Commissioner for Fair Access

Maintaining the Momentum Towards Fair Access

Annual Report 2022

May 2022

Scottish Government
Riaghaltas na h-Alba
gov.scot

FOREWORD

This is my fifth, and final, annual report as Commissioner for Fair Access.

My first Annual Report *Laying the Foundations for Fair Access* (December 2017) aimed to offer a comprehensive survey of the access landscape (https://www.gov.scot/publications/laying-foundations-fair-access-annual-report-2017-commissioner-fair-access/). But I highlighted two particular issues. The first was funding. Although free tuition is the settled policy of the Scottish Government (and I agree), I felt it was important to discuss all the arguments, for and against. The second was articulation where progress has been slow in allowing Higher National graduates full credit if they transfer to degree courses in universities. The report also covered contextual admissions, the role of colleges and the need to build strong access and participation practitioner communities.

In my second Annual Report *Building on Progress Towards Fair Access* (January 2019) 13 months later I tackled two controversial issues: first, the focus on the Scottish Index of Multiple Deprivation (SIMD) as the core measure for measuring progress and the case for using other indicators such as Free School Meals (FSMs); and, second, the case for expanding funded student places to create the headroom for fairer access without 'displacing other well qualified candidates. The report also included a special focus on school attainment, the Curriculum for Excellence and their implications for fair access to higher education (https://www.gov.scot/publications/commissioner-fair-access-annual-report-2019-building-progress-towards-fair-access/).

My third Annual Report *Fair Access to Higher Education: Progress and Challenges* (June 2020), published in addition to a regular review of progress towards meeting the Government's interim targets in 2021 and 2026, focused on two particular topics (https://www.gov.scot/publications/fair-access-higher-education-progress-challenges/). The first was fair access to the professions, and in particular medicine, the law and the creative industries such as music and theatre. These professions were chosen because of their contrasting features. The second topic was other forms of disadvantage in addition to socio-economic deprivation, in particular age, gender, ethnicity, disability and care experience. Many of these forms of disadvantage intersect and overlap with wider social deprivation.

My fourth report was a special report on *The Impact of COVID-19 on Fair Access to Higher Education* (December 2020) (https://www.gov.scot/publications/impact-covid-19-fair-access-higher-education/). It considers the effects of disruptions, and closures, in schools, colleges and universities on outreach and access activities, the student experience, mental health and articulation. It focused also on the implications of 'digital poverty 'and financial hardship. I called for a special recovery effort to overcome the shocks of Covid-19, which clearly had the potential to set back progress on fair access.

My most recent Annual Report *Re-Committing to Fair Access: a Plan for Recovery* (June 2021) covers three main topics (https://www.gov.scot/publications/re-committing-fair-access-plan-recovery-annual-report-2021/). First came the usual progress report - and here there was good news to report as 16 percent of the new entrants to universities now come from the 20-per-cent most deprived areas in Scotland (If higher education students in colleges are counted, there have been 16 percent for a while). The next, and most substantial section, of my report looks back at the recommendations of the Commission for Widening Access and attempted to assess which have been implemented, which have yet

to be implemented, and which have ceased to be so relevant and perhaps need to be modified. Finally the report looks at the continuing impact of Covid-19 on fair access.

These reports, and the six Discussion Documents that I have also published, are only a small fraction of the publications on fair access and widening participation. The sheer volume of publications - other reports by Government and public agencies, and by sector bodies; reports from universities and colleges on successful initiatives and good practice; institutional and academic research - is a testimony to the strong focus on access and a demonstration of how embedded access has become in national, sectoral and institutional strategies since the publication of the report of the Commission on Widening Access six years ago. There has been a step-change in both successful practice and creative thinking about access.

As with my previous reports, with the exception of the special report on the impact of Covid-19 on fair access, I am pleased to be able to highlight continuing progress towards meeting the Government's targets - the two interim targets that by 2021, last year, 16 percent of new entrants to full-time first-degree courses should come from the 20 percent most deprived communities in Scotland (as measured by SIMD), and 18 percent in 2026; and the final target of 20 percent, a level playing-field in terms of access to higher education, by 2030. The first interim target, of course, has been met. Although progress towards 18 percent in four years' time and 20 percent by the end of the decade cannot be taken for granted (for reasons I will explore in this report), Scotland continues to set the pace in terms of fair access to higher education among the UK nations. At a time when there is much talk about the 'failures' of Government, both UK and Scottish, it is good to be able to point to an unambiguous success.

Credit for that success, of course, is due not only to the Government and other public agencies. It is the commitment of institutions that has made possible this progress towards fair access - on the 'bridge' because the support of Principals and other institutional leaders has been crucial, but perhaps even more important in the 'engine room' where access and participation practitioners work. Other organisations such as trade unions, in particular the University and College Union (UCU), and student organisations, notably of course NUS Scotland, have also made very important contributions to achieving progress. It has been a 'whole system' effort, and therefore a 'whole system' success.

As I said at the start of this Foreword this is my last Annual Report as Commissioner. I have always been conscious that I have been Scotland's first Commissioner for Fair Access so, in effect, I started with a blank sheet of paper (apart from the rather formal terms of reference set out in the report of the Commission on Widening Access). Over the last six years I have learnt some lessons about how best to approach my role, notably the need for a more visible web presence separate from the Government's website (https://www.commissionerforfairaccess.scot). I am pleased that the Government has decided to continue the post of Commissioner by appointing a successor in due course. Although I am aware that my impact has necessarily been limited, in part by the limited resources to which I had access, I am convinced of the value of the post as a focus and symbol of the attention that needs to be paid to access and participation, which has produced the progress that has already achieved - and which will be needed to meet the challenges that lie ahead.

Finally, I would like to thank all those who I have met, in-person and (more recently) on-screen, and have supported my work as Commissioner in universities and colleges (and a few in schools and local authorities), sectoral organisations including Universities Scotland

and Colleges Scotland, the Scottish Funding Council and other public agencies, other organisations such as UCU and NUS Scotland. In particular I would like to single out two groups - access and participation practitioners in institutions, the ‘engine room’ of fair access; and members of the access team and analytical services within the Scottish Government who have provided sustained and effective support (despite the difficulties created by Covid-19) and who have always fully respected my independence from the Government they serve - as have the three Ministers for Higher Education and Further Education, Youth Employment and Training, Shirley-Anne Somerville, Richard Lochhead and Jamie Hepburn, during my time as Commissioner.

Peter Scott
Commissioner for Fair Access

Introduction

As indicated in my Foreword progress towards meeting the Government's fair access target continues to be encouraging. The interim target of 16 percent of new entrants to higher education coming from the 20 percent most deprived communities in Scotland (SIMD20) in 2021 was met. This success gives a degree of confidence that the next interim target, 18 percent of entrants from SIMD20 areas by 2026, will also be met.

However, there remain two areas of concern:

- First, the longer-term impact of disruptions to schooling as a result of the Covid-19 pandemic. Early indications are that the immediate impact of this disruption, which was most serious in the most deprived areas, has not been as great as had been feared - certainly in terms of 2020 and 2021 entrants. But it is probably still too early to assess the longer-term impact, particularly with regard to the earlier and middle years of secondary education. Although students on the brink of higher education entry have clearly not been deflected by Covid disruption, it is possible that younger students from socially deprived backgrounds may have failed to get on course for higher education, in terms of attainment and aspiration (and, more prosaically, subject choices). Research suggests that all students have fallen behind where they would otherwise have been, and that students from more deprived backgrounds have fallen furthest behind.

- Second, the cost-of-living crisis produced by high inflation, frozen social benefits and stagnant wages against a background of lower post-Brexit economic growth will hit disadvantaged families hardest. It would be optimistic to imagine that it will not have some impact on efforts to reduce the attainment gap in schools - and, by extension, to close the access gap in terms of entry to higher education between the least and the most disadvantaged - overall, and between colleges and universities and different types of university.

Neither factor necessarily makes it likely that the next interim target will not also be met. But taken together they suggest that it may not be as easy to meet. The 2021 target was achieved against a background of a sustained narrowing of the access gap following the final report of the Commission on Widening Access, and the reinforced emphasis on achieving fair access. That emphasis remains. But there is already evidence that the pace at which the access gap has been narrowing has slowed over the past two years - and the next target is only four years away. The final target, of 20 percent of entrants coming from SIMD20 areas by the end of the decade, is only eight years ahead. To achieve it the access gap will need to narrow by almost 4 percentage points, or half a percentage point a year. The scale of the task ahead should not be minimised.

After a summary of the report and key recommendations this report is divided into five sections:

1. A progress report on meeting the targets. This will analyse the latest data from the Higher Education Statistics Agency (HESA), the Universities and Colleges Admissions Service (UCAS), the Scottish Funding Council and other sources. This data covers the characteristics of 2020-21 first-year entrants and all-years enrolment, candidates for entry in 2022 and school leaver destinations by SIMD, disability and type of school. Similar data for individual institutions is also discussed.

