

Office for  
Students



# Regulatory Advice 7

Advice on preparing your 2019-20  
access and participation statement

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Enquiries to [registration@officeforstudents.org.uk](mailto:registration@officeforstudents.org.uk)

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## **Introduction**

1. Our ambitions are that everyone should be able to study at a higher education provider that meets their needs and aspirations; that all students should be supported to succeed in their studies; and that the higher education sector delivers on the promise of higher education as an engine for social mobility, and a gateway to a better life for those who undertake it.
2. One of the ways in which our Regulatory Framework supports these ambitions is by requiring any higher education provider that charges up to the basic fee cap to have in place an annual statement setting out its commitment to supporting access and participation in higher education by students from underrepresented groups (see Condition A2 for more details).
3. This advice note is intended to support you in preparing and publishing such a statement for the academic year 2019-20.

## **Future development of access and participation statements**

4. We are committed to reviewing our approach to regulation to ensure it remains fit for purpose. So, we will analyse all the statements that are published by approved providers during the registration process in academic year 2018-19, and assess whether the current requirements best support our expectations for improving access, success and progression for students from all backgrounds. We will then publish further guidance, if necessary.

# Content of access and participation statements

5. Condition A2 of the Office for Students' (OfS) Regulatory Framework (OfS 2018.01) requires Approved providers or Approved (fee cap) providers charging fees up to the basic amount for qualifying courses to publish an access and participation statement and to update and republish this statement on an annual basis.
6. It does not prescribe the content of access and participation statements; that is for you to determine. We recommend, though, that you follow this good practice advice when preparing your statement and include information on the following themes.

## Theme 1: The areas you are seeking to address

7. In order to make a genuine commitment to improving access, success and progression for students from all backgrounds, we strongly encourage you to review the data you hold on the backgrounds of your applicants and students, and use this analysis to make clear in your access and participation statement the areas where you are performing well and the areas where you wish to take further action to improve.
8. There are many different data sources that you could use to understand/demonstrate your performance in this area and to identify areas where you are committed to making further improvements. You might find the following useful:
  - data required in relation to the transparency information condition (Condition F1 of the OfS Regulatory Framework)
  - Higher Education Statistics Agency performance indicators
  - UCAS national and provider statistics
  - Teaching Excellence Framework metrics
  - data on graduate destinations
  - Department for Education destination measures and free school meal statistics
  - Student Loan Company data of students receiving the maximum maintenance loan
  - your own data on the background and progress of your applicants and students.
9. For providers with a sophisticated understanding of their student population, good practice will be to use this data to look at the intersections of disadvantage (the ways in which multiple student characteristics combine and lead to greater underrepresentation).
10. We have set the following national priorities for access and participation, and we encourage you also to consider these when deciding where you wish to prioritise activity.

## Access

- To increase the entry rates of students from underrepresented groups to higher education, in particular reducing the participation gaps for those from socioeconomically disadvantaged backgrounds and at higher tariff providers, where they are widest.
- To reverse the decline in higher education participation by mature students from underrepresented groups.

## Success

- To improve the non-continuation rates of students from underrepresented groups, particularly those from minority ethnic groups and those with disabilities, and to reduce the gaps between these groups and other students.
- To reduce the attainment gaps between students from underrepresented groups, particularly those from minority ethnic groups and those with disabilities, and those from other groups.

## Progression

- To improve the rates of progression of students from underrepresented groups, particularly those from minority ethnic groups and those with disabilities, into graduate-level employment or further study, and to reduce the gaps between these groups and other students.

