Re-Committing
to Fair Access:
A Plan for Recovery

Annual Report 2021

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INTRODUCTION

This is my fourth Annual Report as Commissioner for Fair Access. It has two core messages.

•The first is a celebration of the progress that has been made towards fairer access to higher education. To an extent that certainly could not have been imagined 10 years ago, or perhaps even five year ago, not only is fair access accepted as higher education, but it is now firmly lodged high on the list of priorities of those universities and other higher education institutions that traditionally have recruited the bulk of their students from more advantaged social groups. In the case of colleges and other universities, of course, widening access has always been central to their missions.

• The second is a warning. The impact of the Covid-19 emergency, and of the consequent public health and institutional restrictions, without question represents a setback to achieving fair access. As I wrote in my interim report at the end of last year, from those who had least the most has been taken away. More socially deprived communities have suffered worse than more prosperous communities on almost every dimension – infections and deaths, economic dislocation, school disruption. Students from these communities have experienced more limited access to online learning, more financial hardship and (perhaps) worst mental health. At the same time institutions have found it more difficult to engage with them because of public health restrictions. The Government is also likely to focus most of its attention over the next three or four years on economic recovery. As collateral damage fair access may have a lower priority. Institutions too, in particular those universities that have come most recently to accept the central importance of fair access, face other challenges – financial pressures, coping with Brexit and resetting their international agendas. So there is a present danger that just when fair access has suffered an inevitable setback and therefore the need to reassert its primacy in public policy, it will face increasing competition from other priorities.

This report is divided into three main sections

Progress report

The Commission on Widening Participation (COWA) in its final report in March 2016 recommended that the Government should report on progress towards meeting its recommendations within 12 months and that 'thereafter, progress towards equal access should be reported on annually by the Commissioner for Fair Access'. I have tried to do this in each of my Annual Reports. In practice the Government has continued to produce periodic reports on progress, mainly in the form of reports to the Access Delivery Group chaired by the Minister (although because of the Covid-19 emergency the group has not met since 2019). The Scottish Funding Council also published a valuable Report on Widening Access on an annual basis.

The Commission on Widening Access

The current drive to achieve fair access has its roots in the pledge made by the First Minister Nicola Sturgeon that by 2030, 20 per cent of entrants to university should come from the 20 per cent most deprived communities in Scotland, in other words, a truly level playing field, which was then incorporated in the Programme for Government. This drive was given its present focus, and priority and urgency, by the work of the Commission on Widening Access chaired by Dame Ruth Silver, which was established by the Government in 2014 and reported in 2016. This year is the fifth anniversary of COWA's final report. I have taken advantage of that anniversary to offer my own assessment of the progress that has been made to implementing its 34 recommendations, and also to discuss the ways the context, and therefore, agenda may have changed; and whether there is a need to adjust any of these recommendations or add new ones.

The impact of Covid-19

Although the peak of the Covid-19 pandemic, for the moment, has passed (in Scotland and the wider UK, although not in the world), its consequences will be with us for many years to come – in terms of the scarring of not only the economy but also of society, and the lives of individuals. I published an interim report on the impact of Covid-19 on fair access in December 2020, based on detailed responses from colleges, universities, agencies and sectoral and other organisations. In the report I have focused on three particular issues: (i) the potential impact on the attainment gap in schools, and the supply of qualified applicants; (ii) the implications of the cancellation of public examinations – Nationals, Highers and Advanced Higher – and the substitution of teacher-assessed grades, on contextual admissions policies in universities; and (iii) the likely shape of the next academic year, and the impact of any continuing restrictions on fair access.

In a final miscellaneous section a number of more specific issues are covered: (i) any implications for fair access in Scotland of the movement towards a different admissions system across the UK, which has been driven from England; and (ii) the sustainability of the Scottish Framework for Fair Access and the Scotland's Community of Access and Participation Practitioners (SCAPP).

Peter Scott
June 2021

EXECUTIVE SUMMARY

Progress

- Over the past five years very welcome progress has been made towards meeting the Government's fair access targets. The 2021 interim target, that 16 per cent of entrants should come from the 20 per cent most deprived areas in Scotland, has been achieved ahead of time. But, even before the arrival of Covid-19, there were signs that the rate of progress was slowing. Even then it was becoming clear that the 'last mile(s)' would be the most difficult – towards the next interim target, 18 per cent of entrants from SIMD20 areas in 2026, and the final target of 20 per cent from SIMD20 in 2030.

- There are three immediate causes for concern:

1. The progress that has been made may have led to feelings of complacency. A general belief has developed that Scotland has a good story to tell on fair access, which is largely but not wholly true, which in turn may have led on to another belief, that the (main) job has been done. In fact the hardest work lies ahead.

2. The impact of the Covid-19 emergency has been greatest on the most deprived communities and those who live in them. The target groups for fair access have suffered most – in terms of school disruptions, lost (or furloughed) jobs, economic scarring, financial hardship, digital poverty. At the same time the outreach activities of universities have been severely constrained.

3. The efforts of Government have been focused on post-Covid recovery. This has strengthened the belief that the major task of further and higher education is to promote economic development anyway. Although fair access clearly makes a major contribution to economic development, by exploiting the potential of all the people, its importance can only be fully appreciated by focusing on social justice.

Commission on Widening Access

- The Commission on Widening Access (COWA) published its final report five years ago. That report has provided a template for success, acting as the primary focus for realising the First Minister's ambition that a fifth of university places should go those from the most deprived quintile of Scotland's population.

- The main COWA recommendations have been successfully implemented over the past five years on access targets, access thresholds (or minimum entry requirements) and a guarantee of places for care-experienced applicants. Gaps remain on student funding, the use of finer-grain metrics to identify disadvantaged students and the wider development of flexible pathways in a tertiary education system, in particular better recognition of the achievements of HN students who enter degree courses.

- Many of the COWA recommendations were addressed to the Government and the SFC, and were rather top-down, even dirigiste, in tone. In the event much of the running has been made by colleges and universities with innovative bottom-up initiatives and a strong sense of ownership of the access agenda. Although welcome in all other respects, this balance has perhaps made it more difficult for the SFC to secure a clear strategic, as opposed to operational, focus.

The continuing impact of Covid

- The attainment gap, which has proved to be difficult to narrow, could widen again as young learners, especially in schools that have suffered the greatest disruption, struggle to make up for 'lost time', both in terms of knowledge and skills but also perhaps motivation. As a result the pool of qualified SIMD20 applicants might shrink, making it more difficult for universities to meet the 2026, and 2030, targets. The effects on school progress will not be a time-limited emergency but be felt for several years ahead.

- Examination grades, used as benchmarks for entry to universities, have been replaced by teacher-assessed grades (which, of course may be more accurate indicators of potential). The normal pattern of university admissions will be disturbed, with more higher grades, although any uplift will fail to compensate for the disproportionate 'lost time' in schooling suffered by young people from more deprived backgrounds. This uncertainty will also affect the careful calibration of minimum entry requirements, justifying their more ambitious use.

- The shape of the next academic year will continue to be affected by the aftermath of the Covid-19 emergency. A full return to 'normal' will be impossible with social distancing and other restrictions on campus life being maintained. At the same time the pivot to online learning is unlikely ever to be fully reversed. Students from more socially deprived backgrounds will suffer most from any reduction in the social experience of being on campus and interactions with their peers, in addition to continuing digital poverty, financial hardship and worse mental health.

Other issues

- Proposals to reform university admissions to introduce a post-qualification admissions (or offers) system are being driven by English concerns but could be applied across the UK. They could lead to unintended, and negative, consequences for admissions in Scotland. In particular they could undermine the successful programmes of summer schools and other forms of engagement adopted by universities to attract more applicants from socially deprived backgrounds.

- The Framework for Fair Access, which was recommended in the COWA report and identified as a 'foundational' recommendation by the Government, has yet to be placed on a secure and sustainable footing. With greater certainty both pillars of the Framework – the toolkit of good practice – and Scotland's Community of Access and Participation Practitioners (SCAPP) – will be able to fulfil their potential.

RECOMMENDATIONS

To the Scottish Government:

1. The Government's commitment to fair access in higher education should be reaffirmed and intensified, at the highest level and in the most public way possible.

2. The Government should make permanent the additional funded places made available in 2020-21 and continued for 2021-22. Without these extra places universities will ultimately be forced to reduce first-year intakes to compensate for the larger numbers flowing through, which will undermine efforts to meet future access targets. As student demand is increasing, and projected to increase further, the failure to increase funded places would reactivate fears about applicants from more advantaged backgrounds being 'displaced'.

3. The Government should now follow through on the recommendation of the Commission on Widening Access and consider whether the threshold of 10 per cent of SIMD20 entrants in each university should be increased. To maintain momentum this threshold should be raised to 15 per cent.

4. In reviewing progress towards fair access targets the Government should also consider including a target for entrants from the 40 per cent most deprived communities, in addition to the current SIMD20 targets, to ensure that SIMD40 are not 'squeezed' between the most deprived and more privileged social groups in university admissions.

To the Scottish Funding Council:

5. The SFC should include fair access as one of its headline priority themes as it carries forward its work on the future of colleges and universities, in its sustainability review.

6. Many access programmes and initiatives continue to be funded as short-term projects which inhibits longer-term planning. Wherever possible they should be incorporated into core institutional funding, although they should continue to be earmarked.

7. The Framework for Fair Access should be given secure and sustainable funding, based on a hybrid model of an SFC grant and institutional subscriptions.

To institutions:

8. Restoring in-person outreach activities, complemented by online programmes available to a wider audience developed during the past year, and also the social experience of campus life should have the highest priority in the return to near(er) normal.

9. Minimum entry requirements should be used in more flexible ways, to reflect the changed environment created by the shift from exam grades to teacher-assessed grades (which do not appear to have led to worse retention and continuation rates). As confidence in their use increases, they should be set at more ambitious levels.

10. By 2026 all HN students transferring to degree courses should be granted advanced standing, unless there are specified reasons why this should not be the case, as a key element in the development of more flexible pathways across tertiary education, training and work. This fuller recognition of prior achievement would also make more efficient use of resources and free up extra places.

1. PROGRESS REPORT

Targets

The Covid-19 pandemic, and the public health and other measures taken to combat it, have already had an adverse effect on progress towards fair access to higher education, and this adverse effect is likely to increase in the absence of sustained corrective measures. However, that adverse effect is difficult to measure. In terms of the available data, the full impact of Covid-19 has yet to become clear – for two reasons.

