

Our response to the Department for Education (DfE) consultation on the lifelong loan entitlement (LLE)

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LLE strategic aims and objectives

1. How can we best ensure that, compared to the current student finance system the LLE will better support learners to train, retrain or upskill throughout their lifetime?

The introduction of the LLE is a welcome programme of reform. We believe these reforms can unlock opportunities for learners and deliver on the country's skills needs. Universities want to work to get the changes right, deliver on the government's ambitions and ensure future success for all sections of society. To do this, the LLE must be available for all learners and support a plurality of routes into higher education.

Universities are ready to deliver greater choice and flexibility for learners. For the economy, the LLE will develop a talent pipeline to support growth, productivity and innovation. The study of modules should allow progression to full qualifications, with exit points at levels 4, 5 and 6. Many higher education institutions will adapt how they deliver modular study to meet learner needs, such as changing study timetables. They will also give tailored wrap-around support and advice on progression routes. Higher education institutions can build on existing best practice and partnerships to collaborate to support transfer and credit recognition. Despite the complexity of

these reforms, we think the LLE can work if the design process draws from existing regulatory and quality assurance mechanisms.

To achieve this ambition, we believe the following changes are needed to the student finance system:

- The LLE must galvanise interest from all potential learners in society. Learners should enter an education system with opportunity and flexibility at its heart. Broad and consistent eligibility criteria should allow learners to choose how and where they engage with education. In practice, this means setting out wide eligibility criteria to ensure all potential learners can benefit from these reforms.
- To achieve a step-change in learner access we must put information, advice and guidance at the heart of the LLE. While taking advantage of new flexible delivery modes, learners must also have progression pathways. Careers advisers, providers and the LLE portal must effectively communicate the opportunities to learners. This will require an information campaign backed by ongoing support for providers, on knowing what you can study, where and how – treating the entitlement as empowering not a restricted allowance.
- We want to ensure that the policies behind the LLE allow greater flexibility in learning. To increase the number of learners with higher levels of study government should remove Equivalent or Lower Qualification (ELQ) rules and protect student choice. Relaxing ELQ rules will support learners of all ages including those in work and those looking to get back into work or upskill. The system should allow progression both up and down levels. Without this change, the people that businesses need won't be able to access the relevant training. To do this, UUK recommends:
 1. easing rules prohibiting access to student funding where the learner already has an equivalent or lower qualification
 2. ending barriers based on a learner's study intensity (currently an intensity of 25% or greater of a full-time equivalent course)
 3. removing the requirement to follow a full course for a specified qualification.
- We want the government to use existing regulatory and quality mechanisms to avoid added burden. The government should ensure that delivering modular provision is sustainable and supports the diversity of the sector, and trust in

providers to identify and deliver on learner needs and meet demand with provision.

- It's important that sector agencies are ready and prepared to deal with students studying one module as much as a full degree. For example, the role of UCAS will be important in providing applicant information and support.
- To bring in new learners, we must deliver tailored financial support that responds to different circumstances. Sustainable funding must also be available to providers. Fees and maintenance levels should be proportionate to a full qualification with support to deliver wrap-around support (such as wellbeing support, careers advice and access to facilities) and high-cost modules. It would be suitable for high-cost modules to attract pro-rata teaching grants. The consequences of this not being available would be detrimental to the LLE reform programme. It would disincentivise modularisation in many disciplines where there are particular skills shortages. In practical terms, this means a new top up funding model because a modular teaching approach will be more expensive than the linear model we have now.
- There are opportunities to build on successes to date where effective transfer and recognition arrangements already exist. Learning from this, we believe we can develop a clear understanding of the demand for modular learning. Where good work is already in place across the sector, this should be acknowledged and shared. Within providers this will mean building sustainable partnerships with employers and other educational providers.

2. What barriers might learners face in accessing/drawing on their LLE and how could these barriers be overcome?

The barriers to learning are interrelated and multi-layered. Unlocking the barriers outlined below requires changes to the finance system. However, the DfE and providers will also need to collaborate with employers, deliver information to learners and overcome non-financial barriers to study.

In 2018, UUK published a report looking at [lost learners](#) in the higher education system. The report explored the socio-economic profile of prospective students who have considered, but not pursued, part-time higher education since 2010. Many of these barriers will be present for learners wishing to draw on their LLE.

Financial concerns were cited most often as reasons why lost learners chose not to take up part-time higher education. We heard that 44% of respondents highlighted the cost of tuition fees, with 42% noting the cost of living. When asked what would encourage them to take up part-time higher education in the future, 29% of lost learners said that a government loan to pay for short courses would encourage them to study part-time in the future. Similarly, 27% of lost learners said government loans for living costs would encourage them. Given the above, the LLE has the potential to make headway in meeting some of the needs of learners – the challenge will be communicating this offer. It's also likely that the current cost of living crisis is likely to deepen hesitancy to draw out a loan.

Access to maintenance support should be a key consideration when making changes to the student finance system. Financial support must adapt to meet the needs of adults and those in employment. The concept of taking on a loan also acts as a barrier given the prevalence of debt aversion among adult learners. Adults who take out their loan later in life in theory have less of their work-life left to pay back the loan. It would be right to consider whether targeted grants could be used to encourage engagement from mature learners. Messaging around the loan will be crucial. There still is a widespread misunderstanding about what happens to a learner's debt if the loan is not fully repaid. Potential learners also do not have a strong understanding of the expectation on how parents or guardians contribute. The government should use the LLE as an opportunity to reset its communications to explain the student finance system. Ultimately, the terms of the loan should empower people to use their entitlement to further themselves.