2. A discussion of the case for and against using SIMD as the only authoritative metric for measuring proposes towards fair access. This has been discussed in earlier reports. It has been persistently argued that reliance on SIMD leads to socially deprived young people living outside SIMD20 postcodes being disadvantaged because they do not ‘count’, while less deprived students living in these postcodes are included. Significant work has been undertaken to find ways to use take-up of Free School Meals (FSMs) alongside SIMD20 postcodes to get a finer-grain measure. But that work has stalled. This report focuses in particular on the three institutions in the north east of Scotland - the University of Aberdeen, Robert Gordon University and North East Scotland College - where SIMD is seen as particularly problematic.

3. Lessons from elsewhere in the UK, positive and negative. In Wales substantial progress has been made towards developing a more integrated tertiary education system covering further education, higher education, on-the-job training and community learning - echoing some of the work undertaken in Scotland under the heading of the Learner Journey 16-24, which has yet to produce concrete results. The establishment of an integrated and comprehensive post-school system with flexible pathways between its various elements is clearly helpful for achieving fairer access. Meanwhile in England, which as the largest UK nation exercises a powerful influence (for better or worse), important changes have been made in its approach to access and participation. In brief, the emphasis has been shifted from contextual, or variable, university admission requirements to raising, and attempting to equalise, levels of prior attainment in schools, and also focusing more strongly on graduate success. The Welsh initiative potentially has important lessons for Scotland; the English shift less so.

4. Other issues - (i) student numbers and fear about ‘displacement’; (ii) the Scottish Framework for Fair Access; (iii) the continuing impact of Covid and, in particular, balance between in-person and virtual delivery of courses in higher education; (iv) articulation (not only from Higher Nationals to degrees); and (v) school attainment where important work is under way to improve the Curriculum for Excellence in the light of the OECD report. All five have important implications for fair access.

5. A concluding discussion of the best balance in the work on access and participation between focusing on individual advancement, which supports talented and motivate individuals to achieve their full potential by removing barriers, and social inclusion, which requires higher education to help to address community-wide and multi-generational disadvantage. My argument is that the two must be addressed together. To focus on the former at the expense of the latter encourages talent to drain away from communities, potentially entrenching their disadvantage and denying future generations the same opportunities. To focus on the latter at the expense of the former, as well as disadvantaging talented individuals, may allow initiatives by colleges and universities to be substituted for more direct social, economic and political interventions.

Summary and Recommendations

Access scorecard

All the fair access indicators are flashing green, despite the impact of Covid-19:

- There are more entrants from the 20 percent most deprived communities in Scotland (SIMD20) than ever before.
- They make up an increasing proportion of all entrants to higher education (and to first-degree courses). The Government's interim target of 16-per-cent of entrants from SIMD20 areas in 2021 has been comfortably exceeded.
- Among younger applicants (18-year-old and younger) for 2022 entry there has been a small increase, despite the fact that overall applicants are down.
- The gap between the most and least deprived (SIMD20 and SIMD80) in terms of positive destinations after leaving school, and of school leavers with at least one level-6 pass, had continued to narrow.
- The gap between SIMD20 and SIMD80 continuation rates is half what it was five years ago, demonstrating once again that fair access does not threaten academic standards.
- More Scottish domiciled first-degree entrants to Scottish HEIs were educated in State schools than in the UK as a whole - 94 compared with 92 percent.

But these figures refer to 2020-21, the first academic year impacted by Covid-19. Most entrants were already on track for entry to higher education. The full impact of interrupted schooling, digital poverty, financial hardship and other factors, which were all worse in more deprived communities, has not shown up in the figures yet. So smooth progress towards the next milestone - 18 percent of SIMD20 entrants by 2026 - cannot be taken for granted.

> Recommendation 1
>
> Although the success of institutions in meeting the 2021 target ahead of schedule might suggest the 2026 target of 18 percent of SIMD20 entrants could either be raised or brought forward (as the Commission on Widening Access had envisaged), this should not be considered before the medium and long-term impact of Covid-19 can be properly assessed.

SIMD and other indicators

Progress towards meeting national targets is measured in terms of SIMD, an area-based indicator that measures multiple forms of deprivation. This reliance on SIMD has been criticised by, among others, Universities Scotland, it has been suggested SIMD should be complemented, or replaced, by a measure of individual disadvantage, such as Free School Meals.

Institutions use a wide range of indicators to identify disadvantaged applicants in addition to SIMD, including FSMs, first-in-family, care experience or attendance at a low-

progression school or participation in access or bridging courses. But institutions continue to be held to account in terms of SIMD20 targets.

The objections to SIMD are that it produces false-positives and false-negatives (students who are not deprived but live in deprived areas, and the reverse); that it has a big-city anti-small town and rural bias; and that it fails to 'stretch' the ambitions of most institutions because they have already met the 10-percent SIMD20 target.

All measures, area and individual, have limitations. Alternative area-based measure to SIMD, such as POLAR4 and an experimental HESA indicator, focus on more limited factors. FSMs can only measure take up not eligibility. Also higher education participation rates vary widely among FSM students and tend to reflect the general level of ambition in their communities.

Institutions in the north east - the University of Aberdeen, Robert Gordon University and North East Scotland College - tend to underperform in terms of SIMD20 entrants. This reflects the limited pool of potential SIMD20 applicants in the surrounding areas. To meet their targets they need to recruit most of their SIMD20 from elsewhere in Scotland.

Because the current 10 per cent of SIMD entrants for individual institutions is no longer effective as many institutions already exceed it, there are two options - to increase it to at least 15 percent; or to allow institutions to set their own targets using a basket of measures. On balance the latter is better, provided these targets are strictly policed by the SFC in outcome agreements.

Nationally the fair access target is still best expressed in terms of SIMD. The responsibility of institutions is not simply to recruit limited numbers of talented students from deprived backgrounds, but to contribute to tackling multiple forms of deeply entrenched deprivation.

> Recommendation 2
>
> National targets on fair access should continue to be defined in terms of SIMD. But institutional SIMD targets are no longer fit-for-purpose. Instead institutions should be able to use their own basket of measures to determine their own targets. But these new targets should be strictly policed by the SFC through outcome agreements.

Lessons from elsewhere

Scotland continues to lead the UK nations in terms of fair access to higher education. But important changes have taken elsewhere from which lessons can be learnt.

Wales

The Welsh Government is attempting to build a tertiary education and training system embracing higher and further education, on-the-job training and community adult education. It is establishing a Commission for Tertiary Education and Research (CTER) to achieve this.

This effort is similar to, but goes beyond, the Learning Journey initiative in Scotland which so far has produced limited results. The Scottish 'tertiary' system remains fragmented, with HEIs and colleges treated separately despite both being funded by the SFC, and other

agencies responsible for training and skills. Learners from deprived backgrounds would benefit from less fragmentation and better coordination if the Welsh model was followed.

> Recommendation 3
>
> In taking forward the SFC sustainability review, and in future considerations of the structure of Scottish Government agencies and their responsibilities, attention should be paid to the current work of the Welsh Government in promoting an integrated system of tertiary education embracing higher education (and university research), further education, on-the-job training and community adult education.

England

In England the approach to access and participation is being radically revised, emphasising work in schools to raise attainment levels (rather than developing variable admissions) and defining 'success' predominantly in terms of 'good' (ie graduate-level professional) jobs (at the expense of wider - non-material - individual and social benefits).

This approach has little to offer Scotland. Although outreach work in schools is crucial, contextual admissions are necessary to produce genuine equality of opportunity, while access to well-paid professional jobs is not only dependent on academic achievement, but reflects wider patterns of class and privilege.

Other issues

Student numbers and 'displacement'

Despite the pressure on the Scottish Government's budget, it is essential to provide an adequate number of (properly) funded places in higher education. Failure to do this, or perception of failure, could lead to an increase in competition for places. This could revive fears that better qualified (although more advantaged) students were being 'displaced' by SIMD20 entrants. Justified or not, these fears act as a drag on efforts to achieve fair access.

> Recommendation 4
>
> The Scottish Government should commit to providing an adequate number of (fully) funded places in higher education to reduce the possibility that progress towards fair access for the most deprived students might increase competition for places among other social groups.

Scottish Framework for Fair Access

A Framework for Fair Access to encourage evaluation of good practice was a key recommendation of the Commission on Widening Access. A Framework was successfully established three years ago, with two pillars - a web-based toolkit and support for a network of access and participation practitioners. But it has had to survive on hand-to-mouth funding. Sustainable funding is essential if it is to achieve its full potential.

Recommendation 5

Sustainable funding should be provided for the Scottish Framework for Fair Access, to enable development of the web-based toolkit on good practice and to strengthen the community of access and participation practitioners.

Articulation

Smooth articulation between (Higher Nationals) HNs and degree is crucial to achieving fair access because over 40 percent of SIMD20 entrants to university come via the college route. It is also key to building a comprehensive integrated and multi-pathway tertiary education system. Yet progress towards meeting the SFC's target that 75 percent of HN qualifiers entering degree programmes should receive advanced standing has been disappointing. A step-change is needed.

Recommendation 6

The Scottish Funding Council should take more decisive action to enforce its 75-per-cent target for HN students moving to degree courses to receive advanced standing, and to set student number targets for the recruitment of HN (and other articulating) students, in its negotiation of outcome agreements with universities.

