Universities Scotland

US response to Education Bill consultation

Question 1: What changes should we consider in terms of how qualifications are developed and delivered that you think would improve outcomes for Scotland's pupils and students?

- Universities use qualifications to inform entry decisions in two ways. The first is to assess whether a learner has the potential to succeed and benefit from the course. The second is to inform decisions on who gets offered a place where there are insufficient places for everyone. Qualifications are not the only factor in either case (for example, universities will look at widening access students in context, work experience and other factors), but qualifications are important. It is helpful if qualifications can help universities to distinguish between applicants for high demand courses. There is otherwise a risk that institutions will need to look at other methods to do this.
- It will be critical to have rigour, external moderation and validation of work, particularly where it is teacher-assessed. This is necessary to ensure that the same standards apply across the whole of Scotland, no matter which school someone attends. It is also important to avoid any unconscious bias. This is not a comment on the ability of teachers to make accurate and reliable assessments. With this in place, we are supportive of teacher assessment as part of the mix of assessment methods used.
- It is important that all schools have sufficient resources (and experienced staff) to manage any teacher assessment requirements. We would not want to see any learners disadvantaged because their school or college had recruitment challenges (as we are aware that there are challenges in some subject areas in some locations), or because of size.
- It is important that there are a range of qualifications to recognise the knowledge and skills of all school leavers and the range of learners at college.
- It is important that any changes to assessment do not lead to some subjects being perceived as 'easy' and others being perceived as 'hard'.
- Whilst we understand the desire to increase choice for learners, it is important that where there are key building blocks of knowledge in a subject, these are covered.
- There will also need to be a balance between choice and flexibility and what is realistic for schools to provide. There is already considerable variation in the availability of different subjects and qualifications in schools in the Senior Phase, and this may disadvantage some learners, particularly in schools in more deprived areas, or schools in more rural and remote areas.
- We have commented further on the proposals in the Hayward review here: https://www.universities-scotland.ac.uk/wp-content/uploads/2023/08/US-response-to-Independent-Review-of-Qualifications-and-Assessment.pdf, and we have also commented more generally on this in our submission to the call for evidence for the review: https://www.universities-scotland.ac.uk/wp-content/uploads/2023/01/Independent-Review-of-Qualifications-and-Assessment.pdf
- We are keen that appropriate post-school qualifications enable smooth transitions to universities for learners who want that. Currently, this is mostly via HN qualifications, but we would be keen to see other routes developed. It will be important in reviewing and/or developing these qualifications to work with universities to facilitate the development of smooth links.
- It is also important that the global understanding of qualifications is maintained so that mobility is enabled as much as possible, both into Scotland as well as out. This is especially important for people who spend a specific period of time abroad or for international companies operating in Scotland. The

continuity of understanding qualifications is important even if they are superseded; and so any new body would need to ensure that transitions are smooth and have no detriment to individuals.

Question 2: How best can we ensure that the views of our teaching professionals are taken into account appropriately within the new qualifications body, and do these proposals enable this?

- No comment.

Question 3: How best can we ensure that the views of pupils, students and other learners are appropriately represented within the new qualifications body, and do these proposals enable this?

- It may be helpful to look at the work of sparqs (Student Partnership in Quality Scotland). See https://www.sparqs.ac.uk/
- Sparqs supports students and institutions to work together on enhancing learning and teaching.
- Sparqs has significant experience in supporting college and university students as representatives on national committees, which has benefited both the students involved and the committees by helping students to maximise the value of their contributions and roles.
- There may be learning here for the new qualifications body.

Question 4: How can we ensure qualifications being offered in Scotland are reliable, of a high standard and fit for purpose?