The next most common reason given for not taking up part-time higher education was that 35% of people said studying would not fit in with their lives, because the course would not fit around either their personal life or their employment situation. This barrier has a wider implication for what modular study might look like in the future. We think the LLE design will need to be flexible to allow providers to deliver teaching in a way that meets the needs of learners. For example, in some providers, learners studying on a modular basis may participate in the same classrooms as those on a full-time basis. However, this will not be right for all learners. Many providers will need to adapt the time of delivery and mode to reach learners with restricted time commitments. During the pandemic, we saw the benefits of online and distance delivery. The LLE should take advantage of this and allow learners to study using flexible delivery models. Without such flexibility, and given the uncertainties around demand, providers may find it difficult to reach economies of scale for modular delivery.

For potential learners looking to retrain or upskill, the lack of flexibility from their employer was another reason respondents gave for not taking up part-time higher education, with 13% saying they couldn't find the time to juggle work and study. We hear employers can be concerned about their staff retraining and leaving. These reforms must get employers onside – bringing them into a conversation that shows the value of continual training. This means making sure employers of all sizes have a voice through networks such as local skills improvement plans (LSIPs). DfE should work with employers to explain the distinction between the LLE reform and continuing professional development (CPD) courses. As beneficiaries of the skills system employers have a role to play in investing in their employees through CPD. We must guard against creating a system that exonerates employers from the obligation to pay for their staff's own work-based training. The LLE must work alongside CPD. The burden of professional development should not shift from employers to employees.

Information, advice and guidance is another significant barrier to learners. Learners must have the guidance to be confident in the decisions they make. The modules must have credibility and clear progression routes. This is particularly important if the reforms hope to reach new learners. There is also a piece of work to engage employers and support their understanding of various qualification levels.

Finally, there is a risk that navigating an increasingly complex LLE system may be a barrier for some learners. The choices, beyond studying full-time for three years, can be overwhelming, whether that is higher technical qualifications (HTQs), flexible study or apprenticeships. We want a diverse sector that caters for the diverse needs of learners. The LLE is an opportunity to bring some of the complexity across higher education and further education together – into a more unified (but still distinctive) system for learners.

3. What information and guidance should be displayed in a lifelong learning account to support learners to understand their options for using their LLE?

The interface of the lifelong learning account will be important. Having an accessible and clear display will be necessary to ensure learners can navigate the system effectively. Simplicity in design will be possible if eligibility for the LLE is wide – removing rules related to ELQ will reduce some of the complexity in the current system. We would support extensive user testing of the portal. This should include new, existing and potential learners.

The portal should:

- Include a clear and transparent means to show a learner's remaining entitlement. The account may display this through credits or a monetary amount.
- Indicate eligible means for the student to spend their entitlement. This may include progression opportunities to build into a qualification or other modular opportunities.
- Have clear links to impartial information, advice and guidance. This may include providers, the student loan company and UCAS.
- Function as a record of historic and ongoing qualifications. We think the portal should include a transparent ledger of previous study and calculations of the entitlement reducing.
- Include a connection to the Student Loan Company portal, which details loan repayments.

Learners without basic levels of digital literacy or access to technology will struggle to access their lifelong learning account if other formats are not made available to them.

Higher education providers will often be the first point of information for students. Alongside a student interface, it's important that providers have access to a portal so they can appropriately support and inform potential and current students.

We do not believe it would be appropriate for the portal to be administered by a third party. We think it will play an influential role in shaping student decision making and must be safeguarded against behaviour that is not in the student's interest.

An idea that we think the DfE should explore is to adopt a concept of 'home-institution'. This could operate as an alternative to the portal or as an additional location of support. In this instance, a particular institution would take on responsibility for the student record and be a point of student connection and advice. Learners would have their home institution allocated based on where they are geographically near or if they have a history of associated study. Providers taking this on would need additional administrative support, but it would bring a point of focus for learners studying over long periods of time.

4. How can we best ensure that the LLE will enable learners to access technical as well as academic courses at levels 4 to 6?

To enable learners the pipeline of study must not silo the choices of learners down rigid pathways. The LLE's design can enable this by being flexible, open and not setting out rigid eligibility criteria. This includes across all courses at levels 4–6. This will empower learners to adapt as their needs and the needs of employers change over time.

The distinction between technical and academic courses is unhelpful. Most courses hold an element of both and equip learners with transferable skills to enhance their employability. For example, creative marketing professionals should be able to analyse data. Attempts to define and prescribe technical or academic courses for eligibility would be to the detriment of the LLE, learner choice and meeting the widest talent needs of employers. The LLE should cater for the learner's skills needs across their lifetime, dividing courses by technical and academic would miss the nuance of the country's skills needs and risks unintended consequences.

As detailed in question 37, we think the introduction of HTQs will be a good opportunity for learners to study courses that align to employer led occupational standards. However, even in this case HTQs are typically classroom-based (without work-based learning) – highlighting the difficulty of defining courses as academic or technical.

5a. How can we best ensure that the LLE will encourage FE and HE providers across the country to offer provision that closes the current skills gap and supports future upskilling?