School reforms

The OECD report last year on the Curriculum for Excellence, and the recent report on school reforms by Professor Kenneth Muir, raise important issues for higher education. Any narrowing of the attainment gap in schools as a result of the better fit between curriculum and assessment makes it easier to achieve fair access. Although schools have other broader purposes than preparing students for higher education entrance, it is important that levels of subject knowledge are adequate to allow students to succeed on degree courses.

Access Scorecard

Almost every indicator - statistics on higher education students last year (2020-21), school attainment and school lever destinations, data on applications for 2022 entry - suggests that sustained progress continues to be made towards achieving the Government's ambitions for fair access. On a scoreboard of progress the indicators are all coloured green.

However, these indicators have been affected, to a greater or lesser degree, by the impact of the Covid-19 pandemic. It is possible that currently they reflect the 'up-sides' of that impact - the improved Higher and Advanced Higher results as a result of the replacement of formal examinations by teacher assessed grades, and the provision of extra higher education places to reflect the greater number of qualified applicants. The 'down-sides' of Covid-19 may become more apparent in future years. They include the differential impact of disrupted schooling, which has been worse in more deprived communities, 'digital poverty' and its impact on online learning and increasing financial hardship. The likely impact of the cost-of-living crisis, mentioned in the introduction, is potentially an additional 'down-side' factor.

Although this does not diminish satisfaction with the impressive progress that has been made, it may justify adding a note of caution. Meeting the 2026 interim target and the 2030 final target will require renewed commitment.

1. Access to higher education

National picture

There are several sets of statistics with different bases - full-time first-degree, full-time undergraduate, all undergraduate, all students in higher education (and first-year entrants or all-years) - which naturally produce different figures. This can lead to some confusion. But they all point in the same direction; a sustained increase in the number and proportion of SIMD20 students.

For example, the number of first-year students from SIMD20 areas on all undergraduate courses in universities hit an all-time record in 2020-21 - 5,850. This represented an increase of 550 students compared with the previous year and 640 compared with the year before. This remarkable rate of increase is partly explained by the significant increase in the total number of first-year students, as has already been noted. But, even when that overall increase in places is taken into account, there has been a significant increase in the SIMD20 first-year entrants in percentage terms - 16.2 percent (exceeding the 2021 interim target) compared with 16.1 in 2019-20 and 15.5 in 2018-19. In each case 'unknowns' have been removed, on the assumption they are randomly distributed. This means that in the five years since the publication of the Commission on Widening Access' report the number of SIMD20 first-year students has increased by 1590, and the percentage has risen from 13.5 to 16.2 percent on all undergraduate courses.

If all undergraduate students are included, including those in colleges, the proportion of SIMD20 students is even more impressive - 19.6 percent. This underlines the wider social base from which colleges draw their students - and also the key role played by the college route in recruiting SIMD20 students to universities.

The interim targets refer to full-time first-degree students. If only full-time first-degree Scottish domiciled students in universities are considered, the progress has been also more impressive. In the latest year for which figures are available, 2020-21, 16.7 percent of first-year first-degree students are from SIMD20 areas - or 5,515. This represents an increase from 16.4 percent, or 545 students, over the previous year, 2019-20, and 1,540 students over the five-year period. The share of SIMD20 first-year first-degree entrants has increased over the same period from 13.8 to 16.7 percent. By any standards that represents sustained progress towards achieving fair access.

However, as has already been indicated, it is necessary to add a health warning. All these figures apply to 2020-21, in other words, the last not the current academic year. This was also the first year in which admissions to higher education took place against the backdrop of the Covid-19 pandemic, although initial applications had been made in the autumn of 2019 before it had been identified. Because school examinations were replaced by teacher assessed grades in summer 2020 (and again last year) and the number of available places in higher education was increased to take account of the higher grades awarded, year-to-year comparisons are more difficult to make. The same difficulty will also apply when the figures for 2021-22, the second ‘Covid year’, are published early next year.

The most up-to-date figures from UCAS covering the number of applicants for 2022 entry received by the January deadline, a small number of whom of course may defer entry, offer a glimpse into the future. These show an 11-per-cent decrease in the number of SIMD20 applicants - from 8,070 in 2021 to 7,180. It is worth noting these figures include SIMD20 applicants to all UK universities, although the great majority will apply to Scottish institutions, so there is unlikely to be much difference. However, this mirrors the overall decrease in the number of all applicants, which are generally assumed to have been inflated in the case of applicants in 2021 by the impact of Covid-19 (increased uncertainty and fewer jobs). So this is another example of the difficulty of making year-on-year comparisons.

A more hopeful sign is that, if younger applicants (18 and 17 year olds) only are considered, there has been a 7 percent increase in SIMD20 applicants, compared with 2 percent for all applicants. This is the largest increase of all SIMD quintiles. At this stage it is difficult to offer a definitive explanation for this. But one possible reason may be that improved examination outcomes as a result of teacher assessed grades have given young people more confidence to apply. But, if that has been an influential factor, the return of formal examinations - and lower grades? - could then act as a disincentive.

Institutional performance

Six higher education institutions saw reductions in their proportion of SIMD20 undergraduate entrants between 2019-20 and 2020-21 - Aberdeen (9.0 to 7.8 percent), University of the Highlands and Islands (8.3 to 7.5), Dundee (15.9 to 15.8), Napier (14.7 to 12.1), Edinburgh (10.2 to 8.7), Queen Margaret (13.4 to 12.2) and St Andrews (9.6 to 9.3). The remaining 13, including the Open University, all saw increases. Five have proportions of more than 20 percent - University of the West of Scotland (28.3), Glasgow School of Art (24.2), Glasgow Caledonian (22.2), the Royal Conservatoire of Scotland (21.6) and Strathclyde (20.9).

The fact that the institutions which have struggled to recruit SIMD20 students are all in the east of Scotland, and the most successful institutions are all in the west of Scotland may be attributable in part to the distribution of SIMD20 areas. The suitability of SIMD as the

only measure of progress towards fair access is discussed in the next section of this report. However, the significance of year-on-year percentage changes of SIMD20 students should not be exaggerated because the actual numbers are often small and also because the past two Covid-affected years have been exceptional making comparisons with earlier years more difficult.

2. Graduate success: continuation and completion

The most recent figures suggest that any fears that SIMD20 entrants, who may have been admitted with lower Higher grades, are significantly more likely to drop out after their first year continue to be misplaced. Typically their continuation rate is between 3 and 4 percent less than for all students. This gap has remained constant over the past five years. Fair access is not a threat to academic standards.

In 2020-21 90.2 percent of SIMD20 entrants in the previous year continued into the second year, compared with 93.5 percent of all 2019-20 entrants. This is a tribute to the hard work of universities in supporting students from more socially disadvantaged backgrounds - academically, socially and financially. It is important to emphasise that, by international standards, a continuation rate of more than 90 percent is exceptionally high. The lowest continuation rate was at the University of the Highlands and Islands was still 80.3 percent. At Aberdeen and St Andrews it was 95.2 and 95.9 percent respectively. In fact with such high continuation rates it even could be argued that, given the many different reasons why students drop out, greater risks could be taken by institutions in terms of admitting students with lower entry qualifications but with the motivation and potential to succeed.

3. Care experience

The guarantee of places to care-experienced applicants who met minimum entry requirements (MERs), which was made by Universities Scotland in 2019, has had a positive effect on recruitment. Five years ago (2015-16) there were only 445 undergraduates (in both colleges and universities) who came from a care experience background. This was only 0.5 percent of all undergraduates. By 2019-20 this percentage increased more than three times to 1.7 percent, or 1470 students. In the most recent year, 2020-21, it has increased again to 1.9 percent (1,685 students).

4. School attainment and destinations

There is a lively debate about the ‘attainment gap’ in schools. But data on school attainment and the destinations of school leavers are broadly consistent with this pattern of steady progress towards fair(er) access for higher education entrants. The percentage of school leavers with a positive destination increased for all SIMD quintiles in 2020-21. 92.8 percent of SIMD20 leavers had a positive destination compared with 97.6 percent of SIMD80 leavers - a gap of 4.8 percentage points between the most and the least deprived quintiles. Over the last decade there has been a steady rise in the percentage of all school leavers with a positive destination, and also a steady narrowing of the gap between SIMD20 and SIMD80 leavers. Ten years ago only 82.8 percent of SIMD20 leavers had a positive destination, and the gap between them and SIMD80 leavers was more than twice as wide.

There has been a similar improvement in examination outcomes. Over the past decade (2011-12 compared with 2020-21) the proportion of SIMD20 leavers with at least one

SCQF Level 6 pass has increased from 30.2 percent to 49.5 percent. Over the same period the proportion of SIMD80 leavers with the same level of attainment also increased, but more slowly - from 75.2 percent to 83.9 percent. The gap between the two has narrowed from 44.9 percent to 34.4 percent difference.

However, in the case of entry to higher education the gap remains wide. Less than a third of SIMD20 leavers (29.2 percent) went on to higher education, compared with two-thirds (65.1 percent) of SIMD80 leavers - a difference of 35.9 percentage points. In the case of further education the positions were reversed. A third of SIMD20 leavers (33.8 percent) went on further education, compared with only 13 percent of SIMD80 leavers. This alignment between post-school destinations and social class is a reminder of how deeply entrenched inequality of opportunities remain. Despite the progress that has been made, much work remains to be done.

