The Open University is the leading provider of flexible learning in Scotland and with its open access policy, plays a unique role in society. The OU in Scotland is open to people, places, methods and ideas, and promotes educational opportunity and social justice by providing high quality university education to all who wish to realise their ambitions and fulfil their potential.

The OU in Scotland currently offers more than 500 modules to 16,000 students and has been ranked first for overall satisfaction by the National Student Survey for the past six years.

The Open University in Scotland welcomes the opportunity to submit evidence to the Education and Culture Committee on the Post-16 Education Bill and would be happy to expand on any of the points below.

**Governance**

The Open University was created in 1969 by a Royal Charter, which lays down its governance arrangements. The Open University strives to be an exemplar of good governance in the HE sector and is actively engaging with the current exercise, being undertaken by the Committee of Scottish Chairs, to draft a Scottish Code of Good Practice for Governance for Scottish higher education. We fully support the policy memorandum of embedding this new code as a standard of good practice but do not believe there is a case for legislation in this area.

Under the Further and Higher Education Act (Scotland) 1992, The Open University in Scotland is a ‘designated institution’ and, since that time, has received its teaching grant from The Scottish Funding Council (SFC). However, as The Open University delivers higher education across all four nations of the UK, it currently reports to four different governments and three different funding councils. Given these distinctive arrangements, The Open University in Scotland fully supports Universities Scotland’s position that guidance on governance - ideally drawn up by the Committee of Scottish Chairs – rests with the Scottish Funding Council and should be founded on a ‘comply or explain’ basis. Such an arrangement would allow The Open University to meet any new requirements and thereby, continue to deliver higher education in Scotland as well as the rest of the UK.

In addition, The OU in Scotland supports Universities Scotland’s position that the reference to ‘management’ in Section 2 of the bill is inappropriate and should be removed to ensure that the governing body of any HEI can oversee and be held fully accountable for the operation of its institution.
Widening access

Widening access to HE is at the core of The Open University in Scotland’s mission and we have doubled the number of students living on low incomes\(^1\) coming to the OU over the last ten years (from 2,500 to 5,000). While The Open University supports the view of Universities Scotland that legislation in this area is unnecessary, we would like to make a number of points related to this aspect of the bill:

Accessible higher education

The bill refers to access agreements, which aim to increase participation in HE from ‘persons belonging to socio-economic groups which are under-represented’. The Open University in Scotland would suggest that in order to encourage greater access to HE there is a need to look beyond measuring the progress of broad socio-economic groups and to consider the availability of different modes of provision across the sector. For example, part-time and/or distance learning is the only viable way for many students in work (particularly shift work), students with caring commitments, students in rural areas or students with disabilities to access HE.

Use of Wider Access indicators

The wider access agreements for HEIs referred to in the bill will need to be underpinned by an agreed set of indicators to measure progress. The evidence suggests that while location-based indicators such as SIMD20 may provide a helpful indicator in densely populated areas, they fail in rural and semi-rural communities where there are a limited number of MD20 data zones. Given the large number of OU students in rural areas, data from The Open University in Scotland illustrate this point well: in 2010/11, there were 5,000 OU students in Scotland in low household incomes, yet in the same period only 2,000 students were classed as living in SIMD20 areas.

The Open University in Scotland therefore supports a basket of indicators to measure progress on widening access and would recommend that further steps are taken to provide a full picture of student population in Scotland (see point on data collection).

Scottish Government policy

The Open University fully supports the Scottish Government’s commitment to increase the number of students from non-traditional backgrounds. However, it would be helpful to have greater policy direction in this area. For example, it is not clear whether the Scottish Government’s overall aim is to increase the proportion of under-represented groups entering the HE sector as a whole, or to increase access to more selective universities.

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\(^1\) Households in receipt of benefits or with an annual income below £16,500
The OU in Scotland has made significant strides in widening access, particularly for students in communities with limited experience of university, and we believe our supportive and flexible model could be built on to increase access to more selective universities. Evidence suggests that students from non-traditional backgrounds are less likely to apply and/or take up offers from selective universities. If the government wishes to widen access to these universities, the OU could support this aim, by offering the first year of a degree to students from under-represented groups, before encouraging them to articulate into the second or third year of a degree course at a more selective university. Moreover, The OU could start such a scheme in schools with low progression routes to higher education, building on our Young Applicants in Schools Scheme that currently delivers OU modules to 570 S6 pupils in over 100 schools across Scotland.

**Parity of Esteem**

The Open University in Scotland notes that while there is provision in the bill to encourage the HE sector to work towards a student population that more broadly reflects the population as a whole, there is no similar provision for the college sector.

Placing an onus on one sector to broaden the background of its students, but not the other, undermines the Scottish Government's policy of supporting parity of esteem, by suggesting one sector offers greater value to the student than the other. Moreover, in a capped system, higher education would be more accessible for students from non-traditional backgrounds if students from higher socio-economic groups were encouraged to apply for courses in the college sector.

**College regionalisation**

As The Open University in Scotland works closely with many of Scotland’s colleges, we have a particular interest in the college sector and would like to raise a number of specific points in relation to college regionalisation.

**Articulation**

The Open University in Scotland currently has articulation agreements with 24 of Scotland’s colleges which we will be working to maintain as the college sector reorganises. Articulation is actively supported by The OU in Scotland with a range of different models and in 2010/11, over 900 new OU undergraduates in Scotland (14%) entered with an HN or equivalent qualification.