Both further education and higher education have a clear stake in offering provision that meets the country's skills needs and often work closely to deliver this. It's right that with the introduction of the LLE we think about what more can be done. We think the most effective way to do this is to link evidence of the country's skills and talent needs to supply and demand. We can achieve this in 3 parts.

First, we must build an understanding of skills and talent needs. To do this we must support a culture of collaboration not competition between local stakeholders. Doing this means identifying shared goals that uses existing infrastructures such as the LSIPs, local enterprise partnerships (LEPs), and institutes of technology (IoTs) to galvanise partners together and reflect the breadth of provision and providers covered by the LLE. These networks should connect the employer voice (both large,

small and mid-sized enterprises (SMEs) and start-ups) with education providers. All these partners have a shared stake in the skills system and should engage in local and national forums that encourages dialogue and collaboration to enhance strategic partnerships. We would support the increased rollout of the LSIPs across the country and the sharing of best practice. Local understanding of skills and talent needs should be informed by national intelligence and research and sectoral best practice should be developed at the national level to complement local activity. The role of the future skills unit and the levelling up data unit need to be aligned to learn from, support and share good practice.

Second, we must understand the information and study needs of learners. This involves identifying where potential learners are and what provision is available to them. We must understand the location of learners in terms of their geographical mobility and also their career stage. For example, if they are a school leaver or are currently employed. This will require investment in careers advice, user testing, demand analysis and reaching out to employers and employer networks.

Third, we must enable providers to deliver and develop flexible provision. This means making sure the regulation around the LLE is not overly restrictive and burdensome so providers have space and time to develop responsive qualifications. Providers can turn around qualifications quickly, working with existing employers.

5b. How can we facilitate collaboration between FE and HE providers and employers, to ensure that provision keeps up with industry developments?

Government should promote and protect a diverse range of partnership models. Partners across higher education and further education are taking innovative approaches to ensure that their collaborations are effective. This means developing industry-relevant courses that provide coherent progression and flexible opportunities to engage learners. We see collaboration between further education and higher education as a crucial way to deliver on the government's skills needs and engage local partners and employers.

There are strong drivers for providers to collaborate. This includes an economic impetus to address skills needs and improve graduate employability. Beyond employability we also want learners to have the skills and knowledge to be enterprising and entrepreneurial – starting new businesses to shape the future economy. There are also social drivers to enhance the accessibility of provision to attract a broader range of potential learners and support social mobility. We also

know collaboration enables partners to capitalise on the latest policy initiatives such as the rollout of HTQs, LSIPs, IoT and the Office for Students (OfS) short course trials.

Despite the willingness to collaborate there are also challenges. Educational institutions are increasingly competing for students. Institutions need ways to overcome or set this aside for effective collaboration. Developing partnerships can require significant resource input, particularly if creating a new programme, model of working or flexible learning opportunities. For collaborations undertaking innovative projects and breaking new ground, there is unlikely to be established practice or learning to work from.

Key ways to overcome these challenges include finding spaces for collaboration where institutions do not see themselves in competition. For example, early identification of a shared goal or vision that could be restricted to particular industries, disciplines or target students. An identified skills need is one of the main springboards to collaborative working. Partnerships must have access to granular data that pinpoints the issues in their locality. With this data, providers can map progression routes ensuring greater efficiency in local provision.

Identifying a local focal point for collaboration can facilitate these conversations between providers. A key strength of some partnership models is the presence of a 'one stop shop' or single point of contact for employers with skills needs. Identifying who, locally, can help broker introductions between employers and education providers could help coordinate and facilitate partnership development. An inhibitor of this collaboration is competition law. To overcome this problem the OfS should set out guidance on collaboration under the LLE with the Competition and Markets Authority (CMA). When the DfE or OfS allocate challenge funding, they should consider asking further education and higher education providers to set out statements of collaboration. This would ensure that funding projects have shared buy-in across the educational providers and is a model that has worked well under the IoT programme.

Regulators and funders should be alert to barriers that may stifle innovation or the flexibility for partners to work together where an opportunity has been identified. As it stands, the regulatory environment and the level of burden on providers who engage in partnerships is not conducive to keeping up with industry developments. The OfS should recognise the different contexts of educational partners within its assessment of quality and standards. The OfS needs to consider proportionate approaches to different types of partnerships arrangements and not adopt a blanket approach.

5c. How can we help FE and HE providers to provide modules and courses that offer real value to employers and improve employment prospects for learners?

The needs of employers are front and centre of the sector's provision. However, the needs of employers and learners are multiple and complex. The provision of higher education must reflect this and respond flexibly to changing employer needs. We are strongly in favour of more piloting as we build towards the LLE launch. We believe there would be benefit in doing this through a local lens.

We think there is a benefit in running regional pilots to link demand to local areas, this could focus on particular disciplines such as digital, healthcare, creative and Net-Zero. Where possible this should align with work to roll-out HTQs at levels 4 and 5, and their modularisation.

As well as demand, pilots must also test how learners can receive information about their opportunities on specific courses and how to make an application. Whichever platform is used it will need to be able to contain details of eligible courses within further education and higher education, inform applicants about other current and future opportunities, and collect and analyse enquiry and applicant data in detail. The local focus and modular detail will require adjustment to any platform that is used.