5. Disability

In the latest year for which figures are available (2020-21) 27,700 of the 149,655 UK domiciled first-degree students had a known disability - or 18.5 percent. That was an increase of almost 3,000 over the previous year. In the five years since 2016-17 the number of students with a known disability increased from 19,205 to 27,700. This reflects the greater awareness, and increasing diagnosis, of a wider range of disability - for example, dyslexia. In HESA statistics eight different forms of disability are identified.

However, a different picture emerges when the number of full-time UK domiciled first-degree students in Scottish universities who receive Disabled Students Allowance (DSA) is considered - 6,065, a much lower figure and 4.7 percent of the total, down from the 5.2 percent in the previous year. But this percentage is consistent with the trend. In earlier years the percentage was between 4 and 5 percent. The disparity between the number of students with a known disability and the number receiving DSA suggests that the eligibility criteria for the latter are too narrow, and may no longer reflect our current understanding of disability. It may also reflect patchy take-up even among those who are eligible. Also changes in the administrative arrangements for DSA awards in Scotland may have led to under-reporting, with the Open University in Scotland particularly affected.

No institutional breakdown by institution of all students with a known disability is publicly available. However, there is a breakdown by institution of students receiving DSA. The institutions with the highest percentage of students receiving DSA are Glasgow School of Art (16.1 percent compared with a benchmark of 9.1 percent) and the Royal Conservatoire of Scotland (11.6 percent compared with 9.3 percent). This probably reflects the greater willingness to admit disabled students in the creative and performing arts, which in turn reflects a wider acceptance to recruit disabled entrants to these professions. The institutions with the lowest percentage of students receiving DSA are also in the west of Scotland - The University of the West of Scotland (1.1 percent compared with a benchmark of 7.2 percent), Glasgow Caledonian (2.2 percent compared with a benchmark of 6.6 percent) and Strathclyde (2.9 percent compared with a benchmark of 5.9 percent). The reasons for these outliers are less clear, but probably include subject mix, take-up and even record keeping. Most other institutions cluster round the national average. The reported figure for UWS looks particularly suspect because the university recruits a large number of older students and students from disadvantaged backgrounds.

6. Private and State Schools

The balance of entrants educated in State and private school is a useful proxy for how equitable access to institutions is in terms of social class. The percentage of UK first-degree students in Scottish higher education institutions from State schools is 88.7, which is lower than the UK average (90.2 percent). It is also lower than two years before (2018-19), when the percentage was 89.3 percent. The gap between the Scottish and UK figures has also doubled over the two-year period from 0.7 to 1.5 percent. However, if only Scottish domiciled students are counted, a different picture emerges. Ninety-four percent of first-degree students are from State schools compared with 92 percent among all first-degree students across the UK. The 2-per-cent gap has remained unchanged over the two-year period.

Two universities stand out in terms of the low percentage of all their first-degree students (ie UK not just Scottish domiciled) who were educated in State schools - St Andrews (63.1 percent well adrift of the benchmark of 77.1 percent) and Edinburgh (64.5 percent compared with the benchmark of 80.5 percent). The main, but not only, reason for these outliers with high percentage of private school educated students is that both universities recruit substantial numbers of students from the rest of the United Kingdom, many of whom come from prosperous English families and attended private schools.

At the other end of the range six universities recruit more than 95 percent of their students from State schools - all but one are post-1992 universities. They are University of the West of Scotland (98.9 percent), Queen Margaret University (97 percent), University of the Highlands and Islands (98.4), Glasgow Caledonian (96.9 percent), Abertay (95.6 percent) and, the only pre-1992 university, Stirling (95.3 percent).

7. Socio-economic classification and parental education

The intractability of social class differences in access to higher education is demonstrated by the almost unchanged shares of Scottish domiciled students from particular occupational groups. 51 percent of students still come from the two highest socio-economic classifications - higher and lower managerial and professional occupations - compared with only 21 percent from the two lowest semi-routine and routine occupations. This gap has remained virtually unchanged over the past five years, since the Commission on Widening Access reported, although this takes no account of the changes in the size of different occupational groups.

This impression of immobility, or only glacial change, is reinforced by the data on parental education. The proportion of students whose parents themselves have experienced higher education only fell by a single percentage point over the five-year period between 2016-17 and 2020-21. If the increasing proportion of graduates in the overall population - as a result of past expansion - is taken into account, this slight shift becomes more significant.

8. Ethnicity

The proportion of first-year students from black and other minority ethnic groups is much lower in Scotland than in the UK as a whole. In Scotland nine out of 10 are white (91 percent) compared with one in three (74 percent). In both Scotland and the whole of the UK the next largest group is students of Asian origin - 7 and 14 percent respectively. This is broadly in line with the different proportions of white and other ethnic groups in the total

populations of Scotland and the UK. It underlines the dominance of socio-economic class as the main determinant of unequal access to higher education in Scotland.

Recommendation 1

Although the success of institutions in meeting the 2021 target ahead of schedule might suggest the 2026 target of 18 percent of SIMD20 entrants could either be raised or brought forward (as the Commission on Widening Access had envisaged), this should not be considered before the medium and long-term impact of Covid-19 can be properly assessed.

SIMD and Other Indicators

1. Introduction

From the start there has been a debate about whether progress towards fair access should be measured by an area-based indicator, such as SIMD, or an individual-related indicator, such as Free School Meals (FSMs), or by some combination of the two. I have considered the arguments for and against these different types of indicator in previous reports. But the debate remains far from settled, for reasons considered below.

There are several area-based and individual-related indicators.

- In addition to SIMD, other area-based indicators include POLAR 4, a UK-wide measure which essentially ranks areas in terms of higher education participation; and a new measure of disadvantage based on the lowest level of published census data, which has been developed by HESA (SIMD and the HESA indicator are discussed in greater detail below).

- In addition to FSMs there are also generic individual-based indicators such as socio-economic classification (SEC), which is derived from a classification of occupations; parental education, in effect whether parents are graduates, which is self-reported on UCAS application forms; and whether applicants have attended State or independent schools. There are also more focused indicators such as care experience.

At a national level SIMD has been used because those were the terms in which the First Minister originally set out her ambition - that by 2030 20 percent of (Scottish domiciled) higher education entrants should come from the 20-per-cent most deprived communities in Scotland. In practical terms SIMD is a straightforward measure. It is clear what is being measured, multiple deprivation across a range of fields, including health, housing and employment as well as education. These different forms of deprivation are strongly correlated - ‘intersectional’ in current academic language. So focusing on multiple deprivation makes good policy sense. Reliable data is also available, and SIMD is recalibrated at regular intervals to take account of changes in deprivation.

At an institutional level a range of indicators is used - SIMD, of course, to measure progress against national targets but also care experience; FSMs; attendance at (typically local) schools with low progression rates to higher education with which institutions have links; participation in SFC-funded access initiatives (such as the Schools for Higher Education Programme (SHEP), the Scottish Wider Access programme (SWAP) and the Access to High Demand Professions); participation in bridging programmes and summer schools; and others. Applicants with one or more of these characteristics are given guaranteed places or special consideration, and benefit from the minimum entry requirements now published by every institution at course level. It was never envisaged that institutions would use SIMD as the only measure for measuring progress towards fair access.

Seen in that light there does not need to be a choice between area-based and individual-related indicators. Both can - and are - used. The continuing debate, therefore, is narrower in scope. It boils down to this - should national targets continue to be calibrated solely in terms of SIMD, or should they be revised to include other indicators that relate to individuals (FSMs are most frequently mentioned in this context)? There may also be a second question - should national targets be abandoned, and replaced by targets set by

institutions themselves using the indicators they believe are most relevant (and policed through outcome agreements negotiated with the SFC)? The latter is essentially the approach that has been taken in England initially by the Office for Fair Access (OFFA) and now the Office for Students (OfS) - not necessarily, of course, a reason for it to be rejected.

2. The case against SIMD

There are three main arguments against relying solely on SIMD.

- The first is familiar - the problem of false-positives, applicants who are not themselves deprived but live in SIMD20 areas, and false-negatives, applicants who are deprived but do not live in SIMD20 areas. Understandably more attention has been focused on the second group because the effect of relying on SIMD could be to discriminate against some applicants who are genuinely deprived by rendering them ‘invisible’. In practice, this is less likely to happen because all institutions use a basket of indicators. But it remains a risk.

- The second is that SIMD areas vary widely, not in population size but in geographical extent. In urban areas they identify areas of concentrated multiple deprivation. Outside cities and larger towns, in particular in the Highlands and Islands and the Borders, deprivation is more widely distributed. Rural poverty is no less real than urban poverty because it is harder to identify. Later in this section the north east is considered in more detail, as a case-study.

- The third, and least familiar - but possibly most powerful - reason is that reliance on SIMD as the only measure of progress towards fair access means that national targets have ceased to be stretching for a significant number of institutions. These include nearly all colleges (with regard to their higher education provision), and all ‘post-1992’ universities with the exception of Queen Margaret University and Robert Gordon University. All these institutions meet, or exceed, national benchmarks in terms of SIMD, either because of their geographical location or because they have traditionally recruited from a much wider section of the population, or both. The effect is that national targets are relevant to only a minority of institutions. The rest have a free pass. This effect will intensify as progress is made towards meeting these targets.

