

GuildHE response to:

Lifelong Loan Entitlement

5th May 2022

About GuildHE

GuildHE is an officially recognised representative body for UK Higher Education. Our members are universities, university colleges and other institutions, each with a distinctive mission and priorities. They work closely with industries and professions and include major providers in technical and professional subject areas such as art, design and media, music and the performing arts; agriculture, food and the natural environment; the built environment; education; law; health and sports. Many are global organisations engaged in significant partnerships and producing locally relevant and world-leading research.

Consultation Questions

PART 1:

Q1. How can we best ensure that, compared to the current student finance system, the LLE will better support learners to train, retrain or upskill throughout their lifetime? Please explain (free text)

This policy, whilst welcome, is trying to do an awful lot of things at exactly the same time and we are concerned that this will mean that the overall aim - one we firmly support - will get diluted and ultimately fail. The key tension between the different cultures, funding and regulation between HE, FE and independent training providers will in some way be the most important aspect of getting this policy right - and this will mean some political negotiation and ongoing discussions between funding bodies, regulators and providers in the adult education space. We, therefore, think that it is ambitious to expect the LLE to be fully working by 2025. However, we have several practical things the Government can do as part of this consultation to ensure that we make significant progress in this time.

Firstly and most importantly the way the SLC calculates funding must be moved from an annual valuation to a module/credit-based approach. Without this, the policy cannot proceed and with it, we believe that a lot of the flexibility the government is hoping for will organically grow. This will dramatically help to increase flexible provision including accelerated degrees, part-time and step-on step-off programmes as well as improve the experience for students who wish to change courses or pause their studies due to unexpected circumstances. We believe that this is the key to the whole proposed set of reforms as it will enable institutions to be able to be flexible in responding to demand and creating innovative offers for students.

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Secondly, whilst we agree that flexible learning will support citizens to upskill, it does not address the systemic issue of employer-funded training in this country. We know employers are hesitant to spend money on formal training and development for their staff - we have low training and skills investment by employers compared to competitor countries in the EU. We, therefore, believe that if the apprenticeship levy continues to be ring-fenced only for apprenticeships and not the wider HTQs or new courses accredited through the LLE it will further exacerbate this problem - making individuals take on the financial burden of training through the LLE - and extend the issue of inequality in the funding system. Changing the way the apprenticeship levy works would ease this pressure somewhat, and as part of the qualification reforms that come with this policy there is a real opportunity to set out a system for other qualifications to be funded through an 'employer training levy'.

Furthermore, we do not think, as has been the case with our experience with funding bands for apprenticeships, that these changes should be used to drive the unit cost of funding down for HE providers. Level 4+ learning is more expensive to teach than sub-level 4 because of the additional need for research and/or practice-informed teaching and delivery. The cost of regulating the provision is also a lot more expensive. We, therefore, do not want to see Government try to force a fee cut for Adult Education through the back door of these reforms and would like to see a commitment to ensuring that the student loan entitlement and additional funding grants are maintained in line with the actual cost of funding.

We also believe it is right and good that the Government wishes to streamline the funding arrangements for adult education between HE and FE routes. There has been an unnecessary and misleading divide between HE and FE and academic and technical education for too long. We hope this policy will enable the removal of this artificial divide and instead enable the further and higher education sector to talk about levels of study - rather than the type of provider the education is delivered in. However, this will require extensive negotiations between funders, regulators and HE providers to ensure that we cut the bureaucracy and streamline quality assurance arrangements. This does not mean necessarily that there should be one singular approach - but an understanding of the different contexts (and risks) between HE, FE and Independent training providers and amend regulation and quality assurance accordingly. It is unacceptable - and currently stifles innovation - for those on the OfS register to have their non-prescribed HE courses double regulated, and for there to be continual tension and overlap in the regulation of apprenticeships. We do not wish the LLE policy to further entrench that position.

We believe that it is right to enable the development of short course provision where there is a clear business case to do so and is supported by employers and PSRBs. The funded trials have and will play an important role in understanding the opportunities and challenges of developing such programmes. However, we think the development of these courses should be part of a longer-term vision for the LLE and for the government not to expect lots of this sort of provision to be available from the get go. Institutions will need to see progress that the SLC and regulatory functions have minimised burden before many will commit to developing these sorts of courses. Curriculum development is very costly and time-consuming, and whilst there is a desire for the sector to better enable this flexibility, there is caution over whether this policy is deliverable within the timeframe and therefore carries additional risk to HEIs. We, therefore, think that if the government wants to see more provision from launch, you will need to offer more financial incentives to a wider range of HEIs.

Finally, we know from talking to students, employers and HEIs, the ability for students to retrain and

upskill is based on the need for the LLE to include three things to have the greatest impact:

1. removing any ELQ policies - to ensure that those who need to completely retrain can access funding at the level they need it.
2. to also include PGT loans and therefore cover level 7 provision. Students and employers want to continue to upskill - often after the completion of a L6 course. Not embedding the PGT loan scheme into the main LLE is a wasted opportunity for government to further streamline the student finance system and will cut off opportunities for students who wish to pursue high-level learning. Employers often want employees to undertake CPD at level 7 for example advanced healthcare qualifications such as palliative care, mental health law, psychology, leadership and management, research methods and advanced science practices. By changing the parameters of the LLE to a 'notional 5-year allocation' for all and enabling the inclusion of L7 qualifications would achieve this aim. Currently, 13% of 25–64-year-olds hold a master's degree or equivalent which is below the EU average. There are also inequalities in accessing Masters's courses for socio-economically deprived students as the loan does not cover both the fees and their living costs. Furthermore, as a third of working-age adults have an undergraduate degree, there will need to be provision for them to upskill later on in life.
3. We need to better understand the additional financial needs of students and ensure that finance is not a barrier to participation. Previous research has outlined different attitudes to debt between full and part-time students and we think this might be different for different lengths of courses, or for different personal circumstances (means-tested loan, different for those who have full-time jobs etc). We would therefore like to work with Government to ensure that any maintenance entitlement on top of the loan is fully considered and enables those, especially from disadvantaged backgrounds, to access higher-level learning. We think the best way to do this would be to set up a sector-wide taskforce to gather evidence and modelling different approaches to maintenance funding, ensuring that academic researchers, WP experts and sector policy leaders work collaboratively with DfE to come up with the best solution.

Q2. What barriers might learners face in accessing/drawing on their LLE and how could these barriers be overcome? *Please explain (free text)*

Several things need to be addressed to ensure students and the public understand the LLE process.

- Firstly we need to be clear about what courses are or are not covered and why.
- The public needs a greater understanding of what 'levels' of study mean. GCSE, A-Level, BTEC, and Degrees are well known; HNs, L4-5 etc are not universally understood.
- The student needs to understand how their module choices lead to a formal qualification (or not). We in the main do not agree that the LLE should allow students to take a variety of modules that do not lead to a formal award. There is substantial evidence to show that modules not tied to an award have no real labour market returns to individuals (but may benefit employers). We hope the LLE will show how you can work towards a qualification by taking modules in parts rather than people taking random modules that do not have an ongoing value to them long term
- Modules/courses that have PSRB or employer accreditation must be signalled on the site to support students to understand what courses are considered industry relevant (if

- they are choosing technical qualifications to work towards a specific career).
- We are assuming that all citizens will have an LLE account. Government needs to be clear about what will be available to those who already hold a degree or sub-degree qualification funded through the loan system - and for those who do wish to continue to undertake a 'traditional' 3-year programme, how this interacts with their SLC account. We would encourage DfE colleagues to re-read the chapter on Individual Learner Accounts in Ivor Crewe and Anthony King's *The Blunders of our Governments* and the [NAO report](#) to learn the lessons of the previous policy in this space.
 - Not all citizens will have the capacity in their lives to study part-time (at whatever intensity). It is a huge time and mental commitment at a time when there is so much uncertainty over jobs and financial resources. Whilst we believe that government must do something to better support part-time HE learning - and the LLE is an appropriate policy, for many this will still be out of reach without employer and/or family support. We, therefore, think it would be helpful if the LLE launch was combined with a national campaign around the value of higher-level learning (in and outside of employment) to ensure that the public understands the benefits to society and to equip those who wish to study HE but have work and/or family commitments with evidence to gain the support of their family and employers. A vast number of academic studies have found that cultural norms in some communities such as not valuing education are key barriers to increasing participation in HE. Without increasing public confidence and understanding of the full value of HE, we are worried that the LLE may not increase the diversity of learners taking advantage of the funding on offer.

Q3. What information and guidance should be displayed in a lifelong learning account to support learners to understand their options for using their LLE? Please explain (free text)

We do not think the government will be able to offer the IAG needed within the portal that will support all learners. Decades of research and experience has shown that different people have different IAG needs and make different choices based on their personal circumstances. For the very best IAG a conversation is therefore needed, and employers and education providers also need to provide information about the content and relevance of the course to the learner and their future aspirations. The SMF research on IAG showed that provision for young people in careers and educational advice and guidance is patchy and much more investment will be needed to ensure that learners make considered and meaningful choices through the LLE portal. Furthermore, adults will have even less access to IAG professionals so the LLE policy teams will need to work with DWP and the national careers service to ensure that there is parity of support for both young and older people. The UniConnect partnerships may also have a role to play in connecting local HE provision under the LLE with local prospective learners of all ages and regional employers for students who are considered to be socio-economically disadvantaged.

We do not wish to see a duplication of the content of the UCAS site for LLE users, especially those who wish to undertake a traditional 3-year degree - this would be confusing for applicants and therefore the portal and UCAS should work collaboratively for these purposes. However, there are some practical things the portal should do:

The most important thing is how much money is in the account, and what has already been spent (and on what levels/courses/qualifications). We, therefore, see the portal as a direct replacement for the SLC student loan account. The next most important thing is showing the student how what they have

already undertaken may lead them to a full qualification and what other modules would need to be taken to complete the award. This content would need to be directly generated by HE providers themselves and sent to the Portal management team. To this end, it will also be incredibly important for the portal to outline the approach applicants should take to apply to study specific modules, and any prerequisites qualifications/modules they would need. We are anticipating that admissions for modular provision would be manually managed by individual providers (at least in the short/medium term), rather than through a national service such as UCAS because of the complexities of Recognition of Prior Learning. The final thing would be how PSRBs/IfATE kitemarks would signal additional currency of the modules/full awards for specific professions.

Q4. How can we best ensure that the LLE will enable learners to access technical as well as academic courses at levels 4 to 6? Please explain (free text)

This is a false distinction because Higher Education does not conform to such binary divisions. Learning is both useful for the expansion of knowledge and has in most cases practical application depending on your job. Historically academic subjects such as medicine and law are technical and professionally rooted as are humanities qualifications if your chosen career requires the use of the specific subject knowledge (such as a curator, social policy, writer etc).