## Theme 2: Your ambitions and strategy

11. Your access and participation statement is an opportunity to make a public commitment to improve access, success and progression for your students and to make a contribution to the national priorities we have identified for access and participation.
12. When describing your ambitions and strategy, we encourage you to think about:
  - a. **Your overall ambition.** This might include a general statement of the improvements you are hoping to achieve and, if appropriate, the ways in which you will measure your success. For example, you may wish to describe any specific targets for improvement you have set yourself.
  - b. **The particular groups of students you plan to work with.** Once you have considered your performance, you may wish to identify which groups of students you plan to work with to improve your performance. Groups of potential or current students where national data or other specific evidence indicates there are gaps in equality of opportunity in different parts of the student lifecycle include those who share the following particular characteristics:
    - i. those living in areas of low higher education participation, household income, or socioeconomic status
    - ii. students of particular ethnicities
    - iii. mature students
    - iv. disabled students

- v. care leavers
- vi. carers
- vii. people estranged from their families
- viii. people from Gypsy, Roma and Traveller communities
- ix. refugees
- x. people with mental health problems
- xi. people with specific learning difficulties
- xii. children of military families.

There are also students from groups with protected characteristics under the Equality Act 2010 where data is not collected at a national level or there are gaps in disclosure in the current national data, for example in relation to religion and belief and sexual orientation, which currently prevents us from determining whether they are underrepresented at different points of the student lifecycle.<sup>1</sup> Where this is the case, we are committed to enhancing our understanding and further developing our approach if we identify further underrepresentation. Our approach to this, together with our approach to student safeguarding, will be described in our forthcoming equality objectives and action plan. Further information on the available data can be found in 'Equality impact assessment: Regulatory framework for higher education' (OfS 2018.09).

- c. **Who else you will work with to improve access and participation.** There are many collaborative projects designed to improve access and participation across the sector, in which providers work together or with businesses and charities. For many providers, especially the small and specialist providers, this collaboration is central to their work to improve access and participation and so you may wish to include a description of it in your statement.
- d. **How you have involved students in developing your approach to access and participation.** We are strongly committed to the value of student consultation and engagement in improving higher education for all students. It is good practice in preparing access and participation statements to include details of how you have consulted with students to develop your approach, and where this has influenced your approach.

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<sup>1</sup> The protected characteristics for which we do not have national data on underrepresentation in higher education are gender reassignment, marriage and civil partnership, pregnancy and maternity, religion or belief and sexual orientation.

## **Theme 3: Your activities and support for students**

13. Your statement will be a public demonstration of your approach to access and participation. It is a way for current and future students to understand the support that you offer and how they will be supported when studying with you and as they move into employment or further study.
14. We encourage you, therefore, to include in your statement a summary of the kind of activities you have in place to support students. This would usefully include any financial support that you offer to students from different backgrounds.
15. It is good practice to evaluate your activity to ensure that it is effective in achieving your aims to improve access, success and progression. You may wish to describe in your statement how you will evaluate activity and the outcomes of any evaluation you have already undertaken.

## **Other considerations when preparing your access and participation statement**

### **Publication of your statement**

16. It is an ongoing condition of registration that you update and re-publish your access and participation statement on an annual basis. You can find full details of the requirements in the Regulatory Framework (OfS 2018.01). We will check during our routine monitoring activities that a provider's statement has been updated and republished on an annual basis and that it is published in an accessible place.
17. We recommend that these statements are easy to find via your website. You could include it alongside your governance information, with other policy documents or in a specific area on how you support students.

### **Equalities and diversity**

18. You have duties under the Equality Act 2010 to not discriminate on the basis of protected characteristics in either employment or the provision of goods or services.
19. The OfS does not determine whether you meet your legal obligations under the Equality Act and does not give legal advice. We encourage you, though, to consider how the steps you will take to deliver your equality duties will complement those you set out in your access and participation statement.
20. If you are unsure whether you are meeting your legal obligations under the Equality Act, you should seek your own legal advice, or contact the Equality and Human Rights Commission.

### **Teaching Excellence and Student Outcomes Framework**

21. It is a requirement of the Teaching Excellence and Student Outcomes Framework that all English providers that wish to participate in the Teaching Excellence and Student Outcomes Framework (TEF) must publish an access and participation statement, if they do not have an approved access and participation plan.

22. Your access and participation statement prepared in order to meet Condition A2 of the OfS Regulatory Framework will enable you meet this requirement.



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