Piloting should build on existing forums for collaboration to share knowledge of skills needs and develop local plans within existing infrastructure such as the LSIPs, further education partnerships, LEPs and IoTs. LSIPs should consider both academic and technical skills need to meet the whole needs of the workforce and reflect the breadth of the LLE. Work with education providers to communicate the opportunities of the LLE to employers. This will include distinguishing between CPD and the LLE, and exploring creative ways to engage small and medium employers.

Pilots must also test the readiness of providers themselves. For example, the integration of their courses and their joint promotion to learners and employers across further education and higher education. It will also prompt changes to business models that will enable providers to deliver individual modules either as standalone qualifications or as part of wider programmes. Providers may wish to do this out of term time, or out of hours and potentially outside their own campus – these are all considerations providers will need time to consider and engage with.

In addition to piloting, the following areas require consideration:

- Modular provision must be sustainable for providers. The fee level should be proportionate to a full qualification. However, the government should explore how to support the additional administration to transfer credits, provide wrap-around support and deliver high-cost modules. There are significant uncertainties for planning teams – this is largely due to the unknowns around learner demand.
- We should avoid overly burdensome regulation around the LLE so providers have space and time to develop responsive qualifications working with employers. Course approval and programme reviews already have extensive input from employers. OfS monitoring of student outcomes provides strong assurances to learners and employers.
- The government should support the Student Loans Company (SLC) to adapt to the changes the LLE will bring. This includes the volume and diversity of applications for loans for fees, potentially at a new fee rate, with which it will have to navigate. SLC will have to do this alongside applications for maintenance which may require more detailed assessment than most of the ones they process at present.
- The LLE needs to exhibit a joined-up approach between the guidance offered by schools and further education colleges to their current students. However, the key challenge relates to those individuals not in direct contact with education providers. Obvious routes are through the adult career advice service and the Department for Work and Pensions (DWP), both of which interact regularly with those outside the labour market or underemployed. However, the other route is to reach out to the families and friends of those who are in direct contact with further education colleges and schools. Employers also have a key role here in promoting this awareness; after all, most of the people who the LLE will seek to upskill are already in the workforce. Crucial to this being successful is the availability of up to date and accessible information on the local labour market: where are the vacancies now, where will they be in the future, and what skills and qualifications will be necessary to get those jobs.

5d. How can providers support and facilitate learners gaining qualifications through modular study?

We think this will be an important aspect to the success of these proposals. Learners should have pathways to progress and achieve qualifications if that's what they wish to do. Modules funded through the LLE should be able to build into a larger qualification, we detail our views on this further in question 22.

Practically providers can ensure that modules build up to clear exit qualifications. This gives clear currency to learners of their achievement. Currently providers may issue certificates or diplomas to recognise study. For some providers they may wish to explore named awards at 30 credit intervals – providing more step off points for learners. A named award would also signal the value of learning to employers. Providers can do this drawing on existing mechanisms and a flexible LLE design frame.

Providers also have a role to play in imparting information, advice and guidance related to modular study. The LLE's design will affect how easily this can be done. Clear, consistent and wide eligibility criteria will deliver on the needs of learners the best. Learners will also want assurances of the outcomes should they undertake modular study. Over time the sector has built up considerable evidence of the added value for learners studying full-time undergraduate courses. We will need to build a similar level of robust information around modular study. This will help generate demand for modular study and show the value to employers.

When learners arrive and study on a modular basis the support and internal systems in place must help modular study. For many providers delivering modular learning at scale would mean making changes to the student record system for example. The government should consider what role organisations such as the Higher Education Statistics Agency (HESA) and the Joint Information Systems Committee (JISC) could have in supporting providers to make these changes – to understand the reporting requirements and scope of change needed. We would also support JISC exploring the merits and challenges associated with creating a unique student identifier. Such an identifier would be necessary to support learners studying across multiple providers.

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

The LLE has the potential to positively impact on people with protected characteristics. This is likely to occur if the LLE increases the country's net learner numbers with higher level qualifications. The impact on protected characteristics will depend on where the demand exists and which learners can take advantage of their entitlement.

Data monitoring within the LLE will be important. For example, the OfS and DfE should evaluate how learners with protected characteristics access their entitlement. Long term monitoring should also assess which learners maximise their entitlement throughout their life. On a sector level we must monitor whether those accessing the LLE are 'new' learners who would otherwise not access modular study or are redirected learners who might otherwise be studying full-time. Learner guidance, marketing and a communications campaign will help avoid a disparity in access. Higher education institutions will also have a role to play here to embed information on the LLE in their access and widening participation work.

The delivery of modular provision itself also raises equality considerations. For example, at present a learner with a disability studying on a three-year course will have time to work closely with the provider, academic advisers and support staff to put in place appropriate support that adapts to their needs. However, where learners are studying in a modular way there may be less time to put in place such wrap around support. The lead in time from application to enrolment may be much quicker. Educational providers will need to adapt their practice to meet the needs of these learners and support them through their study in a more responsive way.

Employers are more likely to enable higher paid staff to study because their work is often inherently more flexible which could have a detrimental impact on social mobility. An equalities impact statement needs to consider such circumstances.

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

Barriers outlined in answer to question 2 will be more apparent for learners with some protected characteristics. Debt aversion is a significant barrier to learners accessing the LLE. While learners generally understand the repayment terms for full-time study, the same will not be true for modular study. More thorough, regularly updated and consistent information about learning opportunities will be needed to support wide take up of the LLE. A lack of geographical mobility due to employment or caring commitments may also impact on the ability of learners to access their LLE.