First, the most up-to-date statistics are for the 2019-20 academic year which was more than half over before the pandemic struck, and the cycle of applications, acceptances and enrolment was already complete. At this stage detailed data is not available for the current academic year, 2020-21, which has been most effected by Covid.

Secondly, year-on-year comparisons will be difficult to make because of the large increase in the number of qualified applicants, following the cancellation of Higher (and Advanced Higher) examinations last summer and again this summer and their replacement by teacher-assessed grades. The most recent data, looking forward to the next academic year, 2021-22, is provided by the UCAS figures on applications made by the January 2021 deadline.

For these reasons it has become more difficult to assess progress towards meeting the targets recommended by the Commission on Widening Access five years ago and agreed by the Government – that by 2021 16 per cent of students of full-time first-degree entrants (and at least 10 per cent in each Higher Education Institution) should come from SIMD20, the most socially deprived quintile; 18 per cent by 2026; and 20 per cent of all entrants to higher education (in other words, their fair share) by 2030.

The Commission believed that the targets it recommended should be reviewed at some stage in the process, perhaps at a mid point. It specifically recommended that the 10 per cent SIMD20 intake threshold should be looked at in 2022 (see below). Two revisions are worth very serious consideration:

• The first is to make greater use of Free School Meals (FSM) uptake alongside, not as a replacement for, SIMD as a key measure of progress. This would be strongly supported by the universities, and it would give a more accurate picture of universities' record on addressing fair access especially in remote and rural areas. This first revision is considered in greater detail in the next section of this report.

• The second is to develop a target for SIMD40 entrants, in addition to the primary SIMD20 measure. Many universes already consider entrants from both quintiles in measuring their progress. Having this double measure would also ensure that applicants from communities in the second most deprived quintile do not get squeezed between SIMD20 applicants and applicants from more socially advantaged communities.

Social deprivation and care experience

Overall the proportion of Scottish domiciled first-degree university entrants from the most deprived social quintile, SIMD20, increased from 15.9 per cent in 2018-19 to 16.4 per cent in 2019-20, according to the Scottish Funding Council's Report on Widening Access (SFC 2021). Statistics from the Higher Education Statistics Agency are broadly consistent (https://www.hesa.ac.uk/data-and-analysis/students/whos-in-he). According to HESA 16.2 per cent of first-year full-time first-degree Scottish domiciled students in 2019-20 came from SIMD20 areas compared with 15.8 the previous year. The difference between the SFC and HESA figures is explained by the fact that the former removes 'unknowns', assuming that the missing postcode data is randomly distributed across SIMD quintiles. The equivalent figures for students from the most advantaged social quintile, SIMD80, increased marginally from 27.8 to 27.9 (both rounded to 28 per cent in the published figures).

In other words in university admissions SIMD20 entrants are 'under-represented' by just under 4 percentage points while those from SIMD80 are 'over-represented' by 8 percentage points. Or, to put it another way, first-year first-degree entrants are just under twice (1.75 times) as likely to come from SIMD80 as SIMD20 areas. Without taking into account the actual school populations in the most deprived and the least deprived social quintiles these are only approximate comparisons. But they give some idea of the scale of the access gap in university admissions – and, therefore, a sense of the challenges still facing fair access. Fair access is still far from being achieved. Using another measure, the Socio-Economic Classification, which is divided into eight occupational groups, more than half of all higher education students in Scottish institutions – and 47 per cent of Scottish domiciled first-year students – still come from the top two groups.

There is also welcome news about participation rates among the care-experienced. Although the numbers remain very low – only 370 full-time first-degree entrants in 2019-20 – the percentage has more than doubled over the past seven years, from 0.5 to 1.2 per cent. On most years the retention rate for care-experienced students lagged behind that for all students and for SIMD20 students, although between 2017-18 and 2018-19 it was higher than both (the small numbers inevitably produce greater volatility in percentage shares). It would be reasonable to expect that the universities' guarantee of a place for all care-experienced applicants who meet minimum entry requirements would further increase both numbers and percentage shares.

There appear to be two messages in the latest figures:

- First, the gap between first-year and all-years figures – 16 per cent of first years compared with 14 per cent overall – is evidence of the momentum towards fairer access that has been achieved, and a measure of the progress that has been made over the past five years. This progress is apparent in both the HESA and UCAS figures (which are calculated in different ways and over different periods). According to HESA between 2014-15 and 2019-20 the proportion of SIMD20 entrants increased from 14 to 16 per cent. According to the UCAS end-of-cycle figures between 2016 and 2020 the proportion increased from 13.7 to 15.7.

- The second message is that in the most recent year for which official data is available – the 2020 end-of-cycle figures in the case of UCAS, 2019-20 in the case of HESA and the SFC's Report on Widening Access – progress towards fair access has recently slowed. The largest gain was made between 2016-17 and 2017-18 – almost two percentage points, increase in the SIMD20 share (1.8 per cent) compared with half that between 2018-19 and 2019-20 in the most recent figures. This pattern can be explained in two ways: first, that the work of the Commission on Widening Access (see below) had a galvanising effect; and, secondly, that progress was bound to become more difficult as higher education moved closer to genuine equality of

opportunity (the last miles are always more difficult). This note of caution is important because, as has already been said, all these figures effectively predate the Covid-19 emergency. We will have to wait until early next year before figures are published that reflect the impact of the pandemic on the social make-up of students.

As the increase in the SIMD20 share of first-year entrants had only been gradual before Covid-19 struck, it would not be unreasonable to assume that a continuation of this trend of gradual improvement could be a best-case scenario given the potential setback represented by the Covid-19 emergency. Other UCAS figures for the number of applications received by January 2021 for entry in the next academic year, 2020-21, offer a glimpse into the future. They largely confirm the impression of a lessening of momentum towards fair access. Overall applicants have increased by 16 per cent, from 42,530 to 49,360. (The number of applications, of course, is much higher.) But SIMD20 applicants have increased by slightly less – 15 per cent, although SIMD40 applicants (from the next most deprived quintile) did increase by 19 per cent (https://www.ucas.com/data-and-analysis/undergraduate-statistics-and-reports/ucas-undergraduate-releases/applicant-releases-2021/2021-cycle-applicant-figures-january-deadline). However, these figures come with a health warning. These are applications by the January deadline, not total applications, and only the first stage in the long applications-offers-acceptances pipeline. Also not all applications are made through UCAS. They are also Scottish applicants to all UK HEIs.

Figures for retention and qualifiers too support the impression that progress has been sticky.

- The gap between the overall retention rate and the retention rate for SIMD20 students in universities has remained constant. But the SIMD20 rate declined from a peak of 89.4 per cent in 2016-17 to 87.5 per cent in 2018-19, the most recent year for which figures are available. However, it is important to emphasise that the gap between overall retention and SIMD20 retention rates is only 3 per cent, and that both figures are very high by international standards. Overall, Scottish universities do not have an 'efficiency problem'. Nor is there any evidence that widening access has led to significantly lower retention.

- The proportion of SIMD20 qualifiers, inevitably, is lower than the proportion of SIMD20 entrants. Of greater concern perhaps is that for full-time first-degree graduates it declined by almost a full percentage point between 2018-19 (13.9 per cent) and 2019-20 (13 per cent). For all SIMD20 undergraduates there was actually an increase from 18.5 to 19 per cent. The reason for this increase was the improved performance of colleges, which more than compensated for the small decline in universities. This is evidence of the key contribution made by colleges to Scotland's overall higher education participation rate compared with other UK nations in general, and in particular to fair access.

All these figures suggest both good news and not-so-good news. The good news is that the 2021 interim target has been achieved, a year ahead of schedule. This reflects the influence of the targets set by Commission for Widening Access and accepted by the Government and also the commitment of institutions to fair access. The not-so-good news is that there must now be significant uncertainty about whether the momentum necessary to achieve the 2026 interim target of 18 per cent of SIMD20 full-time first-degree entrants is being sustained in the light of the negative consequences of the Covid-19 emergency. This target, and even the final target of 20 per cent of all entrants to higher education at the end of the decade, a truly level playing field, could be under threat if there is not a re-commitment to the central importance of fair access among the priorities for higher education by all the major players – Government, Funding Council, sector bodies and institutions.

Institutional performance

In 2019-20 only two universities recruited fewer than 10 per cent of entrants from SIMD20 areas, the threshold for individual universities recommended by the Commission on Widening Access (see below) and endorsed by the Government. The Commission further recommended that by 2022, next year, the Government should consider raising that threshold, although no action has yet been taken to begin this process of consideration.

Both universities are in Aberdeen. In terms of recruiting SIMD20 students onto full-time first-degree courses the University of Aberdeen registered the largest percentage increase between 2018-19 and 2019-20, almost doubling its share from just 4.4 to 8.6 per cent. However, the numbers remain low, an increase from just 60 to 125 students, and the university still has one of the lowest share of SIMD20 students among Scotland's universities. Its fellow Aberdeen institution, Robert Gordon University registered an actual decline, from 6.7 to 5.2 per cent and actually recruited fewer SIMD20 students onto full-time first-degree courses than Aberdeen despite being a so-called 'post-1992' university. It now has the lowest proportion of SIMD20 entrants among Scotland's universities. The standard explanation for the comparatively poor performance of the two Aberdeen institutions is that SIMD does not capture the proper extent of social deprivation outside the central belt. North East Scotland College also has a comparatively low share of SIMD20 students, which supports this explanation.

But it is important not to treat doubts about the use of SIMD for measuring progress towards fair access as a permanent opt-out or alibi. Disappointingly Stirling, which is firmly in the central belt, also registered a decline in SIMD20 students, from 14.4 to 13.1 per cent. St Andrews saw a small percentage increase. The actual number of SIMD20 students was the same – 75 – but the overall intake of (Scottish domiciled) students fell slightly. At the other end of the spectrum the University of the West of Scotland again increased its share of SIMD20 students, who made up almost a third of full-time first-degree entrants in 2019-20. In most other universities the share of SIMD20 entrants increased slightly or stayed the same over these two years. But it is important to emphasise these figures are for 2019-20, before any adverse effects of the Covid-19 emergency were properly felt.