Each of these arguments needs to be unpacked in greater detail.

3. False positives and negatives

Every indicator, area-based or individual-related, carries a risk of producing false-positives and false-negatives.

For example, a FSMs indicator has to be based on take-up rather than eligibility, which excludes some disadvantaged young people. Even take-up figures are influenced by different approaches taken by local authorities and record keeping by schools and local authorities. Decisions must also be taken about which FSMs recipients should be included in the indicator. The conclusion reached by the Access Data Group - the work of which sadly has not been progressed - was that anyone who had received FSMs at any stage in their secondary education should be included. Although that minimises the danger of a significant number of false-negatives, there is still a risk of false-positives being included -

in other words, applicants who are no longer deprived but were at an earlier stage in secondary school.

Finally, a FSM indicator treats all those included as if they were equally disadvantaged in terms of access to higher education. But it is well known that FSM recipients in some local authorities have much higher levels of higher education participation than recipients in others. There is an especially stark example in England where FSM recipients in the London Borough of Hackney are twice as likely to participate in higher education as those in Middlesbrough in north-east England. This confirms how much the characteristics of the community in which disadvantaged young people are brought up - and, in particular, levels of aspiration - matter.

However, the main criticism about indicators producing false-positives and false-negatives has been directed at area-based measures such as SIMD. This criticism has had two main elements:

Mismatch between deprived communities and disadvantaged individuals

This is true if SIMD is compared to FSMs. There are more local authorities (18) in which the percentage of S1-6 students receiving FSMs is greater than the percentage in SIMD20 areas, than there are local authorities (13) in which the percentage in SMD20 areas is greater than the percentage receiving FSMs. For example, in Glasgow City 56.2 percent of S1-6 students are in SIMD20 areas but only 34.7 percent are receiving FSMs. In contrast, in Orkney, Shetland and the Western Isles there are no S1-6 students in SIMD20 areas (because there are none in these local authority areas), but 5.5 percent, 7.5 percent and 11.1 percent respectively receiving FSMs. But this prima facie evidence of a serious mismatch between SIMD, an area-based measure, and FSMs, an individual-related measure, is not as conclusive as it appears. Most of Scotland’s population is in the 13 local authorities that include Glasgow, Edinburgh, Dundee and other major urban areas - apart from Aberdeen. It also needs to be borne in mind once again that all FSM recipients are not equally disadvantaged in terms of higher education participation.

Differences between different area-based measures

Comparatively few Scottish students are included in the bottom quintile of POLAR 4, the UK-wide indicator used in England - essentially because Scotland has higher levels of participation in higher education. HESA has recently developed an experimental area-based measure based on the percentage of 16-year-olds and over with below level 4 education and the percentage of 16-74 year-olds in SEC 3-8 categories (essentially non-professional and managerial jobs) at the lowest level of census data - which in Scotland covers between 20 and 78 households. Because this indicator is based on census results which are 10 years old, it clearly cannot be used to replace more dynamic area-based indicators such as SIMD. But the differences between the two indicators are revealing. According to the HESA indicator, 16.5 percent of all students in the bottom quintile are in Glasgow, compared with 30.6 percent in SIMD20. In general 55.9 percent of SIMD20 students are in large urban areas, compared with only 33.8 percent in the bottom quintile of the HESA indicator. According to the latter indicator deprivation is more widely distributed, with students from smaller towns and rural areas featuring more prominently than in SIMD.

4. SIMD's big-city bias

This bias of SIMD to big cities is relatively easy to explain. As the intention of SIMD is to measure multiple deprivation in communities, it has seven different components, of which educational disadvantage is only one. Such deprivation is concentrated in large urban areas, although the individual components are more widely distributed. In contrast the HESA indicator has only two components - level of education and job types. The wider mesh of SIMD allows more areas to be identified as deprived. POLAR 4, of course, has only one component - participation in higher education. In other words, these different results reflect different methodologies.

Currently, of course, SIMD is the only indicator used to measure progress towards meeting the Government's targets on fair access - both the 2021 and 2026 interim targets and the 2030 final target at a whole-system level; and the target of at least 10 percent SIMD20 entrants for institutions. Although it has always been accepted that SIMD student shares would vary significantly between institutions, the 10-per-cent 'floor' that all institutions are expected to meet draws attention to those institutions that fail to meet it - even though no direct penalties are attached to failure.

The fact that the two universities have found it most difficult to recruit 10 percent of their students from SIMD are both in the north east - the University of Aberdeen and Robert Gordon University (and also that they are contrasting types of institution, an 'ancient' and a 'post-1992' university) has led to the conclusion that the problem lies with the measure being used, SIMD. This is reinforced by the fact that North East Scotland College with an impressive commitment to, and well developed policies on, reaching out to disadvantaged students, also has a low percentage of SIMD20 students, by college standards.

Two variables are important - the absolute number of SIMD20 students in schools in the region in which a higher education institution is located, which is determined by the number of SIMD20 areas in that region; and the proportion of local students that the institution recruits. Aberdeen and Robert Gordon are disadvantaged on both counts. The number of S1-6 SIMD20 students in Aberdeen and Aberdeenshire is low - 11.7 percent and 8.6 percent respectively. The numbers in adjacent local authority areas such as Angus or Moray are also low. As a result, both universities are over-dependent on recruiting SIMD20 students from other parts of Scotland, in practice the central belt. To some extent that has gone against their tradition as local recruiters.

As long as SIMD is the only measure of progress towards fair access this outcome is inevitable, because the majority of SIMD20 areas are in greater Glasgow, Edinburgh and Dundee. Also SIMD20 students are less willing to move far away from their homes to study than students from middle-class homes. As a result the two universities in Aberdeen are put under pressure to recruit SIMD20 students outside their region, which universities in other cities are not under. For example, Robert Gordon has a target of recruiting 240 SIMD20 students but expects only 50 to come from within its region. In contrast, universities in the west of Scotland are able to recruit the majority of their SIMD20 students locally. For example, the University of Glasgow is able to recruit more than 80 percent of its SIMD20 students locally.

This out-of-region recruitment is expensive - in terms of the direct cost of recruitment, guaranteed accommodation and additional support. It is also not necessarily in the best interests of students who may be better off studying closer to home. There is a wider argument that encouraging talented individuals to leave behind the deprived communities

where they were brought up, which is one likely result of not studying locally, has the effect of further impoverishing these communities.

Would including FSMs alongside SIMD as a measure of institutional (not necessarily national) progress help? The answer must be that it would, but not decisively. In both Aberdeen and Aberdeenshire the number of S1-6 students on FSMs is below the national average of 17 percent. According to a calculation made by Robert Gordon University, the actual numbers were 312 and 325 respectively in 2020. Both SIMD20 and FSM students are in short supply. As a result the University believes that including FSMs would produce only a limited change. However, even if the absolute number of FSM recipients is modest, the number of schools with which universities worked would be increased by including FSMs alongside SIMD, potentially raising levels of aspiration and attainment as well as producing a bigger supply of potentially disadvantaged applicants. The University of Aberdeen believes that it would double the number of schools with which it engages.

5. Does SIMD give some institutions a free pass?

The third argument against relying exclusively on SIMD is that it gives most institutions a 'free pass' because all except five have already met the 10-per-cent target. The rest have met the 10-per-cent target, although five more are still below the 16-per-cent interim national target for 2021. Two more have already exceeded that target but still fall below the next interim national target of 18 percent in 2026. The remaining five have even met or exceeded the 20-per-cent final national target in 2030. The universities that fall into the various categories are listed in the table below

Institutional target		**Interim national target (2021)**	**Interim national target (2026)**	**Final national target (2030)**
Below 10%	Below 15%	Below 16%	Below 18%	20% or more
Aberdeen Robert Gordon Edinburgh UHI St Andrews	Napier Heriot-Watt QMU Rural College Stirling	Dundee Glasgow	Abertay OU	GCU GSA RCS Strathclyde UWS

This table highlights that for many institutions the 10-per-cent target has ceased to exert any direct pressure. Of course, this does not necessarily mean their commitment to fair access has been reduced. Despite having exceeded the 10-per-cent target for individual institutions, they continue to work hard to contribute to meeting the national targets, interim and final. However, as the table shows, some have more to do than others. The pressure imposed on institutions by targets varies accordingly. In one sense that does not matter. It is safe to assume that universities which already recruit a high proportion of SIMD20 entrants are strongly committed to wider access because they have always recruited significant numbers of disadvantaged students. Also all higher education institutions have set out their ambitions for fair access in their outcome agreements with the SFC. But these are individualised ambitions, alongside a range of other ambitions (for example, on research performance), which by their nature are not directly enforceable.

However, it does call into question the usefulness of retaining the institutional target at its current 10-per-cent level. There are three options:

- To abandon the institutional target completely and rely solely on national targets to drive forward progress on fair access.

- To increase the institutional target, which was envisaged by the Commission on Widening Access. But even a 15-per-cent target would still exclude the majority of universities, while further detracting from the credibility of SIMD as a measure of disadvantage at the institutional level.