We instead think that DfE should think about these qualifications in terms of those that meet quality standards and are accredited/regulated by the appropriate HE regulatory bodies (ESFA/OfS). Therefore all qualifications that meet these criteria should be eligible for the LLE. There may need to be an additional accreditation process for short courses much like the HTQ kitemarking), but institutions regulated by the OfS and have their own degree awarding powers should not need to jump any additional regulatory hoops other than those already set out in the validation of new courses. However, it will be useful for the portal to show when a module/course meets a PSRB requirement or has met an additional kite-marking requirement for qualifications that are not mapped to the FHEQ.

Any approach must ensure that learners are not restricted in terms of onward module choice. Whilst there will be prerequisites for some learning, the Portal must not create an unhelpful divide between 'academic' and 'technical' learning opportunities. GuildHE institutions pride themselves on offering a blend of theoretical and practical learning opportunities and we would not like potential students (who will need a lot of IAG to make sound choices) to think that they have to pick only technical or only theoretical modules.

Q5A. How can we best ensure that the LLE will encourage FE and HE providers across the country to offer provision that closes the current skills gap and supports future upskilling? Please explain (free text)

As a flexible loan product for the individual, the LLE can only be part of the answer. Government also needs to act to stimulate employer demand for provision that supports upskilling. This requires making the apprenticeship levy more flexible and reviewing the tax incentives to businesses (as referenced in the Chancellor's Spring statement).

HE and FE providers are already working hard to collaborate with employers, local councils and industry bodies to ensure that the educational provision meets the needs of their local area. The LEPs, Opportunity areas, Chambers of Commerce and the approaches in the Levelling Up White Paper all give HE and FE providers a mandate to work collaboratively with their local areas to identify skills gaps and curriculum needs. However, there are still substantial barriers to collaboration between educators

and employers to be fully realised. Firstly employers have very little understanding of 'levels' of study or how education operates. Secondly, the bureaucracy of the current approach to employer engagement in new qualification development (under the rules dictated to by IfATE) stifles innovation and restricts the number of employers who can formally contribute to policymaking. Finally, in many areas, it is the SME or microbusiness driving the greatest rate of change, especially in regions with the greatest levels of deprivation and they have even less capacity to be actively involved in the development of local skills policy. We think the various approaches the government has taken to regional skills boards (chambers of commerce, LEPs etc) have been effective in some areas and not others. We think it is right for each region to dictate their own skills, needs and requirements but the central government needs to better support these initiatives and learn from the different approaches taken.

The best way to encourage timely and effective skills policy is to ensure that the processes to design and approve new qualifications are as simple and streamlined as possible. As we have found with the approach taken by IfATE in the past, too many hoops and steps have led to some employers giving up or spending vast sums of money to get their programmes approved. This has to stop. If Government wants employers to have a say in qualification reform it needs to trust that together in partnership with educational providers they have designed the appropriate course to meet their needs.

Q5B. How can we facilitate collaboration between FE and HE providers and employers, to ensure that provision keeps up with industry developments? Please explain (free text)

We think there has been a mix of effectiveness with the formal regional skills boards in different parts of the country. They are important, but so are the individual relationships education providers develop with employers directly. Many HEIs, especially those represented by GuildHE, are active in the professions they serve and are considered vital talent pipelines and hubs of industry innovation and research. Whilst we know this connection is not always strong in every profession and at every institution, it may not need major policy intervention to realise collaboration - but financial support is necessary to offset the risk to providers in the development of new qualifications.

There are also economies of scale to consider in what can be offered to employers. As we have found with apprenticeships for some regions and in some industries, there are not enough new jobs or large enough cohorts for apprenticeship programmes to run. It is more expensive to teach smaller cohorts and this should be reflected in the way we cost CPD programmes.

Q5C. How can we help FE and HE providers to provide modules and courses that offer real value to employers and improve employment prospects for learners? Please explain (free text)

As a flexible loan product for the individual, the LLE can only be part of the answer. Government also needs to act to stimulate employer demand for provision that supports upskilling. This requires making the apprenticeship levy more flexible and reviewing the tax incentives to businesses (as referenced in the Chancellor's Spring statement). In addition:

- FE and HE providers need funding support to develop new courses
- Use the opportunity of the LLE to review and radically reduce regulatory burden and overlap between OfS, IfATE, ESFA and Ofsted.
- Recognise that the short term needs of employers and the long term needs of individuals are not the same. As we have said, the LLE needs to be implemented alongside reform to make the apprenticeship levy more flexible and a review of tax incentives to employers. With the LLE, students are paying for these qualifications themselves - they should have onward value to

them, not just their employer.

- Large employers already have the resources to work collaboratively with HE and FE providers to develop courses that meet their needs-. There is a need for additional funding and support to help SMEs to do the same.

We think that the pilot project work going on to support a better understanding of short courses and employer engagement is useful to the sector in finding out what works, and for the government to better understand the complexities of devising and delivering this sort of provision. We would like to see a greater number of different types of HEIs engaging in further pilots to ensure that there are not any specific barriers to smaller and specialist institutions engaging in flexible discrete learning under the LLE. We would be happy to talk to DfE colleagues on how best to do this, as traditionally smaller and specialist providers miss out on national funding competitions for various reasons.