Comparisons between the performance of institutions in terms of fair access need to be treated with caution. In some cases the numbers of SIMD entrants are small, either because the universities themselves do not have large numbers of students so small changes in numbers can produce significant percentage shifts, or because they have traditionally recruited many of their students from more socially advantaged social groups and rapid change is difficult without apparently 'displacing' some of these students. For example, the increase in SIMD entrants increased in the Royal Conservatoire of Scotland as fast as in Aberdeen. This certainly reflects the efforts made by the RCS. But the actual increase was only from 20 to 25.

Overall two major factors shape comparative institutional performance. The first, and most visible, is the degree of selectivity among universities. This reflects their historic reputations and current perceptions of their attractiveness among parents, teachers and applicants. The second, less often remarked on, is differences in subject mix. This aligns approximately but not exactly with the degree of selectivity. Different subjects recruit from different social pools – for example, medicine or nursing. Some of the differences in institutional performance on fair access will remain until these important differences in the perceived status of professions and occupations are addressed.

School type

The type of school attended by students is not a direct measure of comparative social advantage. But it is a useful proxy. 11 per cent of all higher education students in Scottish institutions had attended independent schools in 2019-20. This was actually higher than in England (9 per cent), which may come as a surprise given the more limited presence of independent schools in Scotland. However, the main reason for this difference is that a substantial number of the former pupils of English independent schools attend universities in Scotland – in particular, Edinburgh and St Andrews.

This is reflected in the figures for individual universities. The percentage of students from state schools is significantly below the calculated benchmark in the case of four institutions – Edinburgh (63.2 per cent), St Andrews (63.9 per cent), the Royal Conservatoire of Scotland (81 per cent), which may be a special case, and Aberdeen (82.6 per cent). Conversely, seven universities exceeded their benchmarks: the University of the West of Scotland (98.7 per cent), Abertay (96.6 per cent), Glasgow Caledonian (96.3 per cent), Napier (95.3 per cent) – all post-1992 universities; and three pre-1992 universities – Stirling (94.3 per cent), Strathclyde (92 per cent) and Dundee (89.3 per cent). These institutional differences are largely, but not entirely, explained by differences in recruitment patterns, in particular the degree to which they recruited students locally, regionally or from across the whole of the UK.

Disability

Over the past five years the proportion of students receiving Disability Support Allowance (DSA) has increased from 4.6 per cent in 2015-16 to 5.2 per cent in 2019-20. There is a wide variation between institutions from Glasgow School of Art (15.2 per cent) to UWS (1.5 per cent). However, this variation reflects the narrow definition of eligibility, and how that eligibility has been interpreted, more than actual differences in the incidence of disability among students. As an earlier Discussion Paper published by the Commissioner indicated, the incidence of all forms of disability is much greater than DSA figures suggest, especially in the area of mental health where the proportion of students affected has grown significantly in recent years.

Articulation

There has only been slow progress towards opening up pathways for HN students into universities. A substantial proportion, almost half, of all SIMD20 entrants to first-year first-degree courses in universities, comes via college routes. But between 2015-16 and 2019-20 that proportion remained essentially the same. The proportion of HN students transferring onto degree courses, who receive advanced standing, has also only increased slowly – from 56.7 per cent in 2015-16 to 58.1 per cent in 2019-20. The proportion of articulating students given advanced standing from SIMD20 areas has increased at a slower rate, by 0.7 percentage points compared with 1.4 percentage points for all entrants in this group. It is possible that the work of the National Articulation Forum, and associated activity, will lead to faster progress which will be reflected in the figures for 2020-21. But currently progress is well adrift of the 75 per cent target for articulating HN entrants receiving advanced standing.

One way to encourage more, and fairer, articulation routes between colleges and universities is to provide better information. For policy makers and institutional managers that gap is being addressed by the work of the National Articulation Forum which now provides important data. But comprehensive and accurate, and accessible, information also needs to be made available to students. A useful website aimed at college students aiming at university entrance has been developed on a regional basis in Stirling, Clackmannanshire, Fife, Falkirk, Edinburgh, the Lothians and Borders (www.pathways.ac.uk). The current ambition to extend this website nationally, and secure permanent funding, should be supported.

Although useful progress has been made under the aegis of the NAF, articulation needs to be considered within a wider frame of reference.

- First, articulation is about more than simply the relationship between HNs and degrees. It should be seen as just one aspect of the flexible pathways that will be needed to put in place to create a wider system of tertiary education and training. Although the HN-degree interface is currently the most important – and, of course, crucial for securing fairer access – in the future other aspects of flexible provision will also become important: for example, within more elaborate modern and graduate apprenticeships pathways or, more speculatively perhaps, between online and in-person learning.

- Second, the current approach to HN-degree articulation focuses overwhelmingly on the needs and wishes of students – for example, in the case of an HND entrant whether to join a degree course in the second year, with partial credit, or in year 3, with full credit. This is commendable in most respects. But it cannot be the only consideration. Another is the overall efficiency of the system, in terms of reducing duplication, to optimise the use of scarce public resources and maximise the number of places in higher education. For every HN students who receive only partial credit, one funded place is lost.

Recommendations in earlier reports

Almost no action has followed recommendations made in my last Annual Report (June 2020) and my interim report on the impact of Covid-19 on fair access (December 2020). Although understandable in the light of the urgent tasks facing the Government, SFC and institutions as a result of the Covid-19 emergency, this is still disappointing – especially as that emergency has posed a significant challenge to meeting access targets.

In these two reports I recommended the Government's commitment to fair access should be reinforced, and that fair access should be explicitly included as one of the SFC's headline priorities in the next stage of its review of colleges and universities in Scotland, under the general heading of coherence and sustainability. Neither has happened, creating the impression that the contribution of further and higher education to the post-Covid economic recovery is now seen as a higher priority than achieving fair access, or fair access is now seen predominantly through the policy lens of maximising skills rather than the wider perspective of social justice. The direct impacts of Covid-19 already represent a potentially serious setback to achieving fair access. If an indirect impact is that fair access has slipped down the list of Government, and SFC (and, consequentially, institutional) priorities, it would be a further blow. That is why those recommendations are now repeated – in stronger terms.

I also recommended a year ago that active counter-measures needed to be taken urgently to address the additional disadvantages suffered by potential applicants and students from more socially deprived backgrounds. Many institutions – and their staff – have worked very hard to tackle issues such as digital poverty, financial hardship and worsening mental health. Local authorities and schools have worked equally hard. The Government has provided financial support. However, these efforts need to be sustained and intensified to combat longer-term issues including possible demotivation in the earlier and middle years of secondary education, the erosion of already limited educational and cultural capital among the most disadvantaged groups and changes in the post-Covid jobs structure that reduce the number of part-time jobs that students, especially those from more deprived backgrounds, need to pay their way through higher education.

In these reports I made a number of other recommendations to which there has been no response but which I regard as of even greater relevance in the conditions of 2021. These included greater transparency, and a more consistent format for publishing, minimum entry requirements, sustainable funding for the Framework of Fair Access, a step change in the granting of advanced standing to HN entrants to degree courses and a more joined-up approach to addressing all forms of disadvantage, including socio-economic deprivation, in place of standalone silo-like action plans. Finally I made a number of more detailed recommendations with regard to medicine, law and creative subjects to which I did not expect an immediate response but which, I hope, will not be forgotten.

2. THE COMMISSION ON WIDENING ACCESS – FIVE YEARS ON

The establishment of the Commission on Widening Access (COWA) chaired by Dame Ruth Silver in 2014 was a key intervention in the drive to produce fairer access to higher education. The Commission published an interim report in November 2015 and its final report in March 2016. The fifth anniversary of this final report offers an opportunity for stock-taking, in particular to review:

- the overall progress that has been made;

- COWA recommendations that have been fully and partially implemented;

- recommendations that have yet to be implemented (whether because of the difficulties of implanting them, lack of a will to do so, or because circumstances have changed);

- and any new recommendations that need to be made in the light of changing circumstances (the Covid-19 emergency is the most obvious example) or new priorities.

Remit

The remit of the Commission was rooted in the 2014-15 Programme for Government, and its ambitions to make Scotland a fairer society. Its remit was: 1. to develop a shared understanding of the challenges of fair access; 2. to set clear targets; and 3. to help develop a culture of partnerships including early years, schools, colleges, universities, employers and Government. To fulfil this remit COWA was asked: 1. to synthesise the evidence about un/fair access; 2. to suggest short- and long-term targets; 3. to identify best practice; and 4. to identify data and information requirements.

Response

The COWA report was warmly received. A little over a year later in May 2017 the then Minister for Further Education, Higher Education and Science made a statement to Parliament endorsing the key messages of the report and reporting on progress towards implementing its most important recommendations. The statement identified eight 'foundational recommendations'. Universities Scotland shortly afterwards (October 2017) produced its own report Working To Widen Access, based on its three work streams – on admissions, articulation and bridging programmes. This report focused on the 15 recommendations directly addressed to or most relevant to universities. More recently regular monitoring reports have been made to the meetings of the Access Delivery Group, although the group has not met since 2019 because of the Covid-19 emergency. Progress towards implementing key COWA recommendations has also been reviewed in the annual reports of the Commissioner for Fair Access.

Recommendations

The Commission made 34 recommendations, which are listed below. I have included my assessment of the state of play with regard to each. 'Foundational' recommendations are in bold (1, 2, 3, 11, 12, 21, 22 and 32).

Recommendation 1

The Scottish Government should appoint a Commissioner for Fair Access by the end of 2016 to:

- *lead cohesive and system-wide efforts to drive fair access in Scotland, acting as an advocate for access for disadvantaged learners and holding to account those with a role to play in achieving equal access;*

- *coordinate and prioritise the development of a more substantial evidence base on the issues most pertinent to fair access, including the commissioning and publication of independent research (the Scottish Government should ensure an appropriate annual budget is made available to support this work), and;*

- *publish, annually, a report to Ministers outlining the Commissioner's views on progress towards equal access in Scotland to inform development of effective policy at national, regional and institutional level.*

This recommendation has been implemented in part. A Commissioner for Fair Access was appointed in December 2016. Three annual reports have been published, and the present report is the fourth. In addition an interim report on the impact of Covid-19 on fair access was published in December 2020. But the Commissioner was not allocated an annual research budget. It was decided by the Government and the Commissioner jointly that the Commissioner would not be in the position to manage a research budget without a supporting administrative structure, the provision of which might undermine the independence of the role. As a result independent research has not been commissioned, although the need to address the evidence base has been addressed by publishing six Discussion Documents that bring together the most up-to-date statistics on key issues related to fair access with a commentary by the Commissioner.