The design of maintenance support is also likely to have an impact on learners with protected characteristics where this correlates with low-income levels. We detail the importance of maintenance support in our response to question 30.

The LLE must make progress on Sharia compliance within the student finance system. The religious beliefs of individuals should not act as a barrier to learners accessing education. This impacts the lowest earners the most – as funds through other means are not possible. As detailed in the LLE’s impact assessment the lack of progress in this area disproportionately impacts those of Muslim faith and those of Asian ethnicity. We are disappointed that this consultation does not outline proposals or a substantive update on work in this area to date.

Provision: what courses should be in scope?

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

Yes, it’s right that all courses currently designated for HESF funding should be automatically in scope for the LLE. The result of these reforms should drive greater choice and flexibility for learners not less. These courses must be offered by providers

who are registered and approved to safeguard investment from the taxpayer and the interests of students.

9. Specifically, do you think that the following courses, which currently attract HESF, should be incorporated into the LLE, under the same repayment terms as other provision (i.e. fee loans count towards an individual's four-year fee entitlement)?

- **A foundation year integrated into a degree course**
- **PGCEs**
- **Integrated Masters (3 years undergraduate plus 1 year Masters)**

We think it's right that the above courses count towards an individual's entitlement. We think that the future skills and education system must support a plurality of different routes for learners.

We support the inclusion of PGCEs.

The inclusion of foundation years and integrated masters raises interesting questions about the scope of the LLE. However, on balance, we support the inclusion of both given they are part of the current HESF system it would be wrong to exclude them from the LLE. Doing so would overcomplicate the funding system for learners. We recognise that learners may use their entitlement at once, however this should be for learners to decide.

Policy related to foundation years will need to be mindful of the proposed changes in the HE Reform consultation. If foundation years were excluded from the LLE, this would prevent learners without prior qualifications from embarking on tertiary education, impacting the most disadvantaged in our society. The discussion of foundation years in the HE Reform consultation will generate significant uncertainty about their future – the result of these reforms must support a plurality of study routes. Where there is demand and providers deliver strong outcomes it would be wrong to restrict foundation years. It's unclear if funding foundations years separately would meet the wider ambition to unify the funding system.

Similarly, if integrated masters are to be excluded from the LLE, then learners on these courses could be prohibited from completing their courses and succeeding since integrated Master's courses are not eligible for separate postgraduate loans.

The DfE will need to consider the implications for learners studying both a foundation year and an integrated masters, something that is common for many engineering students. In such circumstances, the LLE should fund the whole qualification and must not restrict progression from learners.

10. What arrangements should be made under the LLE for courses which are over four years and are currently eligible for student finance – including medicine, dentistry and architecture?

Courses currently funded under the HESF system, should not have a less generous offer under the LLE. There must be a parity of experience. If the principle is to create a single student funding system, then the LLE must account for this. The LLE must therefore have mechanisms to fund courses for their entire length.

Students studying courses such as dentistry or medicine have fees funded through an NHS bursary beyond their four-year government loan. The DfE should work closely with the NHS to provide assurances to potential learners that their studies will still be appropriately funded under the LLE.

For architecture, current regulations stipulate that the full course (part 1 and 2) are designated for undergraduate support where a learner has not withdrawn from study or altered the mode of study. In the context of the LLE many disciplines will be exploring whether particular competencies and standards can be met through modular study. Higher education institutions will want to engage with the relevant professional bodies to ensure the standards of practice are still met.

Similar arrangements should be made for veterinary medicine to ensure these courses can continue to attract learners within the LLE system.

It is unclear from the proposals how the funding for sandwich programmes would work. This must be considered to avoid any unintended consequences for the learners. We believe that sandwich years should be funded and not draw from elements of the loan entitlement. Placement years attract a fee but at a lower rate reflecting that students are mostly with their employer but do receive support from academics and professional staff and can use facilities. Depending on the design of the LLE there is a risk that students who choose a 4 year degree may use up all their entitlement in one go, and that students who come to year 1 having studied a foundation year would be disincentivised from choosing a 4 year degree with placement to progress onto. We do not believe the DfE intends to restrict sandwiches

years – after all these courses support graduates to be work ready and meet employer needs – but this needs clarifying.

In Scotland, honours degrees normally last four years, and integrated masters programmes last five years. This could disadvantage some students, for example, those who might wish to undertake a teaching qualification after a four- or five-year course. In this circumstance, it would be appropriate for the LLE to fund the degree length plus one year. This would enable learners to upskill and retrain in keeping with the lifelong learning ambition.

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

We support that all HTQs should be in scope of the LLE. We do not have a strong view on whether HTQs should be the only route for Advanced Learner Loan (ALL) funded qualifications to become eligible for the LLE. However, we would note the desire to make the qualification market easier to navigate for students. Given that the Institute’s rollout of occupational standards is not complete. There’s a risk that sectors may be missing, limiting which courses learners could study. Access to HE courses are strong examples of courses that would benefit from being studied in modular way. We would support their inclusion.

Ultimately, decisions on what is eligible for the LLE should return to where there is demand from students. Where providers can evidence a demand, it would be inappropriate to restrict provision.