- To recalibrate the institutional target - either by adding in an individual based measure such as FSMs, or by relying on the ambitions set out by institutions in their outcome agreements to monitor progress.

6. Conclusions

Despite misgivings about SIMD no indicator is entirely satisfactory as a measure of disadvantage. But some indicator, or basket of indicators, is needed if targets are to be used to drive forward progress towards desirable public policy goals (and there is no serious dissent from the belief that fair access to higher education is a public policy goal).

The choice between available indicators is not simply a technical one. It is also a political, and conceptual, one.

- For example, the technical effect of replacing SIMD with FSMs, or producing a composite SIMD-FSMs measure, as the main indicator of progress towards fair access would make it (a little) easier for Aberdeen and Robert Gordon to meet their targets but conversely would make it more difficult for universities like Glasgow and Strathclyde. Would such a rebalancing be in the interests of fair access to higher education in the light of past institutional commitment? Another practical effect could be to allow all institutions to meet their targets more easily. Again, in the wake of the disruption produced by Covid and the light of future reductions in family income, and the challenge of meeting the 2026 and 2030 targets, is this the time to ease the pressure?

- But replacing SIMD with FSMs, or even producing a composite measure, would also have a wider conceptual effect by tending to confirm the view that the aim of fair access was to provide greater opportunities for talented, but disadvantaged, applicants to go on to higher education, with universities being required to make only those adjustments necessary to ease their path. There is an alternative view - to see fair access to higher education as one element in wider strategies to address multiple forms of deprivation that are deeply entrenched, community-rooted and multi-generational.

However, the credibility of SIMD has been sufficiently questioned to make it difficult to retain it as the only official measure of progress towards fair access. The best course, therefore, is a middle one, in effect a twin-track approach - to maintain national targets expressed in terms of SIMD but allow greater flexibility in the indicators of institutional progress. This would mean that single-measure institutional targets would be abandoned because they no longer serve any useful purpose. Instead the SFC would be expected to negotiate fair access targets with institutions as part of the negotiation of outcome agreements, which would be both stretching and enforceable. This would formalise the different approaches already taken at national and institutional level, the former focusing on a single measure and the latter using a range of indicators. To ensure transparency the SFC could be required to publish an annual red-amber-green scorecard indicating its assessment of the progress made by institutions against their agreed targets.

Recommendation 2

National targets on fair access should continue to be defined in terms of SIMD. But institutional SIMD targets are no longer fit-for-purpose. Instead institutions should be able to use their own basket of measures to determine their own targets. But these new targets should be strictly policed by the SFC through outcome agreements.

Lessons From Elsewhere

Over the past five years Scotland has set the pace with regard to fair access across the UK. Its success is due to a number of factors - political leadership (the personal commitment of the First Minister but also cross-party support), a clear framework for implementation (even if the focus on SIMD has been controversial - see above), strong commitment at institutional and sectoral level and the impressive capacity and resilience of access and participation practitioners. Its success also reflects strongly held beliefs about the distinctiveness of Scottish education, its more popular orientation than perhaps in other UK nations and its special place in the nation's history.

However, there are always important lessons - positive and negative - to be learnt from elsewhere in the UK. This section of my report considers recent developments in Wales and England that are relevant to the future development of policy on fair access.

1. Wales

Higher education in Wales is provided by 8 universities - four 'pre-1992' universities with Royal Charters, and four 'post-1992' universities - and higher education courses are also offered in further education colleges. There were 145,000 higher education students in 2020-21. Unlike Scotland there are substantial cross-border flows of students between Wales and England, with 46,000 English domiciled students studying in Wales and 33,000 Welsh domiciled students studying in England.

At present higher education is funded through the Higher Education Funding Council for Wales (HEFCW) on a similar pattern to the SFC with outcome agreements. However, the main instrument for promoting access is institutional access and opportunity plans for HEFCW, which are separate from outcome agreements and are modelled on the access and participation plans that are required in England.

All this is about to change. HEFCW will be replaced by a Commission for Tertiary Education and Research (CTER), which will be responsible not only for higher education but for further education, adult community education and even school sixth forms (approximately the equivalent of the senior phase in Scottish secondary education), which previously had been funded by the Welsh Government. In all, the new CTER will cover 300,000 students and learners, and have a budget second only to the NHS in Wales. A Bill is currently before the Senedd (Parliament), and the CTER is expected to be fully operational by 2023-24.

The key features of the Welsh reform that are relevant to fair access are:

1. The Welsh Government has developed an overarching vision for all tertiary education and training in Wales. This vision, supported by the establishment of the CTER, will make it possible to develop a properly coordinated system of post-school education with multiple entry points and flexible progression pathways.

2. The CTER will have responsibilities for all forms of post-school education. Its scope will be significantly wider than that of the SFC, the remit of which is confined to higher education institutions and colleges (and which has maintained, in effect, two separate governance and funding regimes for higher and further education).

3. The existing access and opportunity plans drawn up by institutions, which have widely been regarded as both cumbersome and ineffective, will be scrapped. Instead ‘a more strategic outcomes focused approach’ will be taken, with the existing plans rolled up into one of the eight strategic duties the CTER has been given by the Welsh Government, that for ensuring equality of opportunity more generally.

Each of these features of the Welsh reforms has potential lessons for Scotland. First, the ambition behind the Learner Journey 16-24 initiative, which so far has produced few tangible results, should be revived. I have argued strongly for the development of a coordinated and articulated tertiary education system such as has been set out in the Welsh Government’s vision. Such a system could remove barriers between different types of students and encourage closer collaboration between institutions, with obvious benefits for fair access.

Second, the SFC should make more of its responsibility for both higher and further education even if its remit is narrower than that of the CTER, by developing convergent funding models and putting opportunities for students’ progression at the heart of its strategy. Finally, the Welsh experience of folding specific access plans into wider strategic ambitions, at both institutional and funding council levels, could help in any attempt to allow institutions to set more customised access targets, no longer calibrated exclusively in terms of SIMD.

2. England

The English approach to fair access is rooted in a quid-pro-quo compromise between charging (higher) tuition fees and safeguarding access. In 2005 the UK Government increased tuition fees from £1,000 to £3,000 but also established the Office for Fair Access (OFFA) to police access and participation plans which institutions were required to submit. Unless these plans were approved institutions would be unable to charge higher fees. The detailed arrangements have changed - fees have been tripled again, OFFA has now been incorporated into the Office for Students which is now the regulator of English higher education, and growing numbers of ‘alternative providers’ (private - often for-profit - colleges) have been approved. But the essential deal between fees and access has remained.

Access and participation plans in England typically included details of access activities, initiatives and targets - school links, outreach activities, access courses, summer schools, bridging programmes, contextual admissions, guaranteed places and indicative targets. Although OFFA / OfS offered broad guidance, institutions were generally free to set their own priorities.

Now, prompted by UK Ministers, OfS with a new Director for Access and Participation (with a background in school academies), has made far-reaching changes to its approach to access. A much more prescriptive approach has been adopted which requires institutions to address just four priorities:

- Priority A: Make access and participation plans more accessible in a way that prospective and current students, their parents and other stakeholders can easily understand.

- Priority B: Develop, enhance and expand their partnerships with schools and other local and national organisations, to help raise the pre-16 attainment of young people from underrepresented groups across England.

- Priority C: Set out how access to higher education for students from underrepresented groups leads to successful participation on high quality courses and good graduate outcomes.

- Priority D: Seek to develop more diverse pathways into and through higher education through expansion of flexible Level 4 and 5 courses and degree apprenticeships.

The last three priorities reflect the political priorities of the current UK Government. First, making adjustments in entry requirements to reflect disadvantage - which is the purpose of minimum entry requirements in Scotland - and making significant use of contextual admissions are treated with skepticism. Consequently English institutions are being discouraged from going far down that road. Instead they are being encouraged to focus their access policies on raising attainment among disadvantaged young people in schools. Universities are not expected to modify their admissions policies but to focus instead on helping to address under-achievement in schools. Second, a much stronger emphasis is now being placed on success in the labour market, while ignoring the social class based biases that shape entry to key parts of that market. This reflects the belief of UK Ministers that disadvantaged students are at risk of being channeled into 'low quality' courses with poor outcomes in terms of good / 'graduate' jobs. Finally the new English approach emphasises alternative pathways to academic degrees.

Unlike the example of Wales, there seem to be few lessons for Scotland in this new English approach to fair access. While working with schools and helping to raise attainment levels are clearly elements in a balanced approach to fair access, universities are not always best placed to take the lead. Indeed it can be argued that the over-involvement of universities in secondary education, especially for disadvantaged students, could have the effect of privileging academic success focused on university entry. There are also other important elements in a balanced access package, including contextual admissions (and also self-critical reflection by universities on the continuing relevance of traditional entry requirements). Successful continuation and completion are also key to the success of fair access. But to define success too narrowly in terms of well-paid professional jobs is too reductionist, downgrading other forms of employment in less well paid (but maybe more valuable) professions and the other social and cultural benefits that are equally important outcomes of a successful higher education. Alternatives to full-time higher education are also important. But these other pathways are most likely to flourish within a properly comprehensive system of tertiary education and training such as is being developed in Wales, rather than in the hierarchical system that has emerged in England

Recommendation 3

In taking forward the SFC sustainability review, and in future considerations of the structure of Scottish Government agencies and their responsibilities, attention should be paid to the current work of the Welsh Government in promoting an integrated system of tertiary education embracing higher education (and university research), further education, on-the-job training and community adult education.