Q5D. How can providers support and facilitate learners gaining qualifications through modular study? Please explain (free text)

In HE we already do this as we have CPD students, part-time, apprenticeship and/or day release students on our campus. We offer flexible delivery of the teaching component, access to student support and resources at times that suit, and assessment that is undertaken (and often framed) around applied learning. Modularised learning is how the vast majority of HE providers deliver courses now - full-time learners taking 3-4 modules at a time. We already have programme specification forms that detail all of the modules needed to complete a qualification, and these are always available to students via the institutions' website prior to enrollment.

What we are potentially worried about is the ability of HEIs to plan staff and teaching spaces if the vast majority of HE provision was offered at such a granular level and the costs to providers of doing so. The government needs to recognise that part-time, especially highly flexible and granular part-time study, is more expensive to teach. We, therefore, think that practically the LLE can have a positive impact on students who need more flexibility but the costs to providers need to be recognised. For the majority of students, there will be benefits in having options for more flexible hop on hop off in terms of years of study.

Q6. Do you think the move to the LLE will have any particular impacts on people with protected characteristics? If so, which groups and in what ways? Your answer could include information about both the potential challenges and the positive equality outcomes of this policy. Please explain (free text)

We are concerned that only those with access to the best IAG will be able to use the LLE to its full potential. Without more investment in careers advice and guidance in schools and to the wider population it is inevitable that the middle classes will make this policy work to their advantage while others will see less benefit.

There may also be other structural issues with learners who will need to access the disabled student allowance. These need to be thought through in conjunction with the review of DSA processes at the SLC and there will need to be a simpler articulation of what disabled students would be eligible for if they were studying single modules at a time.

Furthermore, employers need to show a greater commitment to non-discriminatory hiring practices which could adversely affect protected groups from seeing the full benefit of the LLE. This is both in terms of them having a better understanding of different levels of HE, but also the systemic barriers and disadvantages certain people face. GuildHE has been working with the Social Mobility Commission in developing a Toolkit for the creative sector in better understanding diversity in recruitment and we believe that other sectors should also do more to ensure their recruitment practices are not overtly or covertly biased towards a certain type of applicants.

Q7. What barriers might learners with protected characteristics face in accessing/drawing on their LLE and how could these be overcome? Your answer here could include previous consideration of an alternative student finance product for students whose faith has resulted in concerns about traditional loans. Please explain (free text)

This policy does not address the slow progress the government has made on creating sharia-compliant loan products - and it must urgently fix this problem. The LLE will not do this.

As previously said, we think those most disadvantaged do not have access to good quality IAG and government must invest in careers and future educational advice and guidance in schools and local communities.

For the policy to work in the interests of all students the entitlement should take account of the potential need for learners to take much longer in completing their studies due to ill health/disability or a change in circumstances. The way the loan has been described as the 'equivalent of four years' funding, as a starting point, it is worth providing more clarity in future iterations of this document on how many credits/ overall £ amount because at present there may be a misconception that you expect that qualifications are completed within a certain timeframe. Furthermore, unless the government gets the maintenance loan entitlement right, this will cut off a substantial number of socioeconomically deprived learners from accessing HE.

PART 2

Q8. Should all level 4 to 6 courses which are currently designated for HESF funding be treated as automatically in scope for the LLE? If not, why not, and what additional criteria for inclusion should be considered? Please explain (free text)

Yes, we believe they should. There is no reason to fundamentally change the approach to funding for those with degree awarding powers. The sector has shown that it is world-leading, of high quality and overall has good outcomes for students regardless of what course they study and where. Higher learning contributes to happier, healthier, more productive citizens regardless of whether it is mapped to

specific occupational standards or meets specific employer needs. Humanities and social sciences are as important to the productivity of the UK as specific technical qualifications.

Universities design many courses in collaboration with industry that have a clear business case for doing so. If there wasn't a need/desire for provision from students or employers then they wouldn't deliver it. As part of university validation procedures, it always involves external expertise in ensuring the course meets rigorous academic standards and subject benchmark statements. PSRBs are actively involved in many HE qualifications to further add externality, industry relevance and validity to HE awards.

Q9. Specifically, do you think that the following courses, which currently attract HESF, should be incorporated into the LLE, under the same repayment terms as other provision (i.e. fee loans count towards an individual's four-year fee entitlement)? o A foundation year integrated into a degree course o PGCEs o Integrated Masters (3 years undergraduate plus 1 year Masters) • If not, please explain why? Please explain (free text)

We don't see the benefit of making the policy more complicated for students and all students should have the ability to step on and off their course, regardless of the initial duration they signed up for. However, we recognise that there are many reasons why courses are 4+ years - which include the qualifications highlighted in the question. In this scenario we believe that as you have outlined in this consultation "individuals who undertake certain types of qualifications may be granted an additional entitlement." and we think the student should have access to one additional year of study to be taken after the completion of their first qualification. This way they would still have the benefit of accessing additional LLE finances later on in life.

Q10. What arrangements should be made under the LLE for courses which are over four years and are currently eligible for student finance – including medicine, dentistry and architecture? Please explain (free text)

They should be allowed to continue as such and future decisions about courses that may be longer than the scope of the LLE should be taken in conjunction with the PSRB for that profession. For these courses, the full course costs should be able to be claimed through the LLE - not just the first 4 years but the learners should be able to have the ability to step on and off the course as they would with the LLE without financial penalty.