12. In particular, how could employer-relevance be tested as a basis for LLE eligibility?

We do not support measures to stipulate employer-relevance as a basis for LLE eligibility. Attempting to define employer-relevance is likely to create unintended consequences. Predicting the future needs of employers is enormously difficult. Instead, in a more modular learning model we should encourage flexible programmes which provide transferable skills.

These reforms should support a learner throughout their life, this should recognise that what employers want now may not best suit learners in the future. We believe that developing stronger relationships between providers and employers at local and national levels and encouraging a dynamic and responsive system support by guidance, frameworks and agreements is more likely to lead to success than a blanket and detailed regulation focused on immediate skills needs. We must avoid creating narrow, short-term skills pathways for learners but build a system that will anticipate, respond to and meet future skills needs that genuinely support lifelong learning. We believe that the OfS approach to quality and standards should give reassurance to employers and learners of the high standards and rigorous assessment course monitoring goes through.

A driver for LLE is the skills required by the economy, not individual employers. So for example the economy and indeed the planet might need more people skilled around sustainable construction, but that does not mean that all construction companies would recognise that.

As in our answer to question 5c, we believe there is value in local piloting which supports collaboration, tests demand and teases out operational barriers. Piloting should be open minded about where the demand exists and rigorously evaluated.

As detailed in our recent report on [Busting graduate job myths](#), there has been a switch in the graduate labour market away from specific vocations towards transferable business services that are not subject-bound. When considering the needs of employers, we must not just focus on the sectors in which there are job vacancies, we must look at the jobs individuals are doing within these sectors which are often more transferable.

Given that the LLE is the new student finance system for all learners we believe OfS should use existing mechanisms for course approval. We think existing regulation is sufficient to oversee what courses get funded, building on the existing regulatory framework. For example, providers registered with the OfS must comply with the conditions of registration. The B3 condition sets a minimum requirement that all providers are required to deliver positive outcomes for their students. Recent consultations by the OfS propose to do this by setting targets related to students continuing a course, completing a course and what they do after the course finishes. The strong outcomes of learners across the sector demonstrated through the graduate premium shows the value employers place on higher education courses. Additional metrics and eligibility criteria related to employer-relevance would be overly restrictive and risks duplicating regulation.

Provision: how will modular funding operate?

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

We recognise that the design of some programmes means that learners must complete a whole programme to qualify. In such cases qualifications may work towards licenses to practice or competence frameworks. However, we do not think it would be right to exclude such provision from modular funding.

During the pandemic, higher education institutions worked closely with professional statutory and regulatory bodies (PSRBs) to understand how approaches to teaching and assessment would need to change while still delivering on professional standards. With flexibility and innovation, providers changed their modes of delivery which were previously viewed to be impossible. We believe the LLE can provoke a similar conversation about how modular delivery may be possible for such courses. This is a challenge for providers working with PSRBs to collaborate, navigate and overcome. Therefore, we do not believe it would be helpful to exclude such provision from modular funding.

There is a risk that if this is not left to providers to navigate then it could generate an excessive burden on providers. For example, the impact of modularisation on PSRB accreditation risks module by module analysis (in regards to how they combine to meet requirements). Linking the funded modules to existing qualifications is a key way we think this level of burden can be mitigated.

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

We recognise the need to define levels of modularity that can accrue funding. We agree that 30 credits would be a suitable level to derive fees and maintenance. As indicated, it should be possible for collections of smaller credit modules to combine

coherently into the 30 credit size. We recognise that there is a balance between supporting substantive and meaningful proportions of learning that can be sustainably delivered while also enabling flexibility and the chance for providers to innovate what they deliver.

While on balance, we support the 30 credit size, we will need to be mindful of the prevalence of 20 credit modules across the sector. It would be unfortunate if providers felt unable to take advantages of the opportunities within LLE due to their internal qualification design. The DfE should monitor feedback on the minimum size of credit to support maximum engagement from providers.

It's unclear how the bundling of modules would work in practice. For example, could learners study different 15 credits modules over a period of time or must it be simultaneously? At what point would providers receive the funding – does this happen upon commitment to study the bundle? A key enabler for providers is ensuring that these changes support sustainable provision and where possible predictable financial flows.

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

Generally, we support a joined-up system where under the LLE funding of courses is coherent and easy to navigate for learners. We think this can be achieved through a module-based approach where a credit framework clearly links a module credit size to a wider qualification. However, we recognise that the design and length of some courses may mean some are more appropriately funded per-academic year. We think that providers are best placed to decide this as they respond to learner and employer demand.

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

Frameworks are widely used across the higher education sector. We support the use of credit as a means of keeping the LLE approach simple and avoiding unnecessary bureaucracy. To date frameworks have been permissive in their guidance and do not

set rigid rules on the use and adoption of credit but do provide coherence to enable recognition and progression.

The QAA's Higher Education Credit Framework for England was revisited in May 2021 and provides a near universally adopted frame to design qualifications and record learning. The credit framework has been developed overtime by the sector and it recognises the autonomous status of providers. The framework sets out the credit values typically associated with the main higher education qualifications. It does this through reference to the UK Credit Transfer and Accumulation System (CATS) where 1 UK credit is equivalent to 10 notional learning hours. In any credit framework references to 'hours' as equivalent to credit needs to be carefully worded. For example, regulatory monitoring and enforcement at this specificity may be disproportionate and lead to burden on providers.

