

Commissioner for Fair Access  
Professor Sir Peter Scott

Address to the UCAS Scottish  
Standing Committee

*Fair Access to Higher Education in  
Scotland: Challenges and  
Opportunities*

University of Aberdeen

9 May 2017

Thank you very much for inviting me to speak to you today - although I am sure I have much more to learn from you than you have to learn from me. I have only been Commissioner for Fair Access since January, and it is also a new - and untested - role. So I am still finding my feet and how I can be most effective and most help (and I am aware there are lots of stakeholders, often with different and maybe even conflicting interests). Appointing Commissioners is a growth industry - here in Scotland across the UK (and the world). In the media they are always called Tsars (which, if that label suggests absolute power, gives a very misleading impression in my case...). One day someone will come up with explanations for this 21st-century growth industry - I suspect it has something to do with the importance of media impact (or even 'spin'), something to do with 'out-sourcing' of activities that would once have been the responsibility of the traditional civil service, something to do with the pervasive 'performance' / 'delivery' agendas. Anyway I feel a bit like a guinea pig.

Today I thought the most useful thing I could do is to talk about three things:

First, just a few words about how I have approached my new role so far;

Secondly, to spend a bit of time on the 'big issues' - some of which, of course, are very political like 'free' higher education and the dangers of 'displacement';

Thirdly and finally, to focus on more specific issues such as the uses (and abuses) of targets, contextualised admissions (and access thresholds), articulation and access and outreach activities and bridging programmes, and targets.

The role of Commissioner, as I have said, is a strange one. I have no regulatory powers - thank goodness. My only formal responsibility is to produce an annual report - addressed mainly to the Scottish Government which appointed me, but also to the Funding Council and universities, colleges and schools and, indeed, national agencies (including, of course, UCAS). Fair access is very much a multi-agency issue. Of course, the appointment of a Commissioner was recommended in last year's final report of the Commission on Widening Access - with the intention of reviewing progress against the targets it had set (and adopted by the Government) but also, I suspect, of continuing to agitate for the wider 'cause' of fair access. So, in part, I see my role as that of a reasonably well-informed and reasonably responsible 'agitator'.

What have I been doing? A lot of my time so far has been spent familiarising myself with higher education in Scotland. Because of my background I have always been reasonably familiar with the universities, less so with the colleges (which, of course, occupy a different niche to colleges in England). And, although I have always been deeply committed to widening participation and fair access (the university I headed in London was very much a widening-participation institution, for principled as well as practical reasons, and as a member of the board of the English Higher Education Funding Council I chaired its equivalent of the Access and Social Inclusion Committee here in Scotland), I have also been thinking hard about what 'fair access' means today. I believe it is always very important not to get fixed in one's thinking. So invitations to events like this are invaluable to me. They help me try out my ideas - and, more important, allow you to put me right!

I also believe it is important that the Commissioner has some kind of 'presence'. Unlike Donald Trump I have decided against 'shouting' via a Twitter account.... Instead we will be publishing a series of briefings on the Commissioner website bringing together what we

know on key issues relating to fair access, in as accessible and as objective a form as possible, along with a short commentary by me highlighting key gaps, issues, choices. The aim is to fill the wide gap between, on the one hand, detailed research reports - which sadly are only read by experts - and, on the other, highly politicised discourses often based on prejudice, misconceptions and unexamined 'givens'. The first two briefings will be published before the summer - the first setting out data on the sequence of applications, offers, acceptances and admissions by SIMD quintile and also by institutional groupings; and the second on contextualised admissions. At least two more are planned for the autumn.

I have a few other plans, such as ensuring that progress is made towards a framework for fair access (much more as a guide to good practice than a prescriptive template). But I see my role as Commissioner as, first, someone who helps to highlight data in as accessible form as possible (there is an urgent need for evidence-based policy in this age of 'alternative facts'); second, as someone who focuses on key issues where we can make a difference; and, thirdly, as a licensed 'agitator' who tries to encourage different (and radical) ideas about fair access.