The other 33 recommendations were grouped under 20 headings:

IDENTIFYING AND SHARING GOOD PRACTICE

Recommendation 2

By 2018, the Commissioner for Fair Access, working with experts, should publish a Scottish Framework for Fair Access. This authoritative, evidence-based framework should identify the most impactful forms of access activity at each stage of the learner journey, from early learning through to higher education, and provide best practice guidelines on its delivery and evaluation.

This recommendation has been implemented, although issues of longer-term sustainability remain. The Framework for Fair Access was established in June 2019, comprising two pillars – an online toolkit containing evidence and evaluations of good practice, and the establishment of the Scotland's Community of Access and Participation Practitioners (SCAPP). A Framework Governance Group, now chaired by the Commissioner and bringing together key stakeholders, has met on four occasions. Funding for both pillars was provided on a time-limited period by the SFC. However, it has proved difficulty to attract bidders to take on the maintenance and updating of the toolkit, in part because of the disruption arising from the Covid-19 emergency which arose less than a year after the launch of the Framework. Nor is permanent funding yet in place. A more extended discussion of the future of the Framework is included in the final section of this Annual Report.

Recommendation 3

Public funding for access programmes – either through specific external funding or funding from core budgets – should focus on programmes that are consistent with the Scottish Framework for Fair Access.

This recommendation has not been achieved. The Framework for Fair Access is not yet established on a secure enough footing to act as template for all public funding of access programmes, even if that was desirable. In my view, even when the Framework is more firmly established, it should be regarded as reference point to inform funding priorities for access programmes rather than a rigid template to ensure that all programmes are fully 'consistent' with the Framework. It is important to leave room for innovation and also important to respect the autonomy of institutions to set their own priorities. As it has developed, the Framework has been designed as a tool that practitioners can use rather than as an authoritative template.

COORDINATING THE DELIVERY OF WHAT WORKS

Recommendation 4

Universities, colleges, local authorities, schools, SFC-funded access programmes and early years providers should work together to deliver a coordinated approach to access which removes duplication and provides a coherent and comprehensive offer to learners. This should include the development of mechanisms by which access programmes undertaken in one institution, or in one part of the country, can be recognised by other institutions, while also serving institutional and local needs. Credit rating on the SCQF Framework should be considered where appropriate.

This recommendation has not been implemented as such. Although it is clearly important to reduce duplication and provide a more coherent and comprehensive offer, before the recommendation could be implemented in a meaningful way there has had to be a more concrete expression of how these – highly desirable – outcomes can be achieved. A number of bodies has been established to bring together a wide variety of stakeholders, including the Access Delivery Group chaired by the Minister and the SFC's Access Programmes Advisory Group and Bridging Programmes Advisory Group. Universities Scotland also established three working groups – on admissions, articulation and bridging programmes. There are clearly dangers in the proliferation of such bodies (and of acronyms understood only by insiders). But they have served a valuable purpose by allowing key actors to familiarise themselves with each other – and each others' agendas – especially across sectoral boundaries. Although progress has been made on a regional basis, the full portability and recognition of access programmes on a national basis remain to be achieved.

The review of SFC-funded access programmes is not yet complete. As a result forward funding has not yet been confirmed. Funding these programmes on a project basis is not satisfactory. Without longer-term funding their role in embedded institutional strategies could be at risk.

FLEXIBLE TRANSITIONS

Recommendation 5

Universities should ensure their admissions processes and entry requirements are based on a strong educational rationale and are not unnecessarily prescriptive, to the detriment of learners who take advantage of the availability of a more flexible range of pathways. This should be monitored by the SFC through the outcome agreement process.

Recommendation 6

The Scottish Government, working with key stakeholders, should ensure the key transitions phases around SCQF levels 6 to 8 are better used to provide students from disadvantaged backgrounds with the qualifications and experiences required to support fair access.

These recommendations have been partly implemented. The Government established a review of the Learner Journey 16-24, which was an attempt to identify (and, ideally, coordinate) the various pathways – in further and higher education and also work-based training – open to young people.

The follow-through of this promising initiative has been limited – so far. A Covid-19 Learner Journey Taskforce was established in January 21 and has met on three occasions. Unsurprisingly its focus has been on the immediate issues raised by the Covid-19 emergency rather than addressing wider issues with regard to transition and articulation and building a better-integrated tertiary education and training system. The focus of the Taskforce, as of the Learner Journey initiative, was not solely on young people from disadvantaged backgrounds, although the development of more flexible pathways through tertiary education and training is likely to benefit them more than more advantaged young people with more settled and traditional trajectories.

Universities have indirectly addressed Recommendation 5 in the course of their work on minimum entry requirements (MERs) and contextual admissions, and on articulation. The SFC has not monitored this recommended requirement through outcome agreements. As the direction of travel in the SFC's sustainability review is towards less detailed agreements, it seems unlikely to do so in future.

BRIDGING PROGRAMMES

Recommendation 7

The Scottish Funding Council, working with professionals, should develop a model of how bridging programmes can be expanded nationally to match need.

This recommendation has only been partly addressed. The SFC established a Bridging Programmes Advisory Group (see recommendation 4), which had begun to do useful scoping work before the Covid-19 emergency. Universities Scotland also established a Bridging Programmes Working Group. The SFC has also provided initial funding for the Scottish Framework for Fair Access. But a model for bridging programmes that can be applied nationally is still far off, and the principle that such a standard model would even be desirable is not yet generally accepted.

ARTICULATION

Recommendation 8

The SFC should seek more demanding articulation targets from those universities that have not traditionally been significant players in articulation.

Recommendation 9

Universities, colleges and the SFC should closely monitor the expansion of articulation to ensure it continues to support disadvantaged learners to progress to degree-level study. Should this not be the case, a proportion of articulation places should be prioritised for disadvantaged learners.

Recommendation 10

The Scottish Funding Council, working with universities and colleges, should explore more efficient, flexible and learner-centred models of articulation which provide learners with the choice of a broader range of institutions and courses.

Progress on implementing these three recommendations has been slow. The SFC has encouraged universities to give advanced standing to more Higher National entrants, and set a target of 75 per cent of transferring HN students being granted advanced standing, ie full credit, by 2026. But the majority of articulating students are still admitted by particular universities – 'post-1992' universities, Strathclyde and Heriot-Watt, although other 'pre-1992' universities such as Dundee and Stirling have made considerable efforts – and in particular subjects, especially business and administrative studies, computing and engineering.

Universities Scotland established an Articulation Working Group as one of its post-COWA work streams, which was disbanded in September 2017 when its world was complete. The National Articulation Forum was then set up jointly by Colleges Scotland and Universities Scotland. The National Articulation Forum produced its first report in 2020. But the report was limited in scope – and, indeed, focused on 'scoping' in terms of investigating student views, mapping HN and degree curricula and improving information. The work of the Forum continues. A national articulation database has also been developed. Dedicated pathways between individual colleges and universities have been developed. But outside these pathways HN students continue to be regarded as, essentially, 'non-standard' entrants compared with those with traditional academic qualifications. Overall there is no evidence of the step change in the approach to articulation recommended by the Commission.

ACCESS THRESHOLD FOR ADMISSIONS

Recommendation 11

By 2019 all universities should set access thresholds for all degree programmes against which learners from the most deprived backgrounds should be assessed. These access thresholds should be separate to standard entrance requirements and set as ambitiously as possible, at a level which accurately reflects the minimum academic standard and subject knowledge necessary to successfully complete a degree programme.

Recommendation 12

All universities should be as open and transparent as possible over their use of access thresholds and wider contextual admissions policies. In particular, they should seek to maximise applications from disadvantaged learners by proactively promoting the access thresholds to the relevant schools, pupils, parents, local authorities and teachers.

Welcome progress has been made towards implementing these two recommendations. The report of Universities Scotland's Admissions Working Group Working to Widen Access laid the groundwork on minimum entry requirements, which are now published by every university for all universities, a significant advance in terms of transparency. In my view these have not always been 'set as ambitiously as possible'. But I recognise the challenge faced by universities in carrying the wider academic community with them in setting access thresholds that reflect the attainment and knowledge necessary to successfully complete degree courses.

Recommendation 13

The Commissioner for Fair Access, should engage with those compiling key university rankings to ensure greater priority is given to socioeconomic diversity within the rankings and to ensure that institutions who take the actions necessary to achieve fair access are not penalised.

No progress has been made on the recommendation because the Commissioner has limited means to influence those who publish university rankings. A Discussion Document was published on this topic to trigger wider debate. Some rankings do include a measure of 'value added' to mitigate the dominant focus on academic selectivity and research performance. There have been attempts elsewhere in the UK to devise new more access-friendly rankings. A recent example is London South Bank University's adaptation of the US Social Mobility Index.

NON-ACADEMIC FACTORS IN ADMISSIONS

Recommendation 14

The SFC should undertake an independent review of the processes – such as personal statements and interviews – that are used to evaluate non-academic factors in applications, with the aim of assessing whether, and to what extent, they unfairly disadvantage access applicants.

This recommendation has not been achieved in its stated form. It is not clear that this task lies within the remit of the SFC rather than individual universities which are responsible for admitting students. So no formal review has taken place. As well as institutions, professional and other accreditation bodies are also potentially involved. The challenge of setting minimum entry requirements has exposed to wider scrutiny the use of 'non-academic' factors. The suspicion lurking behind this recommendation, that the use of personal statements and interviews, may favour applicants from more socially advantaged backgrounds (for example, from independent or high-performing state schools), although real, may be unjustified. It is just as possible that universities rely too heavily on exam grades in determining entry and too little weight is placed on personal statements (perhaps because they are regarded as over-crafted) and interviews (except in some professional and performance subjects).

EARLY YEARS

Recommendation 15

Universities and colleges should increase engagement with our youngest children and their families as part of the provision of a coordinated package of support for those in our most deprived communities in line with Recommendation 4.

Important work has been done in terms of engagement with pupils in the later years of primary education, and some excellent initiatives along the lines of 'children's universities' have been taken. Inevitably this work and these initiatives have been badly disrupted by the Covid-19 emergency, and resources will need to be targeted to restore their momentum.