Other Issues

1. Student numbers and ‘displacement’

There has been a persistent and nagging concern that SIMD20 applicants may ‘displace’ better qualified applicants from other SIMD quintiles. In particular, the fear is that applicants in the middle quintiles will be squeezed between SIMD80 applicants, with the qualifications and connections that effectively guarantee them university places, and SIMD20 applicants, who are the focus of fair access efforts. In the past two or three years that concern has tended to abate. But there is always the potential that it could flare up again.

In earlier annual reports I have discussed the extent to which such ‘displacement’ has taken place, if at all. However, whatever the evidence, the fear of ‘displacement’ tends to undermine the case for fair access. For that reason the overall number of funded places in higher education institutions is a relevant factor. More places and consequently reduced competition for university entry means fear of ‘displacement’ eases; fewer places and increased competition tend to heighten that fear.

The SFC is always faced with a difficult trade-off between maintaining or increasing funded places and protecting funding per student. In its allocation of funding for 2022-23 it has increased overall funds for teaching by 2 percent, less than the general rate of inflation and specific increases in university costs. But this cash increase is in line with the SFC’s allocation from the Government. It is not within my remit as Commissioner for Fair Access to comment on the overall adequacy of funding for higher education in Scotland, only to consider the consequences of funding and funded places for fair access. Three points are relevant here.

- In 2020-21 additional funding for 1,287 students in 2020-21 and for a further 2,500 in 2021-22 was provided to reflect the greater number of qualified applicants as a result of the replacement of formal examinations by teacher assessed grades. This funding has been continued, in the sense that these students will continue to be funded during their third and second years respectively. If that later-years funding had not been continued, there would have had to be a matching reduction in first-year places. It is therefore welcome.

- However, the overall number of funded places has been cut - from 123,225 in 2021-22 to 121,797 in 2022-23. Currently overall applications for 2022 entry are lower than for 2021 entry, but SIMD20 applications have increased. So it is possible the lower cap on funded places could lead to greater competition - which could reactivate fears about ‘displacement’. Demand for higher education is especially difficult to predict against the background of continuing post-Covid uncertainties, particularly with regard to school-leaver and graduate jobs.

- Finally the Widening Access and Retention Fund has been frozen at £15.6 million, which is an effective cut. Although only eight higher education institutions receive allocations from this fund, it has played a significant role in promoting fair access (and success). This disappointment is balanced to some extent by the allocation of £1.6 million to universities to address ‘digital poverty’ (out of a total of £5 million provided to colleges and universities by the Government).

The impact of limited continuing funding for the additional places provided in 2020-21 and 2021-22, the slight reduction in overall funded places and the freezing of the Widening Access and Retention Fund on efforts to promote fair access is difficult to assess. But it would be unfortunate if fear of 'displacement' were to be reignited.

Recommendation 4

The Scottish Government should commit to providing an adequate number of (fully) funded places in higher education to reduce the possibility that progress towards fair access for the most deprived students might increase competition for places among other social groups.

2. Scottish Framework for Fair Access

One of the key recommendations of the Commission on Widening Access was that a Framework for Fair Access should be established to encourage more rigorous evaluation of access initiatives and to spread good practice. The Framework was established in 2019 with two elements, or pillars - to create a web-based toolkit that would identify access initiatives, group them under broad themes and summarise the available evidence about their effectiveness; and to support the creation of a network of access and participation practitioners in colleges and universities, the Scottish Community of Access and Participation Practitioners (SCAPP).

Thanks to the Commission on Widening Access, Scotland was early in recognising the importance of evaluation. The Government itself underlined this importance by highlighting the Commission's recommendation to establish the Framework for Fair Access as a 'foundational' recommendation. The emphasis on the importance of evaluation has now been taken up by the Office for Students in England in its new approach to access. Despite being established only a year before the outbreak of the Covid pandemic, the Framework has been successful. SCAPP has been particularly successful in building networks among practitioners and supporting access events.

However, the Framework has had to exist on hand-to-mouth funding provided by the SFC. Regular bids have had to be made to the SFC for project funding, although the purpose of such funding is not to provide permanent support but to pump-prime new initiatives. There has been a failure to agree on the best model for future funding - a direct grant by the Government (perhaps through the Commissioner for Fair Access, although currently the Commissioner has no budget); SFC funding (which would be difficult to justify on a semi-permanent basis); or institutional subscriptions, whether voluntary or as a condition of grant (although the basis for calculating such subscriptions would be difficult).

However, the absence of sustainable funding has made it difficult in particular to develop the web-based toolkit. In my previous two annual reports I have recommended that the Framework should be established on a sustainable basis. Sadly no action has been taken. I am repeating that recommendation in this report.

Recommendation 5

Sustainable funding should be provided for the Scottish Framework for Fair Access, to enable development of the web-based toolkit on good practice and to strengthen the community of access and participation practitioners.

3. The continuing impact of Covid

Post-Covid has the potential to present as many challenges to fair access as Covid. The desire both to return to ‘normal’ and to learn some of the, possibly misleading, lessons of the past three years poses significant risks:

- First, of the four ‘harms’ identified by the Government and used as the framework for the discussions of the Covid Recovery Group, the third - social ‘harms’, which includes higher and further education - is the most difficult to quantify but potentially the most serious. There may be a temptation to focus on mitigating the other ‘harms’ - broadly, the direct health effects of Covid; the indirect health effects; and the impact on the economy - because they may appear easier to address. Efforts to mitigate social ‘harms’ could receive lower priority as a result.

- Next, what can be termed the moral momentum created by the harsh light that Covid shone on inequalities in education may be dissipated. The ‘return to normal’ could lead to greater acceptance of these inequalities just when renewed effort is required to tackle them.

- Third, more practically, the exceptional support provided by the Government to mitigate the worse effects of Covid - for example, extra funding to tackle digital poverty and financial hardship - may be difficult to maintain. The scaling back of equivalent support in England by the UK Government will have a negative impact on the financial resources available to the Scottish Government in the so-called ‘Barnet consequentials’. The Government itself will also have other urgent expenditure priorities as the cost-of-living crisis follows hard on the heels of Covid.

- Fourth, the apparent ease with which colleges and universities, greatly to their credit, were able to pivot to online learning may lead some to conclude that because of the greater flexibility, accessibility and (above all) efficiency of online provision it should play a much greater part in the delivery of further and higher education in the future. But, before that becomes accepted with uncritical enthusiasm, two points need to be considered. First, the pivot from face-to-face teaching to online learning relied on a ‘Dunkirk spirit’ on the part of academic staff - for which a price has had to be paid in terms of excessive workloads, mental stress and burnout (and also possibly more detailed impacts such as a loss of research momentum for more junior university staff). Second, there is evidence that face-to-face contact is particularly important for disadvantaged applicants and students - in terms of successful outreach, campus engagement and student experience.

- Finally, although the data for the first Covid affected year, 2020-21, is encouraging (as an earlier section in this report on the access scorecard has shown), there could still be deeper scarring in the medium and long term. Although institutions on the whole have been successful in maintaining, and even improving on, levels of recruitment of SIMD20 entrants, most of these entrants were already on a trajectory to higher education entry. Significant numbers of students in the latter years of primary education and early and middle years of secondary education may never get on that trajectory as a result of missed schooling, misguided subject choices and inadequate online learning.

4. Articulation

Smoother articulation from HNs to degree courses is crucial for fair access. Getting on for half of SIMD20 entrants to full-time first-degree courses (40.9) come via the college route. Most have successfully completed an HNC or HND course. Yet they continue to encounter difficulties in being given proper credit for what they have achieved.

The SFC has set a target of 75 percent of HN students entering degree programmes being given advanced standing. Universities Scotland and Colleges Scotland established a National Articulation Forum which produced its final report in 2020. Yet very limited progress has been made. Over the last seven years, the proportion of HN students entering first-degree programmes has only increased from 55.7 to 60.5 percent - on the wider measure, which counts anyone who has an HN qualification however long ago. On the main (and more realistic) measure, which only counts HN qualifications gained in the previous three years, the percentages are 53.5 to 58.3.

Even this, far from impressive, percentage disguises the widespread reluctance to give HN students advanced standing. Of those who do get some credit for their qualifications the great majority receives only partial credit - ‘advanced progression’ in official terminology. The number given full credit, ie entry into the third year of a degree course for an entrant with an HND, has actually fallen - from 805 (2014-15) to 605 (2020-21) according to the main measure. In some subject areas there is, in effect, no allowance for HN students’ prior study. Students in just four subjects - business and management, computing, engineering and technology and social sciences - make up more the half of all HN students given any form of advanced standing.

There are, of course, good reasons why some students should only receive partial credit. These include poor fit between their HN and degree courses, and students themselves may lack confidence. But there are no good reasons for granting HN students no credit and, in effect, requiring them to start from the beginning like school leavers. Not only does this disadvantage them by prolonging their period in higher education, and even acting as a disincentive to undertake a degree programme; but it represents a potential waste of public resources that could more usefully be spent on funding extra student places.

