



# Universities Scotland brief on the UK Government's introduction of Temporary Student Number Controls

Scotland's universities ask for your support to oppose a sudden and disruptive policy change that has the potential to negatively impact on the recruitment of English undergraduate students for the 2020 and 2021 intake. This will be introduced by the Department for Education on 1 June without any consultation with institutions in Scotland.

## The policy development

- On 4 May the UK Government introduced student number controls for universities in England as a response to predatory offer-making behaviour by a minority of English institutions as part of student recruitment during the early stages of the pandemic, which was not in the best interests of students and threatened to destabilise the sector. In response, the UK Government indicated it would bring in temporary student number controls to limit institutions' recruitment to no more than 6.5% over their UK and EU student numbers from last year to limit poaching of applicants from other institutions.
- Scotland's universities did not act in this way. The details relating to number controls as announced on 4 May by the UK Government included no reference to Scottish institutions nor was this expected by Universities UK or Universities Scotland.
- The proposals to be announced on Monday (found as annex below) do now extend to include universities in the devolved administrations, limiting the number of English students that can be recruited by Scotland's universities without future application of penalties. The penalty to be applied in the devolved context on an institution by institution basis, if and where an institution exceeds its number controls is to limit the amount of student loan support available to English entrants to universities in the 2021 intake.

## The action needed

- It's our strong belief that there is no justifiable reason for number controls to be applied to universities in Scotland. We would like to see Scotland removed from these temporary controls.
- At the very least, there needs to be a pause and a period of consultation with institutions in Scotland, Scottish Government and the Scottish Funding Council as there was in England prior to the 4 May announcement and a devolved impact assessment.

## The potential impact

- **Driving applicants away from Scotland.** It is extraordinarily late within the admission cycle to extend the application of these controls to Scotland with no prior indication this would be the case. Offer holders have until 18 June to respond to offers. Introducing this control at this point in the cycle can only be interpreted as a message to applicants not to study in Scotland. All of the decisions at this point in the cycle rest with the applicant and the outcome of their school exams.



- **The timing gives universities almost no scope to manage their numbers.** Universities had to make all decisions on applications submitted via UCAS by 20 May.<sup>1</sup> Most have made their offers well before this date. An offer of a university place is a contractual arrangement that institutions must honour. There is little to no action they can take now to ensure that their numbers come within the new, arbitrary limits. Universities in England have expected the introduction of number controls since early April. Scotland has not.<sup>2</sup>
- **Wholly unfair on students and student choice.** Penalising English students who want to study in Scotland in 2021, by restricting the availability of their loan funding, is wholly unfair. Applicant choice and geographic mobility has been a key principle of higher education in the UK. This policy development starts to undercut this.
- **Creates a competitive disadvantage for Scotland in the event of high deferral numbers.** If there is a significant volume of students deferring student to 2021 as a consequence of the pandemic, this has the potential to impact significantly on English demand for study in Scotland in 2021 to the potential advantage of universities in England. Some surveys estimate as many as 40% of students may change their plans for 2020 entry.<sup>3</sup>
- **The mechanism disproportionately disadvantages Scotland.** Using a percentage figure to control numbers is also likely to disproportionately disadvantage Scotland's universities relative to universities in England because the overall entrant numbers of English students are much smaller in Scotland. For instance, it would take only 23 additional English students for Dundee University to breach 6.5% number controls, 42 extra at St Andrews University, 44 extra at Glasgow University and 125 extra at Edinburgh. This is in contrast to 327 additional English students at Manchester University and 439 additional English students to be in breach of 6.5% controls at Leeds.

## Context

- The student number controls introduced for English institutions was part of a wider package of measures announced on 4 May, including financial support, to stabilise university finances in England. No aspect of that package has offered any financial stability to universities in Scotland. It is unacceptable that Scotland's universities would be hit with the regulatory part of an English-only package and not the benefits.
- In 2018/19, there were 5,245 full-time, first degree entrants to Scotland's universities from England in 2018/19.
- Applications from English students to Scotland's universities for entry in 2020 were up 3% on the previous year, prior to the pandemic.<sup>4</sup>
- Given the expectation that no UK student should need to pay upfront tuition fees, by restricting loan payments in future years, the Student Loans Company will effectively be setting the tuition fee level for England domiciled students studying at individual Scottish institutions.
- The number controls (whether to institutions based in England only or across the whole of the UK) must only apply to 2020 entrants as a result of the impact of the pandemic. Beyond the emergency of the pandemic, universities feel it is very important that the UK Government develops policy that sustains the principle of student mobility within the UK.

<sup>1</sup> This refers to applicants made by the 15 January 2020 deadline which is the deadline for equal consideration and as a significant milestone in the application cycle.

<sup>2</sup> By early April, the moratorium on offer making had already been extended and it was clear that additional measures would be brought into place for the sector in England.

<sup>3</sup> MyUniChoices – the 40% figure includes students intending to defer and to change institution to be closer to home.

<sup>4</sup> ACAS applications data for 2020 entry based on applications in by 15 January equal consideration deadline.



## Annex

The draft proposal we have seen is as follows:

*amend the fee loan legislation, so that the amount of funding available to an English student studying at a Scottish provider in 21/22 would be reduced, if that provider had exceeded the controls during 20/21. Our proposal, in methodology terms, would be to calculate a cap for the number of English domiciled students studying at Scottish institutions in 20/21. For Scottish providers, our proposal would be to apply a growth rate of 1.5% to reflect expected/forecast growth, with 5% on top of that (allowing for a total growth of 6.5%), unless there is an alternative data source or approach that would be preferable.'*

**ENDS**