On the one hand, it can never be too young to start focus on the impact of social disadvantage, rooted in socially deprived communities, on future access to higher education. On the other hand, any interventions at early years and primary level need to be sustained through secondary education, which is clearly expensive. The challenge for universities is to focus their investment in access on those interventions that are most effective, one of the tasks of the Scottish Framework for Fair Access. Addressing social deprivation on a wider scale is the primary responsibility of local authorities, the Government and Parliament.

SCHOOL ATTAINMENT

Recommendation 16

Universities, working with schools, should take greater responsibility for the development of the pool of applicants from disadvantaged backgrounds by delivering academically based programmes to support highly able learners, who are at risk of not fulfilling their academic potential.

Substantial efforts have been made by universities, in partnership with colleges, to increase the pool of qualified applicants from more socially deprived communities. These have taken the form of special courses in high-demand subjects such as medicine (the scenario the Commission probably had in mind when it framed this recommendation), summer schools and other forms of bridging programmes. Once again, these activities have been disrupted by the Covid-19 emergency, and need investment to get back on track. Charities such as the Robertson Trust, the Sutton Trust and others are also active in helping high-potential students from more disadvantaged backgrounds meet the entry standards set by universities. The Universities of Edinburgh and Glasgow have recently launched new partnerships with INTO Scotland not only to focus on boosting the achievement of individuals but also investing in the wider learning environment in deprived communities in their respective cities.

INFORMATION, ADVICE AND GUIDANCE

Recommendation 17

SDS and schools should work together to provide a more coordinated, tailored offer of information, advice and guidance to disadvantaged learners at key transition phases throughout their education.

It is not clear what progress has been made towards implementing this recommendation. SDS has continued its work with Education Scotland, local authorities and schools to develop its career education standard, which has led to earlier interventions at the transition from primary to secondary school and S2/S3 when subject choices are made. The SFC has also funded initiatives about improved guidance.

ACCESS TO KEY SUBJECTS

Recommendation 18

Universities, colleges and local authorities should work together to provide access to a range of Higher and Advanced Higher subjects, which ensures that those from disadvantaged backgrounds or living in rural areas are not restricted in their ability to access higher education by the subject choices available to them.

This recommendation has been partly implemented. A number of Advanced Higher hubs have been established based in universities, or colleges, for example, at Glasgow Caledonian University. These hubs enable pupils to study for Advanced Highers in subjects which their schools cannot offer because only a few pupils want to study them and such provision would not be viable logistically or satisfactory educationally.

FINANCIAL SUPPORT FOR LEARNERS

Recommendation 19

The Commissioner for Fair Access should commission research, within three months of appointment, to assess how student finance impacts on the participation of disadvantaged learners in higher education.

Recommendation 20

Disadvantaged learners and their parents, should be provided with clear, accurate information on both the availability of student finance and the conditions for repayment. This should be taken forward by the bodies identified in Recommendation 17 and the Student Awards Agency Scotland.

The first of the recommendations has not been implemented. Before the Commissioner had begun work, the Government itself had established a wider Independent Review of Student Support which reported in June 2018. This seemed a more sensitive way to address the issue of financial support, although the focus of the review was on all students not just disadvantaged learners because the Commissioner had neither the resources nor the authority to promote substantial change. Although the Government did provide some additional funding to increase bursaries for students from low-income families, it had not produced a comprehensive response to all the Independent Review's recommendations, which focused strongly on the need for clear and accurate information – the second recommendation – before the onset of the Covid-19 emergency. That emergency exposed, and exacerbated, student poverty more generally.

One issue raised by the Independent Review, the relationship between the availability of student financial support and eligibility for social security benefits (not helped by the fact that the first is the responsibility of the Scottish Government and the second primarily of the UK Government), remains to be addressed. Students face a particular problem over the summer, particularly at the moment because the availability of part-time jobs has been reduced. This whole subject remains very much work-in-progress.

SUPPORTING THOSE WITH CARE EXPERIENCE

Recommendation 21

By 2017, those with a care experience, who meet the access threshold should be entitled to the offer of a place at a Scottish university. Entitlement should also apply to those with a care experience who have had to take a break from higher education and wish to return. Learners should be assessed against minimum entry level in 2017 and 2018 and the access threshold thereafter.

Recommendation 22

The Scottish Government should replace student living costs loans with a non-repayable bursary and provide a more flexible package of student support for learners with a care experience from academic year 2017-18.

Recommendation 23

The Scottish Government should develop an approach to allow those with a care experience to be identified from early years to post-school and on to employment to enable additional support, for example, a marker or a flag. Young people with care experience must be included in the development of how this would be used and shared.

Since 2019 all universities now guarantee offers of a place to care-experienced applicants who meet minimum entry requirements. This will help to address the very low participation of young people with care experience in higher education – only a tenth of the participation rate for all school leavers.

It has not been specified whether this guarantee applies to all potential care experience applicants, regardless of the time gap between leaving care and contemplating applying. Also applications tend to be focused on a limited range of courses with limited capacity and professional requirements. Overall careful monitoring is needed of the impact of this guarantee because applicants have to meet MERs.

In 2018-19 the Government allocated an additional £5 million to increase the care-experienced bursary to £8,100 a year. The previous age limit has also been lifted.

FUNDING

Recommendation 24

The SFC should review the best use of its funds, specifically the Access and Retention Fund, to deliver the implementation of the Commission's recommendations.

Recommendation 25

The SFC should monitor how institution spend from core funding is being used to support access through the Outcome Agreement process.

Recommendation 26

By 2021, the SFC, in consultation with the Scottish Government, should explore options for more targeted funding models to better support the recruitment and retention of greater numbers of access students.

REGULATION

Recommendation 27

The SFC should make more extensive use of their existing regulatory powers, where appropriate, to drive greater progress. The Scottish Government should ensure that it provides the SFC with the necessary mandate to take this action.

Recommendation 28

The Scottish Government should ensure that objectives relating to fair access are embedded in the regulatory frameworks of other agencies/public bodies with a role to play in advancing equal access.

In recommendations 24 to 27 the Commission urged the SFC to use its funding and regulatory powers in a more focused and prescriptive way to support fair access, and in recommendation 28, that the Government should ensure fair access was taken seriously by other agencies and public bodies. The response, from the SFC and the Government (with regard to the SFC; it is not clear the Government has taken sustained action to extend the focus on fair access to other public bodies), has been at two levels.

• The first has been operational. The SFC has continued to support and refine its support for fair access, through the inclusion of fair access in outcome agreements and earmarked funding and project funding. The emphasis here has been on continuity with incremental, although welcome, change.

• The second is strategic. Initially Ministers through their guidance to the SFC encouraged it to 'intensify' outcome agreements with institutions, which has been interpreted as a desire to increase accountability (and consequences if agreed targets are not met). Later, the SFC established a review of Scotland's colleges and universities, under the general heading of 'coherence and sustainability'.

This is a complex exercise divided into three phases, only one of which has been completed. So it would be unfair to draw premature conclusions. But it is worth noting that the focus of the review, which presumably reflects the priorities of the Government, has been on global competitiveness and research, relationships with the economy (and economic recovery post-Covid), integration of provision, and avoidance of confusing (and expensive) duplication.

One of the SFC's 10 themes is especially welcome – the development of 'an integrated, connected tertiary education and skills eco-system for learners and employers', with fair access ('better ladders, bridges and pathways') as a sub-theme. It would have been good, and more in the spirit of the Commission's recommendations (and the First Minister's pledge to remove inequitable access by 2030), to have seen fair access given a more prominent, and independent, place in the review, with greater emphasis on social justice.

BETTER USE OF DATA TO SUPPORT FAIR ACCESS

Recommendation 29

The Scottish Government should improve mechanisms to track learners and share data to support fair access. Specifically, the Government should:

- *lead the work necessary to develop and implement the use of a unique learner number to be used to track learners' progress from early learning, throughout education and onwards into employment;*

- *review data access arrangements to provide a national process for the provision of information to practitioners and policy makers working on fair access. This review should consider access to and sharing of data held by local authorities, schools, UCAS and SAAS.*

These recommendations have yet to be implemented. A unique learner number has not yet been implemented, despite the work of the Access Data Group which was established in March 2018 and met four times. Instead the work of the Group focused on access measures (Recommendation 31). Data sharing on this scale, and on a consistent basis, is difficult to achieve. It poses not only logistical and reliability but also data protection and privacy issues. Also, although some young people are consistently disadvantaged at every stage, from early years through to employment, for others it may be an intermittent experience. So multiple and shifting populations are involved. Despite these difficulties this remains a key recommendation, progress towards which appears to be another victim of the Covid-19 emergency.

Recommendation 30

The Scottish Funding Council and the Scottish Government should enhance the analyses and publication of data on fair access.

Since 2017 the SFC has published an annual Report on Widening Access (which this year is published at the same time of this report). In earlier years the report has been published earlier in the spring. This year it has been delayed by the Covid-19 emergency. Earlier is better, because HESA publishes in January UK-wide performance indicators for individual institutions which cover data on the recruitment of students from disadvantaged communities, but by POLAR (ie areas of low HE participation) not MD (areas of multiple deprivation). It would be helpful if the ROWA could be published at the same time, or soon after, the HESA statistics.

MEASURES TO IDENTIFY ACCESS LEARNERS

Recommendation 31

The Scottish Government and the Scottish Funding Council, working with key stakeholders, should develop a consistent and robust set of measures to identify access students by 2018.

Fair access targets continue to be expressed solely in terms of the SIMD areas from which applicants and entrants come. There is a general agreement that use of this sole metric involves false positives, ie better off applicants/entrants who live in areas of generally poorer communities, who therefore count towards meeting targets, and, more seriously, do not include poorer applicants/entrants from generally more advantaged communities, which is a particular issue in more sparsely populated rural and remote areas.

The Access Data Group considered a range of individual measures to supplement SIMD, and recommended the use of take-up of Free School Meals (at any time during secondary schooling). This has yet to be implemented. Although the Access Delivery Group when it received the report of the Access Data Group was broadly supportive, the Government has yet to take a decision. It also remains unclear whether the targets should be recalculated to include two measures, SIMD and FSMs, or whether take-up of FSMs should simply be used alongside the primary measures, SIMD. There are dangers in recalculating targets because it would make it more difficult to measure progress in a consistent way. Also it would be necessary to re-write, or re-express, the First Minister's original pledge that by 2030 young people from the 20 per cent most deprived areas in Scotland should make up 20 per cent of university entrants, which is the founding text of the current focus on fair access.