However, some providers do not use credit within their internal processes. Therefore, additional guidance may be needed if commitments to a framework were set as a condition to access the LLE.

There is also the Framework for Qualification of the European Higher Education Area (QF-EHEA). This supports the organisation of qualifications across Europe as well as supporting the alignment of frameworks across the four UK jurisdictions. The QAA has verified the compatibility of the Framework for Higher Education Qualifications (FHEQ) with the QF-EHEA. Specifically related to credits the European Credit Transfer Scheme (ECTS) is the common currency facilitating recognition of periods of study across Europe. Any change should be mindful of this connection and should protect steps towards comparability that supports transfer across European providers.

The credit frameworks QAA recognises in the UK are also capable of referencing frameworks in use in other parts of the world as well, such as New Zealand, US and the middle east. Periodic qualifications framework referencing exercises are carried out to monitor this. It would be unhelpful if a system of credit were introduced that used a different method of recognising notional student effort. It would be a barrier to inward and outward student mobility and potentially the wider recognition of learning.

17. In brief, what internal processes do you/they have to ensure compliance with the framework or rules?

Higher education institutions assure compliance with credit frameworks through academic regulations. This begins at the point of course design where providers use

frameworks as a reference point. Some providers may use subject benchmark statements in the design and review of qualifications. The course aims cover the collective content of the courses, from these providers develop learning outcomes for individual modules. Providers then consider the amount of credit and level of study required for learners to achieve the outcomes and the assessment methods. Courses are then monitored and reviewed over time.

Another way providers assure compliance with the frameworks is through bringing in independent academic experts – in the form of external examiners. External examiners assure the provider that the qualifications they award are comparable between institutions. They do this by commenting impartially and informatively on academic standards, student achievement and assessment processes in the provider and their consistency compared to other institutions.

For processes such as periodic review, there are other independent academic experts involved as well as those from industry or related professions. This also helps ensure the relevance of qualifications to industry and employers.

18. What impact could modular study have on study mobility across the UK?

Student choice is important, we must ensure that learners are able to use their LLE to access provision in the devolved nations: this may be the course that is the best fit for them or even the closest geographic provision given how porous the English-Welsh and English-Scottish border is.

Students should be able to choose to study wherever in the UK best meets their needs. In 2020–21, 38,355 English-domiciled students enrolled in undergraduate courses in Welsh higher education institutions HEIs ([HESA](#)). In the same year, 19,580 English-domiciled students enrolled in undergraduate courses in Scottish higher education institutions. Data also shows that 1,390 English-domiciled students enrolled in undergraduate courses in Northern Ireland. The picture in individual institutions will vary with some admitting a considerably higher proportion of English-domiciled students to others.

UK government policy should support this movement of students and avoid creating any barriers to the flow of students across the internal boundaries of the UK. Navigating a system of different approaches may be difficult for learners – particularly if the scope and eligibility of modular study is inconsistent. The movement of students increases opportunities and is often critical in specialist

subject areas which are only offered by a small number of institutions. If approaches across the different nations do not diverge too much then there could be a positive impact on study mobility across the UK.

As noted above, in Scotland, honours degrees normally last four years, and integrated masters programmes last five years. This could disadvantage some students, for example, those who might wish to undertake a teaching qualification after a four- or five-year course. In this circumstance, it would be appropriate for the LLE to fund the degree length plus one year. This would enable learners to upskill and retrain in keeping with the lifelong learning ambition.

19. How can the LLE promote and encourage flexible study across England, Scotland, Wales, and Northern Ireland?

The single most effective way for the LLE to promote flexibility is for it to draw from and use existing frameworks that do not significantly diverge across the different nations. The ability for learners to learn flexibly is dependent on the consistency of common reference points such as credit and qualification frameworks.

Lifetime entitlement

20. What should be the most important considerations when determining how the lifetime entitlement will work?

We support defining the four-year entitlement as equivalent to 480 credits. The focus on credits, over years will have longer currency given that the number of credits within a year is non-standard across the sector – for example, accelerated degrees. Academic credits are well recognised within the quality infrastructure and could easily apply within existing processes.

The terminology used to explain the entitlement to learners must be clear, applicable across the sector and have longevity. A key lever of success will be the ease with which students understand how and where they can use the entitlement.

Learners are likely to access the loan at different stages throughout their lifetime. The design of the loan and how it applies may need to adapt overtime should the fees and funding system change. The government should prioritise fairness over time in such

cases – basing the entitlement on credits over a monetary sum would support this aim.

Where possible, the entitlement should use existing regulations and processes to avoid generating additional burden. As within HESF, the individuals who undertake study in qualifications that go beyond four years should be granted an additional entitlement. The government should work closely with providers who do not operate a credit-based system, to ensure their engagement with the LLE is possible.

Further eligibility criteria

21. What, if any, age-related restrictions should be in place for the LLE that would impact on an individual's ability to access their loan entitlement?

It would not be appropriate to put in place prescriptive age-related restrictions. This would undermine the impact the LLE could have on social mobility. Depending on the work patterns and ambitions of individuals, the age at which they would access the loan differs. We support the principle of not adding additional barriers to this effect. The best safeguard for enabling learners to effectively use of their entitlement is advice and guidance.