Under the heading of 'big issues' (maybe 'wicked' issues is a better label) I would like to focus on just two things. The first is what is usually labelled 'displacement' - which is mainly about the fear that, if universities and colleges have targets to recruit more SIMD 20 students while overall numbers are capped, there will be a 'squeezed middle' who will lose out; but maybe also the fear that, because institutions are free to recruit as many students from the rest of the UK as they want (as they are free to recruit international students), it will become more difficult for Scottish students to find places. The second, the big 'elephant in the room', is whether abandoning 'free' higher education and charging students fees (as happens in England) would actually make access fairer - by removing the need for a student numbers cap, and also by generating additional income that could be recycled into initiatives specifically designed to help students from more socially disadvantaged backgrounds and/or improve financial support for the non-fee related costs of going to higher education (as will happen in Wales following the Diamond review). Let me deal with each in turn.

First, displacement. The second type of displacement, Scottish students being squeezed out by students from the rest of the UK, I discount. For half a century all UK institutions have been free to recruit as many international (i.e. non-EU) students as they like - and, of course, charge them high fees. There is no evidence that UK students have lost out as result. Rather the opposite - the recruitment of international students has brought in valuable additional funding and, crucially, enabled academic capacity to be sustained that might have been lost if it had depended on UK-only demand - to everyone's benefit. Because rest-of-UK students are outside the cap, the same will have been the case. Just looking at the shifting proportions of Scottish, rest-of-UK and international students proves nothing.

However, there may be more substance in the fear that the first form of displacement is taking place, i.e. the squeezed middle losing out. I think there are two answers to this. The first is that, even in the absence of a formal cap (as is now the case in England - although this is a very recent, and untested, development), there are always limits on capacity - available funding, physical infrastructure, staff availability and, especially in less popular subjects, student demand. So, logically, if any particular group of students receives preferential treatment, it is potentially at the expense of others. But let's never forget that

the form that preferential treatment currently takes is a massive bias against students from socially disadvantaged backgrounds and in favour of those with the greatest social advantages. The second answer is that the student number cap can be raised - either by funding additional places as a deliberate political choice or switching those funded places currently taken up by students from the rest of the EU (apart from the rest of the UK) to Scottish students once the UK leaves the EU (however damaging that outcome is in almost every other respect). And my final thought on displacement is that we need to understand precisely how many students are actually being displaced, in practice as opposed to political rhetoric. Once again just comparing shifting proportions of students from different SIMD quintiles cannot provide a clear and comprehensive answer, without controlling for differential patterns of application and attainment (and also demography)

The second 'big', or 'wicked', issue is whether we wouldn't be better off abandoning 'free' higher education and targeting financial support on students from disadvantaged areas. You will not be surprised to hear that I am utterly unconvinced by this argument (and wouldn't have taken on the role of Commissioner for Fair Access if the Scottish Government had charged fees like in England) - although, of course, I accept that just making higher education 'free' does not, in itself, produce fair access. I know there are those in England who claim that charging high fees (with generous repayment terms on student loans, and access initiatives imposed by the Office for Fair Access) have not led to a decline in the proportion of students from poorer homes. People like me who have argued the opposite have been treated rather as the 48 per cent of people who voted to remain in the EU (60+ in Scotland). We have been stigmatised as 'remoaners'. But let's look at the facts. First, overall student numbers in England have declined - and the big urban post-1992 universities that have done the heavy lifting on fair access and widening participation have been hardest hit. Second, there has been a dramatic collapse in part-time students. Third, graduate debt is escalating (with still unknowable effects on career choices). We should remember that in the US tuition fee debt exceeds total consumer debt. Fourth, the English experiment with marketisation is only half-begun. Repayment terms on student loans are bound to be tightened to make the system financially sustainable; new for-profit providers are being encouraged to flood the market with low-cost courses (again with unknowable effects on academic standards and the reputation of the sector). Just don't go there...