TARGETS

Recommendation 32

The Scottish Government and the Scottish Funding Council should implement the following targets to drive forward the delivery of equal access in Scotland:

To realise the First Minister's ambition of equality of access to higher education in Scotland:

* *By 2030, students from the 20% most deprived backgrounds should represent 20% of entrants to higher education. Equality of access should be seen in both the college sector and the university sector.*

To drive progress toward this goal:

* *By 2021, students from the 20% most deprived backgrounds should represent at least 16% of full-time first-degree entrants to Scottish HEIs as a whole.*

* *By 2021, students from the 20% most deprived backgrounds should represent at least 10% of full-time first-degree entrants to every individual Scottish university.*

* *By 2026, students from the 20% most deprived backgrounds should represent at least 18% of full-time first-degree entrants to Scottish universities as a whole.*

* *In 2022, the target of 10% for individual Scottish universities should be reviewed and a higher-level target should be considered for the subsequent years.*

This recommendation has been implemented. The targets recommended by the Commission were accepted by the Government. They form the basis of the national efforts, and efforts of individual institutions, to achieve fair access. The 2021 national target has been met. But no consideration has yet been given to whether the 10 per cent target for individual universities should be increased.

The successful progress that has been made so far may have created two risks: of overall complacency, which may be misplaced in the context of any setback resulting from the Covid-19 emergency; and disengagement by institutions which have met or exceeded the targets, although for most of these institutions widening access is a key part of their missions.

AGENDA FOR THE FUTURE

Recommendation 33

The Commissioner for Fair Access should:

- *consider what further work is required to support equal access for other groups of learners and within specific degree subjects;*

- *consider what further work is required to support equal outcomes after study for those from disadvantaged backgrounds or with a care experience.*

This recommendation has been partly implemented. The Commissioner has identified other forms of disadvantage such as age, gender, disability, ethnicity and care experience alongside socio-economic deprivation as measured by SIMD, and also examined in greater detail challenges to fair access in three contrasting professions, medicine, law and the creative industries with recommendations to the Government, institutions and professional bodies.

FINAL RECOMMENDATION

Recommendation 34

The Scottish Government should report on progress against the recommendations it accepts from this report, 12 months after issuing its response. Thereafter, progress towards equal access should be reported on annually by the Commissioner for Fair Access.

This recommendation has been partly implemented. As has already been indicated, the Government in its May 2017 progress report identified a number of 'foundational' recommendations which it regarded as especially important. Progress on these and other recommendations was regularly reported on to meetings of the Access Delivery Group until the onset of the Covid-19 emergency. In his Annual Reports the Commissioner has not offered a comprehensive review of progress on all recommendations, instead adopting a selective approach and focusing on progress towards meeting the access targets.

Overall assessment

Many of the recommendations of the COWA final report have been implemented, although not always in the exact form envisaged by the Commission. This confirms the Commission's status as a key intervention in the process of achieving fair access in higher education. Without that intervention the clear sense of direction that has characterised policy in this area in Scotland could not have been achieved.

This is particularly the case in relation to the 'foundational' recommendations identified by the Government as essential to implement in order to achieve fair access. Aside from the appointment of a Commissioner for Fair Access, three 'foundational' recommendations – or groups of recommendations – have been unquestionably implemented: (i) on the adoption of targets to drive fair access; (ii) on the introduction of access thresholds for all degree courses and greater transparency of these thresholds [minimum entry requirements] and other contextual admissions policies; and (iii) guaranteed offers of a place, and a bursary, for all care-experienced applicants who meet these minimum entry requirements. The other 'foundational' recommendation, the establishment of a Framework for Fair Access, has also been implemented but not yet on a secure and sustainable basis. This will be discussed in the final section of this Annual Report.

Of course, there is continuing debate on two important questions with regard to these 'foundational' recommendations; first, the extent to which other metrics, notably FSMs, should be used alongside SIMD in defining targets; and, secondly, whether all minimum entry requirements have been set at a sufficiently ambitious level. In retrospect it also seems unfortunate that progress towards smoother articulation between HNs and degrees, and more generally the development of more flexible pathways, was not included as a 'foundational' recommendation.

The COWA report included a list of unfinished business, important areas the Commission had not had time to examine in detail.

1. Outcomes of disadvantaged learners following graduation, including access to postgraduate study

2. Additional barriers faced by people with protected characteristics

3. Additional barriers for carers, former offenders and young people leaving the armed forces

4. Access to high-demand degree subjects (e.g. medicine)

5. Access to higher education for those from rural areas

6. Access to part-time study

All of these areas have received some attention since the COWA report, although with different degrees of urgency. In the case of graduate and employment outcomes a lot of emphasis has been placed on 'success' as well as 'access' – by Ministers and also University Principals. A lot of data has also been collected on continuation and completion rates and degree outcomes among students from more socially deprived backgrounds, much of it encouraging. The particular needs of more disadvantaged students living in rural and remote areas have also received a lot of political, if not yet policy, attention, although mainly in the context of the debate about the use of SIMD as the only metric for assessing progress towards meeting access targets. Successful programmes have also been developed with regard to high-demand subjects such as medicine.

More limited attention has been given to the rest of the list. As Commissioner I have published discussion documents on access to postgraduate study and those with protected characteristics, but without any follow-through in terms of policy. Of particular concern is the lack of attention on part-time study, although it plays a key role in providing access to higher education for students from more deprived communities. Fair access in Scotland is still predominantly seen in terms of 'first chances' not 'second chances'.

Two final points are worth emphasising.

- First, many of the COWA recommendations were addressed to the Government and the SFC. Some had a top-down tone and rather dirigiste feel. As it has turned out, much of the activity has been bottom-up; or, at any rate, taken by the institutions themselves. In many cases the universities have taken the initiative, collectively and individually. That has been both a strength and weakness: a strength because institutional autonomy has been respected and universities have developed a strong sense of ownership of the access agenda; a weakness because the rate of future progress will be influenced by what is acceptable to institutions, and therefore to mainstream academic opinion (which is not always especially radical or adventurous on this subject), and also perhaps because the SFC has not been able to develop a sufficiently strong strategic as opposed to detailed operational stake in the process that is distinct from those of the Government and the institutions (acting through their sectoral bodies). If progress towards fair access is set back by the multiple effects of the Covid-19 emergency, these weaknesses could become more serious.

- Secondly, there has been proliferation of advisory, delivery and programme groups usually known by the acronyms of their titles. Even the well-informed may struggle to understand how these groups relate. There is a need to make the policy architecture of access more transparent, especially to key stakeholders outside higher education such as schools and employers, and perhaps simpler. This is not wholly, or even mainly, the fault of the Commission for Widening Access but rather a result of the implementation process that has followed its report. The need to address this opacity of the policy and implementation architecture is another aspect of the wider need to make access generally more accessible, by explaining or replacing terms such as 'contextual admissions', 'access thresholds' and 'articulation'. Just as the experience of higher education itself needs to be demystified for potential applicants without family or peer knowledge of what is involved, so the language of access needs to be demystified if it is to maintain or increase support for this agenda across the range of academic and institutional opinion and, more widely, political and public opinion.

3. THE CONTINUING IMPACT OF COVID-19

The impact of Covid-19 on fair access was the subject of an interim report published in December 2020. This report was based on a survey of all higher education institutions and colleges, and also agencies, sector bodies and other organisations. Its key message was that interruptions to schooling, campus closures and other restrictions meant that 'from those who have least the most was taken away' and consequently were a setback to achieving fair access.

The report identified the additional disadvantages suffered by potential applicants and students from more socially deprived backgrounds compared with their more advantaged peers. These included the following:

- The impact of interruption of schooling, worst in areas with both high infection rates and high levels of social deprivation, on progression and motivation, which has possibly been compounded by the cancellation of Higher and National grade examinations and their replacement by teacher-assessed grades. As a result the attainment gap may have widened, and the future pool of suitable applicants from more deprived social backgrounds reduced.

- The substitution of online for in-person outreach activities, which made it more difficult for institutions in particular to demystify higher education for potential applicants with little or no family experience as well as making good any deficits in skills and knowledge, although online outreach activities have enabled universities to reach more people.

- More limited access to appropriate resources to access online learning – computers, connectivity and safe and dedicated study space at home. Despite the best efforts of institutions and help from the Government, a yawning 'digital divide' remains at both school and higher education level.

- The curtailment of the wider student experience which, again, made it more difficulty for these students to make a successful transition from school to university (in contrast to their peers from more socially advantaged backgrounds with family experience of higher education). Opportunities for acquiring educational and cultural capital through interactions with other students, the peer experience, have also been curtailed.

- Financial hardship and declining mental health, although they have affected all students, are likely to have the greatest impact on students from socially deprived backgrounds. They rely more on part-time jobs, the supply of which has been reduced by the pandemic, to pay their way through higher education. They may also experience more stressful home and family circumstances. An NUS Scotland survey found that 10 per cent of students still rely on food banks, and have become more dependent on commercial loans. There is particular concern about the limited availability of jobs over the summer on which students rely because they are not eligible for benefits.

The longer-term scarring effects of these, and other factors, on school attainment, access to higher education and continuation, success and graduate employment rates, will be revealed over the next three-to-five years. In the meantime the Covid-19 emergency, although easing, is not over. Three immediate issues arise.

A widening attainment gap in schools?

The first issue concerns a possible widening of the attainment gap – or, expressed more cautiously, a pause in the slow and limited progress that has been made towards narrowing the gap over the past five years. The difficulty of narrowing the attainment gap between the best and the worst performing pupils, and the best and worst performing schools, is well known. Even in normal times addressing social and economic inequalities, which are inter-generational and deeply rooted in communities, and their impact on pupil and school performance, has proved to be intractable. Despite substantial efforts made by the Government over the past decade, only modest progress has been made. A recent report from Audit Scotland highlighted the barriers to progress. Happily it is not within the competence of the Commissioner to comment on the wider political controversy about the attainment gap that has been generated.

But the persistence of the attainment gap is important in the context of the debate about fair access to higher education. Universities argue that this gap limits the number of suitably qualified applicants from more socially deprived communities, even when extra allowance is made by lowering the grades needed for entry by taking other factors into account (contextual admissions). Already before the Covid-19 emergency there was concern that the pool of potential applicants from SIMD20 areas was limited, leading to competition between universities for these applicants in order to meet targets. The implication was that, until the attainment gap was significantly narrowed and the pool of SIMD20 applicants increased, universities that in the past had only recruited small number of entrants from more socially deprived backgrounds would struggle to meet these targets, except by diverting these applicants from other institutions, 'post-1992' universities or colleges with a much stronger track record of widening access.