- We support the new qualifications body having an accreditation function.
- We agree that university degrees should remain the responsibility of universities and believe that this should extend to all university credit bearing qualifications (not just degrees) as they are the awarding bodies.
- This is because university qualifications are already subject to existing extensive quality assurance measures such as institution-led reviews, external reviews organised by QAA (https://www.qaa.ac.uk/scotland) and external examiner reviews. Many university qualifications are also subject to Professional, Statutory and Regulatory Bodies (PSRB) requirements and therefore there are also additional reviews for relevant subjects. University qualifications align to external reference points such as the QAA Quality Code (https://www.qaa.ac.uk/the-quality-code) and European standard and guidelines on quality (ESG - https://www.enqa.eu/esg-standards-and-guidelines-for-quality-assurance-in-the-european-higher-education-area/), and the system is internationally respected. This well-designed quality assurance system is part of what attracts international and rUK students to come and study in Scotland. These arrangements meet the requirements of the Scottish Funding Council to give assurance on academic standards and the quality of the student experience and to ensure accountability for public investment in learning and teaching.
- A core strength of higher education is the ability for learners to specialise and for institutions to teach these subjects differently. Courses with similar titles may differ considerably from institution to institution (and even within institution due to subject choice). This agile system within universities does not lend itself to a qualification body model.

Question 5: How do you think the qualifications body can best work with others across the education and skills system to deliver better outcomes for all?

- It is important that the new qualifications body promotes any changes to qualifications in Scotland to ensure that Scottish qualifications remain recognised by employers, colleges and universities across the UK. This will involve work with stakeholders in the rest of the UK, including professional,

statutory and regulatory bodies (PSRBs). Universities may need to make changes to their curriculum in response to changing qualifications and they need time to do this.

- In delivering new qualifications, the new qualifications body should be mindful that PSRBs have some requirements at National 5 or Higher level, and it is important to ensure that any new qualifications meet these requirements.

- It is important that the new qualifications body is also able to consult with relevant professional bodies when developing new qualifications. This will help ensure that a newly designed qualification leading to university entry can meet PSRB requirements for both the academic content and any expected work placement hours of the intended degree programme , e.g. NMC for Nursing.

- The university sector has extensive experience of different types of learning, teaching and assessment, and we think that including this expertise in the work to design new qualifications will complement the expertise from the school sector and other stakeholders. When designing courses and degree programmes, universities consult with employers and industry and make use of the SCQF framework, subject benchmark statements (QAA) and PSRB requirements (where relevant).

- The expertise and experience that exists in our universities, including specialists in teaching practice and pedagogy, should be drawn upon to support the work of both the new qualifications body and the new approach to inspection.

- We would additionally suggest that this legislation could be an opportunity to enable the sharing of data on eligibility for free school meals between local authorities and UCAS. This would enable its use in contextual admissions for universities to make progress with the pressing need for an individual focussed measure of disadvantage. Universities are committed to widening access, particularly to people who may have experienced disadvantage and who have not been able to demonstrate their full academic potential, and so this context is relevant to the admissions process. Universities lower their entry requirements for individuals from widening access backgrounds, recognising that these applicants' attainment is likely to be lower because of their disadvantaged backgrounds. This process is called contextual admissions and results in what are known as contextual offers, which are usually based on minimum entry requirements which were introduced as a result of the Commission on Widening Access report (https://www.gov.scot/publications/blueprint-fairness-final-report-commission-widening-access/.

- It is therefore important to be able to identify disadvantaged applicants. Universities currently use SIMD 20 and some other factors, but it would be very helpful to have access to data on receipt of free school meals. This was a recommendation of the Scottish Government's Access Data Working Group, which itself was set up in response to the Commission on Widening Access recommendation to explore additional measures of disadvantage (https://www.gov.scot/binaries/content/documents/govscot/publications/minutes/2019/06/access-delivery-group-meeting-february-2019/documents/paper-6-2-report-from-the-access-data-working-group/paper-6-2-report-from-the-access-data-working-group/govscot%3Adocument/Paper%2B6.2%2B-%2BReport%2Bfrom%2Bthe%2BAccess%2BData%2BWorking%2BGroup.pdf).