However, as I said a moment ago, 'free' higher education is a necessary not a sufficient condition of fair access. Talking to groups of SIMD 20/40 students in recent weeks, I have been left in no doubt about the importance of financial support. Of course, 'free' higher education represents an undifferentiated benefit to all Scottish students, regardless of their needs (rather like the National Health Service, pensions and other universal welfare state benefits). There may also be a concern that students from the most disadvantaged backgrounds will incur the greatest amount of debt, especially as a proportion of their likely future earnings. It may be that student financial support needs be increased, better targeted and certainly there should be better integration between national and institutional support. But such improvements build on the secure platform of 'free' higher education.

Not all of you will agree - and I look forward to your comments. But, for now, let me move on to more specific issues. Here I want to talk about contextualised admissions / adjusted offers and access thresholds; articulation, particularly between HNs and degrees but also perhaps between S5/6 and the early years of universities; access programmes of all kinds - from children's universities to summer schools; and finally targets, and in particular the use of SIMD to measure progress.

The first issue is what we now call 'contextualised admissions', although we urgently need a more user-friendly label. They have actually been around for the long time. Universities have always varied the grades they ask from applicants, depending on a range of factors (of which the school they attended was probably the most important). Of course, they didn't always do so in a systematic or transparent manner. But the principle of variable entry grades is not seriously in dispute. The key issues are, first, which groups of applicants deserve to be given a break by asking them to meet lower (formal) entry standards; and, second, how big a break they should be given. I know that all universities, publish the adjusted grades they make. That is a big gain in transparency (although the various adjustments are varied and complex, and not always very easy to decipher). If we are serious about tackling the most serious forms of deprivation rather than just running an across-the-board flexible admissions system, we probably need to make bolder adjustments, based on clearly expressed educational rationales (subject-by-subject) - which is where 'access thresholds' come in. At the moment I get the impression universities work out how much of an adjustment they need to make to meet their targets, which is a bit circular. They also expect students with adjusted grades to behave in exactly the same way as 'standard' students with good grades, which they can do of course but need support. So the idea of 'contextualised admissions' is not new, nor especially radical. But maybe we need to be bolder in terms of the scale of the adjustments we are willing to make to achieve fair access.

A second big issue is articulation. Frankly it is not right that half of HN students transferring to degree courses in universities receive no credit and basically have to go back to the starting line, especially when the Funding Council has set a much higher target for HN students to be given advanced standing (75 per cent, I believe). It is unfair to them, and costly to the taxpayer - and, most important of all, it is treating a HN as entry-level qualifications, like Highers, when, in fact, they are two-year post-school, and higher education, qualifications. Of course, I recognise the weight of the arguments about the need to match subject content in some disciplines. There are differences between HNs and degrees in terms of what might be called their 'learning cultures' and, in particular, assessment methods. But there shouldn't be exaggerated. Two other thoughts on articulation - first, I don't need to look at the statistics to know which universities are doing the 'heavy lifting' on articulation and are most open to transferring HN students - are we happy to live with that imbalance? Second and more fundamental, maybe there is an elephant in the room here - a continuing prejudice in favour of academic and against vocational education. There is also potential overlap between S6 and first-years of some degrees - but I won't discuss that now in case people think I am questioning the principle of the four-year degree

The third issue - outreach programmes, including top-up programmes in schools, summer schools, 'junior universities', access pathways and such like - is, I hope, less contentious. So I won't spend so much time on it. I believe the best approach here can be summed up in a single phrase - we need to scale up and we need to join up. We need to 'scale up', because the numbers involved are small compared with the scale of the under-representation by students from deprived backgrounds. And we need to 'join up', because it is important that the credit and experience gained by students on these programmes can be transferred, and doesn't limit them to just a small number of entry points (or is used as a way to separate the sheep from the goats, in effect another selection tool more highly regarded universities can use to cherry-pick the best students consigning the rest to lesser fates). Of course, a lot of wonderful (and inspiring) work is already being done in both respects. But - a third point - I also believe we need to rigorously evaluate what works well

and what works less well. This is where the proposed framework on fair access comes in; scaling-up, joining-up and spreading best practice.