I have never been completely persuaded by this argument. Universities are not passive recipients at the end of a 'pipeline' of applicants from schools. Some universities continue to be perceived as inaccessible by potential applicants from less traditional backgrounds. They continue to recruit the majority of their students from the well-off middle classes and risk being labelled as 'not for people like us'. Universities have a responsibility for managing these perceptions, even when they are only half true. Nearly all universities also recruit primarily on the basis of achievement in public examinations, which reflect not simply individual performance but the type of school attended and more generally social and economic inequalities. This is acknowledged by the use of contextual admissions and adjusted, i.e. lower offers.

However, any widening of the attainment gap as a result of the Covid-19 emergency clearly has the potential to reduce the number of SIMD20 applicants, which in turn will mean that universities will have to work harder to meet their targets. Although it is too early to do more than speculate about what will happen to the attainment gap, there are clearly worrying signs. Corrective and compensatory action needs to be taken as a matter of urgency. A recent research briefing from the University of Strathclyde has examined the connection between school attendance and the poverty-related attainment gap. Corrective and compensatory action needs to be taken as a matter of urgency.

There is no clear evidence that the increased intake of first-year students in 2020-21, following the increase in the number of applicants who met their offers as a result of higher teacher-assessed grades, has disproportionately favoured entrants from any particular social group – for example, by middle-class applicants crowding out those from less advantaged backgrounds. But that is clearly a risk. At a minimum the social mix of 2020-21, and also 2021-22, entrants should be carefully monitored by institutions – as far as possible in real time – without waiting for the retrospective publication of national statistics. There is a case for requiring institutions to provide reassurance that the proportion of SIMD20/40 entrants is at least as high among students filling these additional places as it was in 2019-20.

My interim report showed that, in the view of most institutions, the movement of outreach activities online during the pandemic has made it more difficult to reach already hard-to-reach potential applicants. Despite this, there is a risk that reinstating these activities, and allowing for much greater in-person engagement, will be seen as a lower priority in the return to campus than apparently more mainstream academic activities. This would be a serious mistake. Not only do outreach activities need to be reinstated at the same time as mainstream academic work, additional resources are also needed to make up the ground that inevitably has been lost.

At least as great a concern as what has happened to pupils in their last years of secondary education coming up to higher education is what has happened to those in the early and middle years. For that reason, 'trajectory' has always been a better metaphor than 'pipeline'. There is a substantial risk that, as a result of school disruptions, 'digital poverty' and the cancellation of public examinations for two years running, younger secondary pupils from more deprived social backgrounds, or low-participation schools, will have found it more difficult to stay on course for potential entry to higher education. Most pupils, at primary as well as secondary level, have suffered from considerable stretches of 'lost time' in school that is likely to have damaged their cognitive and social development. Schools cannot simply 'make up' for this 'lost time', especially as they now have a heavier burden of assessment because of the cancellation of examinations.

The predominant official response to the Covid-19 emergency, at both UK and Scottish Government levels, has focused on controlling infection rates and minimising damage to the economy – perhaps at the expense of children's education. One price that may be paid is a setback to fair access in higher education. As we recover from the Covid-19 emergency, there is a strong case for adjusting these priorities and focusing on repairing the damage to education. Such a recovery plan for education cannot be a short-term fix, but must be a sustained programme of investment.

Contextual admissions

The second issue concerns the potential impact of the cancellation of National, Higher and Advanced Higher grade examinations, and the substitution of teacher-assessed grades, on how universities use contextual admissions to increase the number of entrants from more deprived social backgrounds.

Universities Scotland has been clear that the Covid-19 emergency has not been a time to tamper with the minimum entry requirements that all universities have now developed and published, and which are the key to taking other factors apart from examination grades into account in making offers to applicants – contextual admissions. It points out that MERs were established after detailed research about the skills and knowledge that students need to succeed in individual subjects, arguing that to admit applicants who have not demonstrated that skill and knowledge would be setting them up to fail.

That is a strong argument given the detailed work that has been undertaken on MERs and the need to win the support of the academic community for adjusted offers. But it is not necessarily a conclusive argument. University entry standards vary widely among universities and between subject, and also crucially have varied over time as demand for particular subjects and courses has increased or decreased. Even before MERs were set, there was often a significant gap between published entry grades and the grades achieved by entrants. Entry standards have never been, and never can be, set in stone. Universities also have a responsibility to adjust their own assessments about who can benefit from university education to changes not only in the rest of the education system but also wider society.

It has also been argued that, given the high degree of uncertainty (on whether or not public examinations would go ahead in schools, on alternative modes of assessing the performance of pupils, on demand for higher education places and the supply of funded places) there is merit in maintaining MERs as a fixed point. Again, this is a strong, although not a conclusive, argument. MERs inevitably take examination grades as givens, a kind of 'gold standard' – in other words, they assume, perhaps hopefully, that these grades are reliable and consistent over time. In fact, of course, examination grades are influenced by a wide range of contextual factors – family background, peer expectations, the school attended and so on. It is the recognition of these contextual factors that influence the performance of individual pupils which justifies the use of adjusted offers and other forms of contextual admissions.

The substitution of teacher-assessed grades has had a number of effects.

- The first and most obvious that grades have been higher, leading to an increase in the number of qualified applicants. This has posed an immediate capacity challenge to universities. Nearly all admitted more students to the first year in 2020-21, because the increase in grades led to more qualified applicants. There will be a repeat this year, 2021-22. As a result, most universities will soon have two over-large age cohorts which will further strain capacity. There is currently no guarantee that additional funded places will be provided. Without these extra places the prospect of under-funded third and fourth years will open up.

- The second is that it has called into question the reliability, and in particular the consistency over time, of grades. A particular difficulty will arise in 2022 and subsequent years when, presumably, public examinations are reinstated. Will it be acceptable simply to remove the alleged inflated grades assessed by teachers and revert to the pre-Covid profile of grades?

- The third is that it has drawn attention to the contextual factors that have always influenced examination grades, even though the SQA guidance is clear that grades must be based on demonstrated achievement and not take into account personal circumstances (which is where contextual admissions comes in).

As a result, it is no longer possible to treat the grades achieved by applicants as a fixed point, or 'gold standard'. In practice, of course, universities have always contextualised their admissions, with the most important contextual element being the calibration of entry grades to fill the number of available places.

There are two further issues:

1. The SQA guidance is clear: grades must reflect achievement not personal circumstances. It is difficult to see what other guidance an examination body could have given. But the implications are serious. In effect, teachers are being asked to ignore school interruptions and all the other negative effects of the Covid-19 emergency in determining the grades they give. This means that, if teachers follow the SQA guidance (which in human terms may be difficult), young people from more deprived communities, who have suffered disproportionately from these negative effects, will be further disadvantaged. The responsibility then passes to universities to take full account of the unequal impact of the Covid-19 emergency in their contextual admissions policies, which may be difficult to reconcile with holding the line on MERs. The increase in overall applications, and subsequent pressure on places and capacity may mask but it does not remove that responsibility.

2. The evidence on which teachers have based their assessed grades has varied. In some schools pupils have, in effect, taken a series of tests closely approximating to examinations. In other schools grades have been informed more by teachers' judgments of the achievements of learners. Much of the evidence for these differences of approach between schools is anecdotal. But it is not hard to imagine that schools that have suffered the least disruption, with comparatively few pupils forced to isolate and more pupils who are better equipped to take advantage of online learning, have options that were not open to schools without these advantages. Nor is it hard to imagine that their contrasting social profiles in SIMD terms. Even when all-but-exams have been used by schools to inform teacher-assessed grades, school interruptions, the need to isolate, limited access to IT and so on, which disproportionately impact on pupils from more deprived backgrounds, mean that there has been very far from a level playing field in terms of access to learning. As a result the consistency of teacher-assessed grades must be in doubt. They cannot simply be substituted in a mechanical way for examination results – although admission staff in universities have little option but to do so in the short run. This poses a serious challenge, and dilemma, to how universities use MERs and contextual admissions, and adds to the general uncertainty about admissions.

In conclusion two points should be emphasised:

• First, any uplift for SIMD20 and other disadvantaged applicants as a result of higher teacher-assessed grades is unlikely to compensate fully for the detriment they have suffered because their education has suffered greater interruption as a result of Covid-19.

• Second, teacher-assessed grades last year were more generous, leading to applicants being offered places who would have been denied places in earlier years. Yet there is no clear evidence that there has been a corresponding increase in non-continuation rates.

Both make the case for a more generous, and ambitious, use of minimum entry requirements – more perhaps in the spirit of the 'access thresholds' recommended in the COWA report.

The shape of the next academic year

The third issue concerns the likely shape of the next academic year. Will there be a repeat of the restrictions in the current academic year, with the need for rapid improvisation? Although possible, that would be a worse-case scenario, given the progress made towards vaccinating the population. Will there be a fairly complete return to normal? Again, unlikely, if only because Covid-19 is likely to become an endemic disease. Also the lessons learnt, and experience gained, (for example in online and blended learning) since March 2020 cannot and should not be unlearnt or forgotten. Or something in-between?

Universities, quite reasonably, are anticipating some degree of a 'return to normal' in the next academic year, 2021-22. However, a full return to a pre-pandemic pattern is likely to be impossible, for two main reasons.

Public health restrictions

The first is that some public health restrictions will continue, even if the progress towards vaccinating large sections of the population is maintained. There are currently no plans to vaccinate all children, although some experts have recommended those aged 12 and over should be vaccinated, and young adults may not be offered vaccinations until the autumn. Both the Scottish Government and the UK Government (with regard to England), have been sensitive to what they regard as the propensity of students to spread Covid-19 infections among themselves and in their host communities. So a cautious approach has been adopted to reopening campuses. In any case priority has been given to keeping schools open. Some universities have already experienced significant outbreaks of infections. These restrictions could even be tightened if there is any sign of a third wave fueled by new variants of coronavirus later in the year, as many epidemiologists and others expect.