Q11. We are proposing that all HTQs should be in scope of the LLE. Should approval as an HTQ be the sole route for qualifications that are ALL-funded to become eligible for the LLE? If not, why not, and what alternative route(s) would be appropriate? Please include detail on the process and eligibility criteria that would be used in any alternative route. Please explain (free text)

We agree all HTQs should be funded as they have already met a very high-quality bar, as should all qualifications mapped to the FHEQ and or/validated by a UK University. For other ALLs we are not sure if this approach will always be the most appropriate as we do not have expertise in QCF/private training provider courses.

Q12. In particular, how could employer-relevance be tested as a basis for LLE eligibility? Please explain (free text)

The current approach from IfATE to include employers has had mixed results in ensuring employer engagement. We think in the first instance a PSRB endorsed course should in itself be enough for a course to be constituted as employer relevant.

Not all HE courses have direct employer relevance which will be funded by the LLE. We are concerned therefore that there will be one approach for FHEQ mapped qualifications (whether technical or academic) and those on the QCF needing to jump additional hoops - and sometimes as has been the case with the HTQ kitemarking of awards already on the FHEQ and PSRB endorsed having to go through an additional process and thus creating additional bureaucracy. Furthermore, during a HE validation process, it is expected that providers consider external expertise in the design of their courses. This will routinely include employers and should be recognised if any kitemarking were to be created for the LLE rather than IfATE insisting on using their route panels to validate employer endorsement.

In an ideal world, professions would routinely have PSRBs or sector bodies that can articulate skills needs and work collaboratively with the education sector. However, this is not always the case and we must not shut out funding for courses where the profession/sector doesn't have the capacity/inclination to be coordinated with education providers/DfE.

We, therefore, think that any process that helps to highlight direct employer relevance to prospective students must be sensitive to the processes already in place in HE, and not add additional burden/bureaucracy.

This consultation is also missing the value of qualifications that are not directly relevant to employment but would significantly improve people's lives and life chances. We, therefore, think that whilst it is useful to flag where qualification is 'industry relevant' the LLE should serve all adult education - and thus create a truly comprehensive approach to funding lifelong learning. If the qualification meets a high-quality threshold it should be included.

Q13. We are aware that some courses (e.g. medical degree courses, some ALLfunded courses) are not currently structured around individual credit-bearing modules. Should such courses be excluded from any form of modular funding, and if so on what grounds and criteria? Please explain (free text)

Perhaps it would be easier if such courses were excluded from modular funding - medicine and architecture being prime examples of well-established qualifications that would not suit modularised learning. We do not necessarily have an opinion on the specifics but whatever is decided should be made clear to students, access to student finance should be as easy as it is now and nothing else should penalise them for choosing to study a certain profession.

Q14. We are seeking views on whether to set a minimum amount per funding application equivalent to 30 credits. This is not a minimum module size, as smaller modules could be “bundled” together to meet the minimum application amount. What are your views on this proposal? Please explain (free text)

For economies of scale and to be able to offer the best value learning we agree that 30 credits seems a reasonable amount of learning to be the minimum requirement. However, there may be some specific examples of PSRB/employer needs that would sit at fewer credits than this for CPD courses. We think therefore the short course trial should think about how 15 credits may also work in some industries such as Agriculture.

Q15. Which (if any) courses should be funded per-academic year (i.e. using the same basis as the current-HESF-system), and which courses should be funded according to the number of credits in the course? Please explain (free text)

We think at the ‘back end’ the vast majority of courses should be administered in a modularised way. This would better support part-time learners and those who need to change providers/defer etc. but student-facing we still think the vast majority of provision will be marketed as whole years of study (or a complete course). We don't see a reason for any course (unless it is not modularised like medicine) to not be administered by the SLC in a credit-based way. We think that funding by credit in the back-end of the system will be the single biggest driver for change as institutions can be more innovative in their offer based on student demand.

Q16. Do you/does your provider currently use a credit framework or follow credit rules, and if so which framework or rules do you/they use? (e.g. OfS credit table, Ofqual credit conditions). Please explain (free text)

The QAA Framework for Higher Education Qualifications provides the UK Framework and the OfS credit table provides the regulatory tool to support English HEIs in designing courses together with the specific subject requirements outlined in the Subject Benchmark statements. It clearly sets out what a unit of credit should contain.

Q17. In brief, what internal processes do you/they have to ensure compliance with the framework or rules? Please explain (free text)

The HE sector has a well established and world-leading approach to quality assurance of its courses which is now being replicated all around the world. Each course undertakes a validation and review approach that includes current students, PSRBs (where applicable) drawing on external academic and technical expertise.

Q18. What impact could modular study have on study mobility across the UK? Please explain (free text)

This will depend on the extent to which credit transfer schemes are seen as genuinely enabling the stacking of credits between different institutions. If it is seen as possible to have existing credit recognised by other institutions and counting towards qualifications then in principle it would enable mobility. However, the practical challenges resulting from moving including accommodation, employment, family and other factors are likely to mean that this policy will enable mobility rather than actively encouraging most students to decide to study in many different locations.

Q19. How can the LLE promote and encourage flexible study across England, Scotland, Wales, and Northern Ireland? Please explain (free text)

Q20. What should be the most important considerations when determining how the lifetime entitlement will work? Please explain (free text)

We think ease of use by students and minimising the regulatory burden for providers are the most important considerations. In addition, the lifetime entitlement should not create or promote an artificial academic/technical divide in level 4+ study.