It is becoming clear that relying wholly on the voluntary action of institutions, individually or collectively, will not be enough to bring about the step-change in attitudes to articulation that is needed. This is not simply a question of articulation between HNs and degrees, important as that is for achieving fair access. Smooth articulation between modern and degree apprenticeships, and other novel qualifications likely to come on stream in the coming years, and traditional courses is essential to build the kind of comprehensive, integrated and multi-pathway tertiary education system that Scotland needs (and which the Welsh Government is attempting to foster in Wales).

> Recommendation 6
>
> The Scottish Funding Council should take more decisive action to enforce its 75-per-cent target for HN students moving to degree courses to receive advanced standing, and to set student number targets for the recruitment of HN (and other articulating) students, in its negotiation of outcome agreements with universities.

5. School reforms

School reform matters for fair access to higher education. A key element in policy for fair access has been the debate about school attainment. Is the attainment gap between students, and schools, getting wider or narrower? The answer to that question has never been fully resolved, mainly because of statistical ambiguities. But these ambiguities have not prevented critics asserting that the gap has been widening and more generally standards in schools have been slipping, a powerful (and damaging) critique given the significance attached to education in Scotland's historical imagination and current political conversation.

However, whatever has happened to the gap, it is clear that attainment levels are typically lower among students from more socially deprived backgrounds and in schools in more disadvantaged communities. The second question, then, is what policies universities should adopt in response to these lower levels of attainment in order to promote fair access. Should they focus on initiatives designed to raise these levels (now the predominant focus in England), through outreach activities or make reasonable adjustments to their entry standards, either by setting minimum entry requirements or developing alternative pathways through access courses, bridging courses and summer schools? In practice, of course, they have done both.

The Curriculum for Excellence (CfE), first introduced in 2004 -almost two decades ago - divided secondary education into a junior, more generalist, phase and a senior, and more specialist phase and introduced a greater emphasis on the acquisition of skills. But from the start the CfE has been controversial. The fit between the new curriculum and qualifications and assessment has never been entirely clear, and this uneasy fit may be one reason for the presence of the attainment gap. Formal examinations continued to be favoured, until the enforced experiment in teacher assessment grades over the past two years (which the Scottish Qualification Authority attempted to make as much like examinations as possible). Critics, many in universities, also questioned the emphasis on skills at the expense, as they saw it, of subject knowledge.

Over the past year two important reports on schools in Scotland have been published. The first was the OECD report *Scotland's Curriculum for Excellence: Into the Future* published in June 2021. The conclusion of that report can be summarised as broad endorsement - but could do better. The second report, commissioned by the Government in the wake of the OECD report, was Putting Learners at the Centre: Towards a Future Vision for Scottish Education, written by Professor Kenneth Muir from the University of the West of Scotland (and the Government's independent adviser on school reform), published in March 2022. This report had a broader remit. Many of its recommendations are concerned with reforming the architecture of the schools system - abolishing the SQA and handing its awarding functions to a new body, Qualifications Scotland, and its accrediting and regulatory functions to a new national agency for Scottish education, which would also absorb the Scottish Credit and Qualifications Framework (SCQF); and establishing a new inspectorate body that would absorb the inspection work of Education Scotland. However, the Muir report also rehearsed the argument that the schools system was influenced too much by the SQA's 'high stakes' examinations.

For universities, and for fair access, these debates about school reforms matter - first, because any narrowing of the attainment gap as a result of an improved fit between curriculum and assessment would make it easier to achieve fair access (particularly on the part of more selective universities); secondly, because for many degree programmes adequate subject knowledge remains essential, despite the emphasis on skills, although university entry is not the highest goal of secondary education which has much wider

purposes; and, finally, because grades, whether achieved in formal examinations or through continuous assessment, remain the currency in which university entry is denominated (again, especially in more selective universities), even when those grades are mitigated through MERs or complemented by other pathways.

Conclusion

The progress towards fair(er) access to higher education since the report of the Commission on Widening Access has been both impressive and sustained. Although the effects of medium and longer-term scarring as a result of Covid have yet to reveal themselves fully, it is reasonable to expect the momentum generated during the past six years to roll forward.

Of greater concern, perhaps, is the squeeze on incomes as a result of inflation, geopolitical turbulence (especially, but not exclusively the invasion of Ukraine) and post-Brexit drag on economic performance. There is a risk that this cost-of-living crisis will take over from Covid, in its disproportionate effect on disadvantaged individuals and deprived communities. But, once again, fair access has been so strongly lodged in the priorities of higher education institutions that is difficult to imagine it being dislodged.

So, grounds for hope and optimism.

However, despite the progress made towards making access to higher education fairer, the goal of fair access is very far from being achieved. To be direct, access to post-school education remains deeply unfair. For SIMD20 school leavers, going on to higher education remains a minority experience; fewer than a third go to university. For the least disadvantaged school leavers, those living in SIMD80 areas, participation in higher education is a majority experience; two-thirds take that route. Even if the measure of disadvantage were take-up of FSMs rather than SIMD, that pattern of inequality would be unlikely to change substantially. In the case of further education, the proportions are reversed. The proportion of SIMD20 school leavers going to college is more than twice the proportion of SIMD80 leavers. Scotland's class structure is etched in these different post-school destinations.

So grounds for pessimism.

The cautious optimism, therefore, that the impressive progress towards fairer access can and will be sustained, despite Covid and despite the cost-of-living crisis, must be seen in the wider context of deeply entrenched inequalities in society. In the context of racism, the word would not be ‘entrenched’ but ‘institutional’. The challenge is to make sense of these apparently contradictory conclusions - optimism arising from the satisfaction that so much has been achieved, and pessimism arising from the fear that the educational disadvantage rooted in intractable social inequalities will be almost impossible to root out.

If the key task of fair access is just to make it easier for potentially motivated and talented individuals from disadvantaged backgrounds to participate in higher education, with universities pursuing outreach activities to identify these individuals, encouraging applications from them, providing academic and pastoral support and making limited adjustments in their own entry requirements, fair access is working. Seen in this light, universities have been successful in moving the dial on access, as has been demonstrated in their ability to meet national and institutional targets.

Clearly enabling success on the part of individuals is a condition of working towards fairer access to higher education. But is it a sufficient condition - in other words, is that all fair access amounts to? - or is it a necessary condition - in other words, one element within a wider campaign for social justice?

My conclusion based on five years as Commissioner for Fair Access is that, if fair access is ever to be substantially achieved (which is perhaps more than hitting even the ambitious 20 percent target set by the First Minister), is that enabling individual success is a necessary but not a completely sufficient condition. It cannot be the end of the story - for two reasons.

- First, this limited view of the scope of fair access is based on a deficit model - and the deficiencies are largely those of potential applicants from disadvantaged backgrounds. These deficiencies are academic (lower levels of attainment) and financial (family poverty) but also social and cultural (limited aspirations and lack of insights into the potential of a university education). In contrast, any deficiencies on the part of institutions are limited. Universities are unwilling and unable significantly to adjust their expectations of students in terms of necessary skills and prior subject knowledge, without compromising academic standards. They are also reluctant, for good and understandable reasons, to dilute the wider experience of being a student, despite lurking concern that this experience may embody cultural assumptions that could be described as ‘middle class’. For these reasons, it is the disadvantaged students who must be budged. Universities themselves need not do much budging.

- Second, fair access to higher education is closely linked to the idea of social mobility. But, in a society that over the past generation has been becoming more - not less - unequal, social mobility operates within strict limits. An important goal of higher education is to educate young people to fill professional jobs. That is close to being defined as the only goal of higher education by the Office for Students in England in its new approach to access and participation. But, whether the focus is narrowly on professional jobs or more broadly on ‘social mobility’, the effects are similar. Institutions produce graduates who will occupy the top two categories in the socio-economic classification of occupations, the professional and managerial classes. In the case of socially disadvantaged students that often means they are distanced from the deprived communities in which they are brought up, potentially entrenching that deprivation even more deeply among those left behind. In contrast, further education fulfils a different role. Colleges are in and of their communities.

These are arguments for academic discussion and political debate. They need to be refined in terms of different levels of course, subject and type of institution. But in the context of the policy and practice of fair access, these arguments suggest that a limited view of what needs to be done, focused almost entirely on recruiting more individuals from disadvantaged groups (however they are defined - SIMD or some other measure) into universities by addressing (and possibly making modest allowance for) their individual deficiencies, will always struggle to produce truly fair access to higher education. As Commissioner for Fair Access, I have been asked to take a ‘whole system’ approach to fair access, looking back into schools and forward to employment. Perhaps something wider still is needed, a ‘whole society’ approach, recognising the need to address the mutually reinforcing elements of deprivation rather than supposing that narrower educational interventions alone can overcome that compelling logic.

This publication is available at **www.gov.scot**

Any enquiries regarding this publication should be sent to us at

The Scottish Government
St Andrew's House
Edinburgh
EH1 3DG

ISBN: 978-1-80435-482-7 (web only)

Published by The Scottish Government, May 2022

Produced for The Scottish Government by APS Group Scotland, 21 Tennant Street, Edinburgh EH6 5NA
PPDAS1081242 (05/22)