Higher education institutions accept that there will be no immediate return to large lectures. However, they anticipate class sizes of up to 35, with an absolute maximum of 50 – in effect, small lectures. The hope is that these can be safely managed through ventilation and intensive cleaning of spaces and enforcing mask wearing and hand washing. However, these are still large groups, which could only be accommodated if the current guidance on social distancing of 2-metres-plus rule is relaxed to 1-metre-plus (or removed entirely). Institutions may also need to play a role in testing-and-tracing and also vaccinations because students, who have been vaccinated initially at home, will require second doses on campus. Universities Scotland argues that there is a strong case for exempting universities from any remaining rules on social distancing, on the grounds that they are, to some extent, closed communities. Universities Scotland has also highlighted the particular issues about quarantining that arise in the case of international students, arguing they should be allowed to self-isolate on secure accommodation on campus where they can more easily access pastoral and academic support.

Institutions clearly need to make assumptions now on which the complex task of planning timetables for the next academic year can be based. But the assumptions now being made are optimistic in the sense they are predicated on no significant resurgence of infections when lock-down is eased over the summer. They are also based on a traditional view of the typical student: first, that they are young, full-time and residential rather than older or with family responsibilities or part-time; second, that all students will have approximately equal digital access to lectures that will now be delivered online, which has certainly not been the case in the current academic years; and third, that universities are 'closed' communities, when many students in some institutions are commuter students living at home and most live, and circulate freely, in their wider communities.

The pivot to online learning

Because some public health restrictions may remain in force into, and probably throughout, the 2021-22 academic year there is unlikely to be an immediate return to large lectures. However, the shift to online and blended learning has not simply been a matter of necessity; it may also be a matter of choice. There is a view that the Covid-19 emergency has kick-started a long overdue revolution in the ways that students learn. The argument is that blended learning fits in better with contemporary student preferences and life-styles – for example, their familiarity with the use of social media and often their need to have part-time jobs. Blended learning may also be attractive to university managers because it may appear, perhaps mistakenly, to be more cost-effective and offer economies-of-scale. This report is not the place to enter into these larger arguments, except to say that successive lockdowns and interruptions may have fueled a powerful nostalgia for more traditional forms of student learning which emphasise face-to-face teaching. The impact of the Covid-19 emergency, therefore, may be Janus-faced – stimulating innovation but also encouraging nostalgia.

If the pivot to blended learning leads to a lower 'footfall' on campus, it could have serious consequences for fair access. The evidence of the Covid-19 emergency has been that students from more socially deprived backgrounds have suffered most from university and college closures – or even semi-closures.

- First, the experience of being on campus is especially important for students who cannot draw on family experience to enable them to make a successful transition to higher education, and particularly to universities that have previously seemed remote from their world.

- Second, a shared campus experience by students is a social equaliser, in the same way as school attendance.

- Third, campus offers an alternative space to those students who come from more crowded, even chaotic, homes – in contrast to the more privileged homes of middle-class students (for whom, arguably, the campus experience is less crucial, although still of course highly desirable and formative).

- Fourth, students from more deprived backgrounds have suffered from greater digital poverty, and that imbalance will continue despite the best efforts of institutions and the Government. The funds made available by the Government during the immediate Covid-19 emergency to buy laptops and more generally address digital poverty have been used up. But, if there is a permanent shift towards online learning, if only to replace large lectures, there will be a continuing need to ensure all students have equal digital access.

- Fifth, an important part of the student experience is provided by interactions with other students, which are predicated on in-person contact. These peer contacts are important for effective learning.

- Sixth, these peer contacts are probably even more important in terms of student support, which is particularly necessary for students without a strong hinterland in higher education.

- Seventh, much of this peer support is provided by clubs and societies, some of which have been specifically targeted towards groups such as mature students. But many of these clubs and societies have been in, in effect, a state of hibernation over the past academic year. Students have been unable to participate directly in the clubs and societies. So it has been more difficult for clubs and societies to renew their memberships, and the normal transition processes such as the changing of officers have not been possible. Not only may it be difficult to revive these clubs and societies, but they could find it more difficult to flourish in a more online environment.

It is essential that the lessons of the past academic year are learnt in planning for the next academic year. Any return-to-(near-)normal plans need to be fair-access proofed. One approach might be to include socio-economic disadvantage and care experience in equality impact statements. It would then be a statutory requirement to assess the impact of any new policies and practices on this more broadly defined equality.

4. OTHER ISSUES

Post-qualification admissions

Earlier this year the UK Department of Education opened a consultation on admissions reforms. Among the motives for this review, heavily influenced by a recent report from the Sutton Trust, appears to have been, paradoxically, the concern of UK/English education minsters about the use of 'unconditional' conditional offers, ie firm offers regardless of subsequent exam grades.

Although the Department's responsibility is confined to education in England, the consultation has the potential to spill out and effect higher education admissions across the whole of the UK because it is a UK-wide system. Also there is considerable cross-border traffic. Each year 180,000 applicants in one UK nation apply for places in institutions in another UK country.

However, attempts to move away from the present admissions system that relies heavily on conditional offers, which are then confirmed when exam results are known, are long-standing. A review group chaired by Steven Schwarz produced a report as long ago as 2004 and another attempt was made in 2011. Universities UK recently published a Fair Admissions Review. In April the University and College Admissions Service (UCAS) also published its own model for post-qualification admissions.

UCAS rejects the idea of a totally post-qualification admissions system, which would also inevitably require a radical change in the shape of the academic year with a January rather than September/October start. It emphasises the benefits of an extended engagement between applicants and institutions, pointing out that applicants with a shorter engagement (notably those admitted through the summer rush of Clearing) are more likely to drop out. In addition there is a risk that a foreshortened engagement period would focus even more attention on exam grades, and leave less time for other contextual factors to be taken into account to the detriment of applicants from more deprived backgrounds.

This is much more an English, Welsh and Northern Irish than a Scottish problem.

- One of the arguments made in the Sutton Trust report, that potential applicants from more deprived backgrounds are especially disadvantaged by the current conditional offers system, does not apply in Scotland where contextual admissions are firmly established and all universities publish MERs.

- Far fewer conditional offers are made in Scotland because most applicants have taken Highers in S5 and these grades are already known when they make their UCAS applications and institutions make offers. Only in the case of Highers and Advanced Highers taken in S6 does the need for conditional offers arise.

- In contrast almost all offers in England and Wales, and Northern Ireland, are conditional on grades to be achieved in A-level examinations yet to be taken.

- English-style conditional offers do have to be made to the significant number of applicants, and entrants, in Scottish universities (especially at Edinburgh and St Andrews), who have taken A levels and come from other parts of the UK.

- Any changes in the timing of the admissions cycle as a result of a move to post-qualification admissions could also have implications for the admission of international students.

It is clearly important to avoid any unintended consequences of, or collateral damage to, how admissions currently work in Scotland as a result of solutions to solve an essentially English problem – and the problem as defined by current UK education ministers. However unlikely, a shift to a January start for the academic year, the most radical option, would be disproportionate and therefore unacceptable. Also it would also be detrimental to the competitiveness of Scottish, and UK, higher education in terms of international student recruitment.

There might also be collateral effects that directly, and adversely, impact on potential applicants from more socially deprived backgrounds:

- too strong a focus on post-qualifications admissions, even post-qualification offers, might discourage S5 pupils already with grades continuing in S6 to take Advanced Highers, which are essential for entry to some high-demand courses like medicine;

- there is also a danger that admissions reform, in particular a foreshortened or diluted engagement between applicants and institutions, to perhaps a maximum of 10 weeks between August and October compared with 6 months or more currently, could undermine contextual admissions – and therefore fair access;

- none of the processes used by universities to meet the needs of disadvantaged students, whether summer schools to make good knowledge deficits, or disability assessments, can easily be crammed into a short period.

Framework for Fair Access

The establishment of a Framework for Fair Access designed to spread through good practice was recommended in the COWA report. It was launched in May 2019 less than a year before the onset of the Covid-19 pandemic. As designed the Framework had two pillars: a toolkit comprising a website on which evaluations of various initiatives could be posted in order to highlight which had been most effective; and the formation of Scotland's Community of Access and Participation Practitioners (SCAPP) to provide a focus for those working in colleges, universities and other organisations in the field of widening access. Both pillars were initially funded by short-term grants from the SFC.

Mainly because of the pandemic it has proved to be difficult after the initial contract period to find a contractor willing to keep the toolkit updated, although the same conditions have proved the value of SCAPP which has more than fulfilled its promise as a focus for access and participation practitioners. The issue of the financial sustainability of the Framework was raised in my last Annual Report. No action has been taken – for understandable reasons given the urgency of the challenges posed by the Covid-19 emergency. But action must now be taken if the Framework is not to wither away – through a failure to update the toolkit by populating it with evaluations of new initiatives, and to support the valuable work on SCAPP which has proved its worth during the pandemic.

Short-term non-core funding from the SFC, designed essentially to fund specific projects, cannot be a suitable way to fund what is designed to be a key feature in the access landscape in Scotland and, by extension, a key priority in terms of public policy. A sustainable longer-term model of hybrid funding needs to be developed as a matter of urgency, combining three elements.

- First, a membership fee paid by institutions (and other organisations). Although it would probably be going too far at this stage, when the full potential of the Framework has not yet been realised, to make this is a compulsory subscription, membership fees would be strongly encouraged – perhaps by the SFC in its guidance to institutions.

- Second, some element of project-type funding, whether from the Government, SFC or charitable bodies such as the Robertson Trust. Such funding would be appropriate for new initiatives being developed under the umbrella of the Framework.

- Third, the possibility of charging for specific services should be explored. These might include kite-marks (for institutions) and professional accreditation (in the case of individuals), tailored development activities and events. However, this third element is likely to make only a small contribution to the funding of the Framework, certainly in the early years.

There also need to be changes in the way that the Framework is organised and governed. At present there is a Framework Governance Group, predominantly made up of access and participation practitioners but chaired by the Commissioner for Fair Access and attended by officials of the Scottish Government. SCAPP has its own steering group, although there is a considerable overlap of membership. However, the two pillars remain to some extent distinct.

In my view they should be brought much closer together, by making SCAPP responsible for the toolkit. This would have two advantages. First, practitioners are much the best placed to keep the toolkit updated by populating it with evaluations of good practice, for which they themselves are responsible. Practitioners are also best qualified to determine which access initiatives work best, either as a result of independent evaluation but also peer assessment. Second, if SCAPP were given the responsible for this key task, the case for long-term public funding would be strengthened. As this would be a public responsibility involving public funding, it would be appropriate to maintain the Framework Governance Group alongside the SCAPP steering group to ensure accountability.