”, FE Week, 10 June 2020
3.4 Additional exam series in Autumn 2020

Ofqual has consulted stakeholders on an additional GCSE, AS and A level exam series in autumn 2020. The extra examination period will be particularly beneficial for students who are unhappy with their assessed grades in the summer and wish to re-take their exams and for external and home-schooled students who have been unable to be given an assessed grade this summer.

The Association of Colleges’ response to the consultation agreed with many of the consultation’s proposals but expressed concern about the cost of the extra exam series and the disruption it may cause and they stated that the would have preferred not to have this extra exam period:

While the detailed proposals in the consultation are sensible, AoC was not convinced of the educational case for this additional series and is concerned that any large scale take-up of could lead to significant disruption to college provision next term. An exam series with very large numbers of entries could be costly and disruptive in terms of staff time, lost teaching time, accommodation, access arrangements and support for students. Where students have progressed as they expected, colleges may want to advise them to be cautious about committing themselves to autumn exams which could distract from their current studies. AoC also recommended that the additional cost of an autumn series should not be borne by those centres whose students choose not to use it.41

The consultation closed on 8 June – 3,400 responses were received and an analysis of responses was published on 30 June 2020. The majority of respondents, 81%, supported the proposal that Ofqual should require exam boards to offer exams for all of the GCSE, AS and A level qualifications this autumn they had intended to offer in the summer. Ofqual have published their consultation decisions - in summary, these decisions mean that:

- exam boards must make exams available in all GCSE, AS and A level subjects in the additional autumn series and we are therefore varying our normal rules that allow exams only to be held in May and June
- exam boards must base results on students’ performance in exams alone and not on any non-exam assessment, with the exception of art and design qualifications
- exam boards must issue replacement certificates for the summer results if students request this
- the exam boards must adopt the normal arrangements for reviews of marking and appeals42

41 Association of Colleges, Ofqual consultation on the additional exam series this autumn – AoC responds, 8 June 2020
1. 42 GOV UK, Consultation on an additional GCSE, AS and A level exam series in autumn 2020
3.5 Providers delay T level launch

The Government’s new 16-19 technical qualification the T-level is due to be launched in September 2020. This is the first major new qualification in a number of years and it aims to increase technical skill levels and raise the status of technical education.

It has been announced that four providers of the 50 T-level providers are delaying the launch of their delivery till 2021 due to the coronavirus pandemic:

“Four of the 50 providers for 2020 are delaying delivery until 2021 in light of the current circumstances, but they remain fully committed to T-levels and we will continue to work closely with them.”

Skills minister Gillian Keegan confirmed in April that the government would drive forward with plans to launch the first T-levels from September 2020 despite the disruption being caused by the Covid-19 outbreak.

She said that while providers have “rightly raised some issues” with delivery, “most wanted to continue to deliver the first T-levels this year”.

3.6 Catch up funding for schools and colleges

On 19 June 2020 the Prime Minister announced £1 billion in funding for a Covid 19 catch-up plan to tackle the impact of lost teaching time on students. The support however did not cover early years providers and colleges for 16 to 19-year-olds - more than two thirds of England’s 16 to 18 year olds study in colleges.

The exclusion of 16-19 year olds from catch up funding was discussed in an article in FE Week, “Treasury excluded colleges from £1bn catch-up fund just hours before DfE announcement”, 23 June 2020. A cross party group of MPs from the All Party Parliamentary Group for sixth from education wrote to Gavin Williamson urging him “to extend eligibility for the Covid catch-up fund to include sixth form and other colleges”.

Bill Watkin, chief executive of the Sixth Form Colleges Association, said it was “entirely unjustifiable” to exclude sixth form students from the package.

Nick Gibb the schools minister said that older age groups had “fared better with remote education than other age groups” which is why the Government was focused on helping younger pupils.

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43 “T-level wobble as another four providers cancel September launch plans”, FE News, 11 June 2020
44 “Coronavirus: £1bn catch-up tutoring fund for England’s pupils”, BBC News, 19 June 2020
45 “Cross-party group of MPs urge education secretary to include 16-19s in £1bn Covid catch-up plan”, FE Week, 23 June 2020
46 ibid
On 20 July 2020 the DfE announced that catch up funding of £96m would be made available for tutoring disadvantaged 16-19 year olds:

“As part of the tutoring fund, we will also provide a one-off, ring-fenced grant of up to £96 million for colleges, sixth forms and all 16 to 19 providers, to provide small group tutoring activity for disadvantaged 16 to 19 students whose studies have been disrupted.”

The DfE confirmed in an article in FE Week that the £96 million would be taken from the £350 million National Tutoring Programme, and is not new funding in addition to it.\(^{47}\)

The Association of Colleges welcomed the announcement:

The £96 million catch-up funding for disadvantaged 16 to 19-year-olds is a welcome step. We have argued all along that they deserve as much support to overcome the challenges thrown up by Covid-19 as every other age group, including their peers in schools.

The ringfenced funding for disadvantaged 16-19 students will allow colleges to be flexible in their support programmes and enable them to reach those most in need. For example, 70% of students resitting English and maths are from disadvantaged backgrounds and will need tailored and concentrated support to ensure they can succeed next academic year, despite the disruption.\(^{48}\)

On 24 July the ESFA published guidance on the funding, 16 to 19 funding: 16 to 19 tuition fund, the guidance states that:

- we will allocate each provider £150 per instance for full time students without GCSE grade 4 or above in English and/or maths based on the numbers in their current 2020 to 2021 academic year allocation. There will be pro-rata funding for part time students.

- the 16 to 19 tuition fund is one-off funding for the 2020 to 2021 academic year only. It is ring fenced funding for schools, colleges and all other 16 to 19 providers to mitigate the disruption to learning arising from coronavirus (COVID-19).

- the funding is being provided to support small group tuition for 16 to 19 students in English, maths, and other courses where learning has been disrupted.

- providers should prioritise students that will benefit most from small group tuition

\(^{47}\) “DfE offers £96m grant for 16-19 tutoring after Covid catch-up fund U-turn”, FE Week, 20 July 2020

\(^{48}\) Association of Colleges, “£96m for disadvantaged students catch-up fund - AoC responds”, 20 July 2020
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