In 2012/13, The OU in Scotland aims to increase the number of students progressing from colleges to OU degrees by 5% on 2010/11 levels. However, we are concerned about the possible impact of the increasing focus on full-time provision at colleges on articulation, given that over a third of students on HN courses in 2009/10, were studying on a part-time basis. If there are now fewer HN courses offered on a part-time basis.

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2 Data requested from SFC shows that 18,767 students in Scotland’s colleges were studying part-time at an advanced level compared to 29,886 studying at full-time intensity.
anecdotal evidence suggests), there may be less opportunities for students from non-traditional backgrounds to enter university via this route.

**Collaboration**

The Open University in Scotland welcomes the provision in the bill that regional strategic bodies, as well as regional colleges, should seek to collaborate with any ‘post-16 education body..... which provides fundable FE or fundable HE in the locality of the regional college’³. In relation to this aspect of the bill, it is worth highlighting that The Open University, through its open supported learning model, provides HE across Scotland and has students in every postal district, with its participation rates highest in rural local authorities, such as the Highlands and Islands where our student headcount is over 60 per 10,000 adults.

The Open University in Scotland would welcome the opportunity to work in partnership with other education providers to offer students a wider range of courses without duplicating effort. As well as its partnerships with 24 colleges, The Open University also collaborates with Scottish HEIs to avoid duplication, as well as undertaking collaborative research.

A distinctive aspect of OU modules is that they are developed by a team of experts in the field, which makes their content comprehensive and balanced i.e. not based on the expertise of one particular academic. As such, our modules lend themselves well to complementing existing courses delivered by other education providers.

To further support students who want to study modules from more than one HEI, institutional funding and student support arrangements should be reviewed so collaboration rather than competition is genuinely encouraged between HEIs.

**Review of further and higher education**

The Open University in Scotland shares Universities Scotland’s concern that Section 14 of the bill is unnecessary. However, we would like to make two points in relation to the provisions contained in this section which would allow SFC to undertake reviews of fundable higher education:

**Types of provision**

We note that the bill allows the SFC to review, ‘the types of programmes of learning or courses of education provided by post-16 education bodies’⁴; we would anticipate that this includes reviewing mode of provision, to ensure part-time and distance learning is adequately supported so those groups highlighted above (in work, in rural areas or with caring responsibilities) can access HE courses.

**Funding arrangements**

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³ Section 10 (1) 23C
⁴ Section 14 A (2) (c)
The bill specifies that when undertaking a review, the SFC should also consider ‘the efficiency or effectiveness of the arrangements for the funding or provision of fundable further education or fundable higher education’\(^5\). It is worth noting here that The Open University in Scotland is the only Scottish HEI to be funded on an output basis i.e. our teaching grant is based on student completions, not on student enrolments. We believe there should be a level playing field in terms of the basis on which the teaching grant is allocated so that all HEIs have access to the same opportunities and are subject to the same challenges.

**Data sharing**

The Open University in Scotland would welcome greater clarification on the provision in the bill around providing information to Skills Development Scotland, particularly whether this requirement extends to higher education institutions.

If the provision is intended to include HE students, we would be concerned that it only requires data to be gathered on ‘young person[s] aged over 15 and under 25’\(^6\). As there are currently nearly 98,000 students aged 25 and over in the HE sector\(^7\) in Scotland we would wish to ensure that data are collected on all students regardless of their age.

The Open University in Scotland would further like to highlight that although the HE sector collates and provides a significant amount of data to HESA, data on mature and part-time students is patchy, leading to an incomplete picture of our student body. By HESA’s own admission, ‘For part-time students, the information available is often not as comprehensive as that for full-time students, [in] particular, information on NS-SEC and school type is not available’\(^8\).

The OU in Scotland appreciates that there are particular challenges around collecting data on part-time and mature students, but to ensure a comprehensive profile of our student body, it would be helpful if the sector was required to take steps to consider how it could collate better data on mature and part-time students.

**Funding for part-time students: ILA200 and PT Fee Grant**

The Open University in Scotland is delighted with the Scottish Government’s recent announcement to extend the Part-Time Fee Grant from 2013/14. However, we believe the Part-Time Fee Grant needs to be further refined in light of recent changes to the eligibility criteria for ILA200, which have left a group of HE students on low incomes, studying less than 30 credits and in another form of education, ineligible for any form of fee support.

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\(^5\) Section 14 A (2) (d)  
\(^6\) Section 15 (4)  
\(^7\) HESA statistics  
\(^8\) [www.Scotland.gov.uk/publications/2011/03/25132517/2](http://www.Scotland.gov.uk/publications/2011/03/25132517/2)
By lowering the credit threshold of the PT Fee Grant from 30 credits to 10 credits the issue would be resolved. As this change would not require primary legislation, we would hope it could be implemented for 2014/15 to minimise the number of part-time students on low incomes who are no longer eligible for support towards their fees.

While The Open University very much welcomes the extension of the Part-Time Fee Grant, it is worth highlighting that the changes will result in a significantly higher volume of applications for SAAS to process, as the PT Fee Waiver scheme, which has been absorbed under the PT Fee Grant, was previously administered by SFC and HEIs. To ensure all applicants receive their fees in time to start courses in the academic year 2013/14, adequate staff resource must be made available at SAAS to enable them to process all Part Time Fee Grant applications.

**Promoting a diverse sector**

As a general comment, The Open University in Scotland would urge that the legislation encourages a diverse higher education sector which caters for a range of different learners. For many students - particularly those in remote parts of Scotland, those with caring commitments and/or in employment – part-time, distance learning is the only viable way to access higher education and as such needs to be supported alongside full-time, campus based provision.