Q21. What, if any, age-related restrictions should be in place for the LLE that would impact on an individual's ability to access their loan entitlement? Please explain (free text)

None. Many more people now choose to (or have to) work after official retirement and should be able to access learning opportunities with the LLE at any age. The existing age cut-off for postgraduate loans is discriminatory and should not be replicated in the LLE.

Q22. We propose that we only fund individuals taking modules that are derived from a full course. Do you think that there should be restrictions in place so that borrowers should not be able to use their whole entitlement on a succession of individual modules which are not on track to a full qualification? We would welcome views on what these restrictions could be. Please explain (free text)

On the whole, we agree with government that for the most part modules in the LLE should form part of a whole qualification. This would mean that students are always working towards a specific qualification. But there are a small number of examples (we believe in management, healthcare accountancy and healthcare for example) where discrete CPD modules could be funded where there is PSRB accreditation. If Government takes sector advice and includes level 7 qualifications in the student account then this issue would become more acute.

Q23. In a system where modularised study is widespread, how can we ensure that learners and employers understand what programmes of study deliver the skills that employers need? Please explain (free text)

This is an impossible task even for full qualifications. In the HE sector programme/module specs are already freely available on university websites for courses - but perhaps this could be made more explicit to employers and articulated to prospective students during the application stage. The specifications include the knowledge and skills within the module in an easily understandable format already.

More broadly, a loan product for individuals cannot be the tool for better articulating employer demand and influencing provision. Instead, the government needs to review and reform its incentives for employer spending on training by making the apprenticeship levy more flexible so that employers can spend directly on HTQs and other technical or professional qualifications at level 4 and above.

Q24. When considering restrictions by level and subject, how could the government ensure that the LLE is used for high-value learning that meets the needs of employers and the economy? Please explain (free text)

There should be no restrictions on subject areas - the government cannot foresee the future skills needs of the economy. Furthermore, restricting subjects will impact innovation. For example, many degrees in the creative sector in areas like ethical hacking, gaming etc were developed well in advance of the government's capacity to recognise the needs of the sector or the value they have to the economy.

Q25. Are there other restrictions we should consider on the use individuals can make of their entitlement? Please explain (free text)

The LLE should not replicate the current ELQ policy. This would stifle people's ability to use the funding to reskill. Maintaining some sort of ELQ policy also goes against one of the aims of the reforms which is to enable people to re-train or take modules at different levels in different timeframes. We would therefore like to see the approach to the Advanced Learner Loans taken whereby there is no ELQ policy overall, but the restriction in funding the individual comes from the overall credit entitlement of the policy (4 years worth/480 credits).

There will have to be a discussion across the sector as to whether some credits have an expiry date. These decisions will be different for different subjects and industries and should be led by universities, PSRBs and industry working together to decide. Employers in hiring decisions already view a person's qualifications in the context of how long ago they acquired them so we do not see this as being any different. To succeed on full qualifications there will need to be currency in prior learning for some programmes, but we should be able to make that clear to students through the portal (and the rationale as to why). We will also potentially increase the reach of our Recognition/Accreditation of Prior Learning/ Experience when deciding if a learner is prepared for further study or should receive an award.

Q26. Do you think a future system should include a facility for provider-based bursaries, which providers allocate directly to students? Please explain (free text)

We think that provider bursaries should sit outside of the LLE scheme - these are bespoke offers made as part of providers' APPs and not a formal/universal entitlement. Bursaries are also more impactful as maintenance grants as opposed to tuition fee deductions. We do hope though that future developments of the LLE portal may allow employers to pay off/add credits to students' accounts.

Q27. Should maintenance support, like fees, be proportional, so that e.g. modules which amount to one-quarter of a full-time year of study carry an entitlement to one quarter of the maintenance support that the latter does? Please explain (free text)

We think this is a complicated question that is best answered in collaboration with WP experts and academics with experience in understanding the needs of economically disadvantaged students. We ultimately want maintenance loans to go to the people who need them but at the same time, their lack of availability should not be a barrier to accessing education. We, therefore, think as a principle maintenance allocation should be calculated on a per-module basis but also means-tested.

Q28. Are there courses or circumstances for which maintenance should not be offered (e.g. where students are studying below a certain level of intensity)? Please explain (free text)

Means testing is tricky as there are lots of variables at play - and the current system is complicated for adults and those young people estranged from their families. We think the system should be reviewed - as well as the total amount available be increased to ensure that students can cover their basic cost of living.

Q29. Currently means-tested elements of the maintenance system relate to family income. Should this be reconceptualised for a system with more adult participation, and if so, how? Please explain (free text)

Household income isn't just parents, and for some young people, parental income would not be relevant. Overall though it is very hard to define - but younger students not reliant on parental income must be able to access a loan, and adults (whose personal/household income is below a certain threshold) must also be eligible whilst taking account of any additional caring responsibilities such as children.

Q.30. To what extent do you think maintenance support would be a consideration for learner access to, and progression through, LLE funded courses? Please explain (free text)

This will be very much a consideration for some - and if the intention is that the LLE is for all HE provision (and not just those who choose to pick a more flexible approach) then it is vital to get this right. We have ample evidence to say that for the most part the loan repayment terms ease the debt burden for the vast majority of students, therefore the government needs to be clear about exactly what the repayment terms are. We also know that students who have to work a significant number of hours whilst studying do less well both academically and in terms of increasing their social and cultural capital (which is vital for successful graduate job security). We, therefore, need to ensure that maintenance covers basic living costs - and is proportionate to how much time the module/course takes.