As you know, progress towards fair access is being measured by both national and institutional targets, which have been set using SIMD. By 2030 SIMD 20 students will represent 20 per cent of students in higher education, as is their right if 'fair access' is to mean anything. Interim targets have been set for 2021, not so far away, both nationally and for each institution. Crucially every institution will be expected to recruit 10 per cent of its students from SIMD 20 areas by that date. Here I would like to emphasise two points:

The first is that there are drawbacks with all targets, all metrics - and higher education has been overrun by a performance culture. Targets /metrics tend to oversimplify what is always a complex picture, and they encourage game playing. Institutions will focus on recruiting SIMD 20 students to meet their targets at the expense of other groups also suffering disadvantage (I am particularly concerned about older and part-time students). And, even with adjusted offers, the pool of SIMD 20 students may be limited, with the result that institutions will compete for them - shuffling SIMD 20 students around with necessarily increasing the total number.

But it is interesting that in higher education we object to some metrics much more than others. We have embraced, and internalised, media league tables, despite their deeply unsatisfactory methodologies and also the Research Excellence Framework. And half the universities in Scotland are about to enter the English Teaching Excellence Framework, again despite the well founded concerns about the TEF's obvious shortcomings (for a start, it doesn't really measure 'teaching'; nor 'excellence' come to think of it). But what is the alternative to some form of metric if we seek to measure progress either compared to other institutions or nationally? Institution-customised, and therefore incommensurable, measures would be no help.

My second point is that, like all area-based metrics, SIMD will yield false-positives and false-negatives - in other words, poorer people who lives in richer areas and vice-versa. But it is worth remembering SIMD is a comparatively sophisticated metric, taking a number of characteristics into account (There is a similar, although not identical, metric in Wales). It is certainly better than relying on POLAR areas, which have been the main metric used to measure progress in England, because they focus on low levels of HE participation (which produces a circular effect). Of course, it would be lovely to have a individual rather than area based metric, and institutions use them in making adjusted offers. But some individual attributes are not available to admissions staff early enough, or they depend too much on self-reporting (with inevitable issues relating to accuracy and integrity), or there are significant data protection issues - none of these, of course, is a reason for not working towards better individual-based metrics. But my key point is that no metric can claim to be totally comprehensive, to tell the whole story. If we are serious about reducing discrimination in access to higher education, we should have the imagination (and generosity) not to be pinned to a single performance measure; secondly, and much more simply, critics of over-reliance on SIMD should suggest alternatives. The ball is on their court.

I have spoken long enough - and it is now time to listen to what you have to say. But I would like to end with three thoughts:

The first is that, although it is important that no institution, however ancient or eminent, is allowed to opt-out of fair access, it is also important that the very distinctive contribution made by colleges to higher education in Scotland is recognised, and celebrated. Quite simply, if Scottish higher education is more 'democratic' than English higher education, it is largely down to the college - for all the historical memories of the 'democratic intellect';

The second is that, if we really expect to make progress towards genuinely fair access, we have to ask searching questions about how we think about success, and even how we assess attainment. To take a simple point, although continuation and completion rates are important (we must never set people up to fail), is it reasonable to expect students from more diverse backgrounds to fit the historical study patterns set with students from a much narrower and more elite background in mind? We don't just need to offer more flexible pathways; we must also ask ourselves from hard questions;

And the third is that we should constantly remind ourselves about why fair access to higher education matters. It matters because in a 21st-century economy we cannot afford to waste the talents of so many people. The facts speak for themselves - if you live in an area in the top SIMD quintile you are more than three times more likely to go to higher education than if you live in an area in the bottom quintile. That is a waste of talent and skills that simply cannot be afforded if Scotland, or the UK, or any country wishes to have a prosperous future. But it matters even more because in a 21st-century democracy access to advanced higher education is a close to being a civic right, a human right. If you are denied that opportunity, you are being denied your full rights as a citizen. I think we have already observed with the rise of so-called 'populism' with its 'alternative facts', the election of Donald Trump and (closer home) Brexit, the dangers of denying people their civic and human rights, and the consequences of creating barriers to aspiration and hope.