- The Scottish Government Access Data Short-Life Working Group, which we expect to report in early 2024, has also seen the value in the use of free school meals data, including the Scottish Child Payment data, to identify disadvantaged students to target support, including lower university offers. However, accessing this data is a significant current barrier. This is because there is currently no Scottish legislation that allows Scottish Government to share this information directly with UCAS and currently would require each local authority to set up an individual data sharing agreement, probably directly with UCAS.

- England and Wales are already able to share free school meals data (https://www.gov.wales/data-sharing-support-ucas-matching-free-school-meals-data-higher-education-applications-privacy-0) and it is shared via UCAS, so universities can use it in contextual admissions. The ability to share this

(verified) data would have a positive impact on disadvantaged students (particularly those who do not live in SIMD20 areas). We think enabling Scottish Child Payment data to also be shared for this purpose would represent sensible future proofing.

Question 6: Do you agree or disagree with the purposes set out? Is there anything in addition you would like to see included?

- No comment.

Question 7: Do you agree or disagree with the range of establishments to be inspected by HM Inspectors of Education? Is there anything you would add or change?

- We do not think that publicly funded colleges should be included (please see question 8).

Question 8: Do you have any specific comments on the role of the inspectorate of education in the inspection of publicly funded colleges, initial teacher education, early learning and childcare and / or modern apprenticeships?

- SFC has recently commissioned QAA Scotland (with input from Education Scotland) to develop and deliver reviews for publicly funded colleges and universities.
- This comes as a result of significant work to develop quality arrangements across tertiary education in publicly funded colleges and universities and is supported by both colleges and universities, who have confidence in this approach.
- We believe that these new arrangements could be the foundation of the common approach to quality that Withers calls for. These arrangements will also offer more opportunities for publicly funded colleges and universities to work together on quality enhancement, and they should support transitions between colleges and universities.
- We believe that responsibility for overseeing quality in publicly funded colleges (and universities) should remain with SFC (or its successor) and that it is not necessary to give the new inspection body a duty to inspect colleges.
- Since the new inspection body would not be inspecting universities, the inclusion of colleges in inspection would otherwise necessarily need to split arrangements for the oversight of quality assurance and enhancement for publicly funded colleges and universities. This is because it is important for universities' international reputation that their reviews meet the European Standards and Guidelines on quality in Higher Education and that the review itself is conducted by a member of the European Association for Quality Assurance in Higher Education (ENQA - https://www.enqa.eu/esg-standards-and-guidelines-for-quality-assurance-in-the-european-higher-education-area/).
- Further consideration should be given to how Foundation Apprenticeships would be assessed on a consistent basis by the inspectorate of education across different providers, incorporating schools, colleges and private training providers, and how this assessment would factor in the respective differences across these settings in delivering FA learning and teaching activities.
- With respect to initial teacher education, any inspection system would need to support existing internal and external quality assurance processes and scrutiny mechanisms. It should also consider the statutory role of the General Teaching Council for Scotland (GTC Scotland) in determining and accrediting programmes of Initial Teacher Education. The overall burden of quality assurance and scrutiny activity concerning Initial Teacher Education requires to be considered in support of quality enhancement – assuring participation from appropriately experienced Higher Education professionals with sector-specific knowledge.

Question 9: Do you agree or disagree with the priorities set out? Is there anything in addition that you would like to see inspection cover?

- No comment.

Question 10: Do you have a view on these options for establishing the new approach to inspection?

- No comment.

Question 11: Do you have a view on how governance arrangements for the inspectorate could be developed to better involve providers, including teachers and other practitioners, pupils and students and parents / carers in inspection?

- As question 3, we think there may be learning from the work of sparqs.

Question 12: Do you have a view on how we make sure evidence from inspections is being used as fully as possible to drive improvement and inform policy and on who the inspectorate should report to?

- No comment.