Q31. Do you think a maintenance offer should differ by course type, mode of study (e.g. part-time), or learner circumstances such as age, income, or caring responsibilities? Please explain (free text)

No - we think it should be as simple as possible and as a matter of principle (and policy intention), the different ways to access HE should have equal access to student finance. Students will have different personal circumstances that need to be considered when allocating them a maintenance loan (such as children, income) but there should not be default different approaches for different types of learners.

PART 3

Q32. How can we support flexibility whilst maintaining high-quality provision through the introduction of the LLE? Please explain (free text)

It is important to restate that higher education providers are incredibly innovative, flexible and responsive to student demand. So where there is clear – funded - student demand then universities and colleges will be quick to engage and deliver high-quality provision drawing on robust internal quality assurance processes. The challenge therefore will be stimulating demand and ensuring that the cost of regulatory burden does not outweigh the benefits of delivering flexible and innovative provision.

Q33. How should the approach to quality change to support the introduction of the LLE? Please explain (free text)

Would providers need to be registered with the OfS to access LLE funding at levels 4-6, with ESFA registration being for level 3 qualifications? If that is not the case there should be consideration given to different regulatory approaches by OfSTED and the OfS one of which goes in to inspect providers and the other which has a robust registration process but is then based (mainly) on data analysis. The proposed OfS approach of considering the minimum level of quality for students has the potential to provide a framework for more flexible provision. However, there are two major caveats about the current system supporting a modular system: the regulatory burden and usefulness of outcomes data, these caveats are expanded in response to the next question.

There is also a key question in response to the quality changes to support the introduction of the LLE is whether the aim is for these courses to be delivered by providers already registered with the OfS or whether the DfE expects there to be large numbers of providers wishing to move into this field? If the latter then there are real questions about whether the burden of registering with the OfS will act as a major barrier to all but the most eager and resilient of providers. We have heard from numerous providers that went through the registration process how complex and burdensome it was. However, with over 420 providers already on the OfS's register, there is an argument that most providers will already be on the list and those not should go through the highly rigorous registration process to ensure that they are high quality.

Q34. What, if any, regulatory changes might be needed to support a modular system? Please explain (free text)

Building on the two caveats in response to the previous question. The OfS's regulatory system is criticised as being highly burdensome – disproportionately so for smaller providers. In addition to the actual cost of subscription, the cost of remaining compliant with the conditions of registration with many providers needing to significantly bolster their central regulatory staff teams and this is likely to expand as the data requirements resulting from the proposed B3 condition is implemented.

Secondly, the OfS uses a primary outcomes-based approach when measuring minimum standards. Whilst the completion data may be relevant to consider, the other two indicators (around continuation and progression to professional and managerial jobs) will be either meaningless as the whole point of modular courses is that they don't necessarily result in continuation to another course or exceptionally difficult to measure when trying to link employment outcomes to bite-sized chunks of credit which could be as small as 30 credits, where cause and effect of the impact of study will be tenuous at best.

Q35. Are there opportunities to simplify the regulatory regimes that will operate under the LLE?
Please explain (free text)

The proliferation of regulators in the higher education space (levels 4-6) – with providers having to make separate regulatory responses to sometimes OfS, IfATE, OfSTED, and ESFA, with these regulators often asking for the same information in different formats has resulted in a waste of resources and duplication of regulatory burden. There is a case to be made for bringing all the regulators in higher education – and possibly even the tertiary – space together to minimise this waste of public money.

We think the Government needs to think again about why the regulatory overlap exists in the first place. If all L4 provision becomes designated for HE funding, then there are questions around the appropriateness of having multiple regulators in the HE and FE space actively involved.

Members tell us that the current approach is off-putting and stifles innovation in flexible delivery so we must get this right if the policy is to be a success.

Q36. How should government look to facilitate new and innovative provision while supporting high-quality provision? *Please explain (free text)*

For providers on the OfS register the main way of facilitating new and innovative provision would be firstly by enabling a credit-based funding system for institutions and then to stimulate demand. Where the demand is there then providers will respond.

Q37. We welcome views on how quality assessment and regulation could best work for level 4 and 5 technical education within the wider LLE context. *Please explain (free text)*

Technical education has long been delivered at levels 4-6 with universities working with relevant PSRBs to assure industry engagement whether in medicine, architecture, engineering or a wide range of other professions. The existing arrangements for newer technical qualifications has resulted in an unnecessary proliferation of regulators and regulation that wastes public money.

As a starting point, we think it is fundamental for DfE, ESFA, IfATE and the OfS to work more collaboratively to ensure that there is no additional burden on providers where there is regulatory overlap. For example, we think that those HE providers on the OfS register should only have to submit data returns once (through HESA) and for the OfS and ESFA to work collaboratively to join up the data sets internally. However, in the longer term as we outlined in Q35 there should be moves towards a single regulatory regime in the higher education sector.

Q38. What are the barriers to encouraging greater credit recognition and transfer between providers? Please explain (free text)

The consultation refers to meaningful qualifications, but whilst this can be an outcome of increased modularisation it is not necessarily why some people choose to study flexibly. Most higher education providers have part-time versions of many of their full-time courses and these are designed in such a way to ensure flexibility whilst at the same time retaining the coherence of the qualification.

In terms of credit accumulation, it might be possible to simply stack credits on top of each other and result in a recognised qualification for some subject areas and over a specific time frame. However, this is not possible in all subjects where the coherence of knowledge needs to build on itself and cannot be delivered over an indefinite time period where the knowledge or skills can become outdated.

Most higher education providers will have credit transfer policies to recognise credit from other providers, as well as policies recognising other prior learning (such as in a job). However, this transfer of credit needs to recognise the requirements of PSRBs for specific professional courses as well as meeting the needs of a named qualification within the higher education institution and wider sector Subject Benchmark Statements.

So a student wishing to transfer immediately from one similar course to another is already likely to have many of their credits transferred. Whereas a student returning to education many years after the initial credit has been awarded and in a different subject area is more likely to need to restart many of their credits at the same level. However, this will need to be decided on the basis of the academic judgement of those involved in the admissions process. This is essential if the provider is going to maintain the academic standards of the qualifications that it awards.

This process of individual assessment is possible at the moment when relatively few students go down this route, but if this was the normal way of studying then there would need to be additional processes put in place to manage the scale of individual assessments in this way.

There is also a real question as to whether the barriers are from the institution – or whether it is actually from the learners and whether there is a real demand for this type of approach?

Q39. How can the introduction of the LLE support credit recognition and transfer between providers? (Including those across the Devolved Administrations). Please explain (free text)

Ultimately it depends on the success of LLE. Most universities already have these policies in place and so if large numbers of students choose to study in that way then institutions will respond to the changed market and develop more sophisticated ways of recognising credit and transferring it between institutions. Demand drives innovation.

Q40A. How far does successful credit transfer depend on mutually recognised credit frameworks? Please explain (free text)

A mutually recognised credit framework can be helpful to provide a broader framework for recognition, but ultimately what you learned and when you learned it is likely to be the key factor in facilitating credit recognition, particularly for named qualifications.

There is likely to be a market in the future for a university to simply accredit qualifications by piecing together various pieces of credit to form a new award, but it is also likely that this will be seen as too reputationally risky by some universities and not be recognised as high quality by some employers.

Q40B. Is a single credit framework a precondition for easy credit transfer? Yes/No Please explain (free text)

No, it's not a precondition, although it might make it a bit easier. Ultimately all institutions with their own degree-awarding powers design the curriculum of their courses and what is taught and when in the course it is taught based on their academic expertise, the needs of their students and the needs of their employers. So the ability for a student to transfer into existing courses will always remain in the decision of the course leader and whether the student will be able to cope with the course at the point at which they join.

This is not to say that some institutions won't go down the accreditation route of piecing together credit and charging students for this qualification but the qualification title is likely to be less specific than the existing title depending on what credits the learner is trying to bring together.

Q41. If relevant, please provide details of any bespoke arrangements you have with other providers that support credit recognition and transfer. Please explain (free text)

Many HEIs for example have formal arrangements with FE providers who deliver HND qualifications and then the student is automatically entitled to enrol on the top-up L6 course at the university partner after successfully completing their L5 course.

Q42. Which features of credit accumulation, such as size (that is a minimum number), or subject, should apply to a credit recognition and transfer policy? Please explain (free text)

Any credit recognition and transfer policy should be an enabling policy – setting broad principles - rather than a prescriptive one trying to define size, age and subject of credits. Ultimately the institution awarding any final qualification will need to be able to decide whether an individual has met the learning outcomes and relevant standard for a given qualification or whether they might be eligible for an alternative qualification.

Q43. Should there be a time limit on how long modules stay current? Should this vary by subject? Please explain your answer. Please explain (free text)

As outlined in response to Q42 there is likely to be a time limit for some credits – since both knowledge and also skills can become out-of-date - but this should be a decision of the awarding institution rather than trying to be too prescriptive in any policy. It is likely to depend on the subject area and what new developments there have been in that discipline. So the policy should refer to the fact that some credits are likely to expire at some point and that the learner should be aware of this when considering their learning plan. It might be possible for some providers and some courses to give an indication that a particular module is likely to remain current for, say, five years before needing to be refreshed, but this may also depend on how the student has been using the previous learning in the intervening time.

Q44. How can prior workplace or experiential learning be more consistently recognised for credit? Please explain (free text)

This is something that many universities already do through the Recognition of Prior Learning policies and as with other policies is likely to become more sophisticated as demand grows.

Q45. How might government work with professional standards bodies to facilitate recognition of prior workplace or experiential learning? Please explain (free text)

Many PSRBs already have specific standards to facilitate recognition and our members work within these parameters and other PSRBs could develop similar CPD/Experiential recognition processes where the industry feels this is valuable.

Q46. Are there courses/subjects which would particularly benefit from accreditation of prior workplace learning? Please explain (free text)

This is a question for the individual PSRBs who have over decades developed their individual approaches to accreditation of learning in line with their professional standards and expectations.

Q47. What data should be collected to facilitate credit recognition and transfer? Please explain (free text)

The DfE needs to be clear of the policy intent. Is the aim to encourage more learners to study in a more modular way or just to enable those that want to study more flexibly to be able to do so. The data requirements for the two desired impacts would be different. The obvious starting points would be whether providers have a policy for credit recognition and transfer and then the number of students that are taking advantage of credit recognition and transfer. But simply gathering the number of learners that take advantage of this will not necessarily demonstrate that the policy is working without a clear policy intent.

Q48. How can the process be more transparent? Please explain (free text)

A clear set of national principles might help improve understanding of the options available to students. This would need to be supported by clear and accessible Information, Advice and Guidance for learners to be able to understand their options.