For example, if restrictions to the LLE were placed on individuals 21+ then there is a risk a two-tier system would emerge between studying modular and full-time. The LLE should enable access to all 18+ learners to give maximum choice. Setting age-based restrictions would not lead to the transformation envisaged. It would be highly inappropriate to set an age threshold at 25+. The long-term sector standard for mature students is defined at 21 rather than 25. The Office for Students themselves defines mature learners as aged 21 and over.

In the consultation document it's unclear how the LLE would apply to existing learners who may already have studied qualifications at levels 4–6. To support the retraining and upskilling agenda these reforms must apply to existing learners. This would mean, for example, learners who have completed 360 credits before 2025, are still able to draw out their remaining 120 credits to support retraining or upskilling.

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

We think this is a significant aspect to the government's proposals. There is a balance between the level of flexibility for learners and the extent to which providers can assure progression opportunities and recognition for the learning. Learner buy-in will be crucial to the success of the LLE and deriving modules from a full course, to support progression, is a means to achieve this. It would also remove the additional burden from a regulatory and quality assurance perspective – as the qualification in question would already have approval. However, this does not preclude further development of flexible provision and an evolution of systems to support this. The scale of provision needed for the potential pathways to a qualification could be developed over time to increase flexibility further.

We believe that all individual modules funded through the LLE should be part of a qualification. However, this may not require the module to be delivered identically. To expand, there are multiple reasons why a module itself may need to change to suit learners studying on a modular basis. Courses often have prerequisites that builds on knowledge developed elsewhere. The needs of those studying on a modular basis may differ. This would not involve the content and outcomes of a module changing but rather the means through which it is delivered.

To do otherwise would risk huge regulatory complexity to regulate modules. We believe that modules should be regarded as already regulated if they are part of a regulated qualification. There is certainly market and employer demand for free-standing modules, including micro credentials, but these should not be funded by the LLE but through employer and government skills budgets. It is important that the LLE is not being used to replace employers' training budgets, in effect moving to cost onto learners.

We understand that there is concern this could lead to credit inflation. Where amendments to a module to provide additional learner support providers could increase the credit size – effectively using more of the learner's entitlement. We do not believe this concern is substantial. Providers have strong quality assurance processes which would mitigate this. However, we recognise the DfE may want to use credit frameworks to define credit levels.

Recognising the learning of students and supporting progression will be important. Of course, just because each module **could** lead to a full qualification does not mean this will be appropriate for the learner in question. For example, they may change their area of interest and wish to study multiple level 4 modules. This would be entirely appropriately and in line with the ambition of the LLE.

Another element of this question relates to the extent to which the LLE would fund bespoke provision that responds to local employer needs. For example, if modules did not need to derive from a full course, then more employer tailored modules may be possible. Government needs to ensure the LLE does not subsidise employer CPD programmes by moving the debt onto learners.

23. In a system where modularised study is widespread, how we can we ensure that learners and employers understand what programmes of study deliver the skills that employers need?

We think that investment in careers advice will be necessary. Information, advice and guidance will be more critical than ever under the LLE.

For employers we see a role for LSIPs to communicate employer needs to educational providers. The badging of qualifications such as HTQs will support with this. However, alignment to occupational standards is not the only way employers show value. We see this through recruitment figures and the outcomes of learners – where degree study is highly valued. However, the difference of modular outcomes compared to three-years of study will require contextualising in outcomes data.

24. When considering restrictions by level and subject, how could the government ensure that the LLE is used for high-value learning that meets the needs of employers and the economy?

If the LLE is to be the new student finance system for all learners across further and higher education then the eligibility of provision needs to be wide. This includes across all subjects. Top-down restrictions on what people study would deprive individuals of studying a subject for which they have a genuine passion or flair. It's notoriously difficult to predict the skills needs of the future, it would be wrong therefore to restrict eligibility on the basis of the present labour market, when we know learner choices will need flexibility to adapt.

We recognise that many employers see courses at level 7 as important for upskilling and retraining. For now, we believe it's right to focus on level 4–6 within the LLE reform programme. We have reached this position based on the already complex programme of reform that is needed to get level 4–6 operating. Widening the scope at this stage would not only have significant budgetary implications but would also multiply the complexity. We also believe that the current post-graduate master's loan is an effective way of supporting learners. However, we do think that in the future it would be appropriate to explore the scope of the LLE and the value of encompassing level 7.

That said, we do think demand for level 7 provision should be embedded into local and national planning to reflect the high skills needs of the economy. This will also ensure that as many learners as possible can continue their trajectory to higher skilled roles.

25. Are there other restrictions we should consider on the use individuals can make of their entitlement?

We would support a principle of as few restrictions as possible. The intent of these reforms should be to expand opportunity. The circumstances and career pathways of learners are unpredictable the design of the LLE should allow for this. The most effective way to ensure learners use their entitlement effectively is through strong information, advice and guidance.

However, government needs to consider safeguards that prevent employers from pressurising employees to use the LLE to fund training programmes, formed for example, from individual or collections of modules, that an employer should fund. That is, the LLE should not act as a discouragement to employer investment in the training and development of new and existing employees. Government needs to be clear what training and development employers should fund and what learning should be supported through the LLE.

Maintenance

26. Do you think a future system should include a facility for provider-based bursaries, which providers allocate directly to students?

We recognise that under ALL learners are unable to access maintenance loans but can access limited financial support through a bursary fund administered by their provider.

With the LLE encompassing all courses level 4 and above it is right that students should be able to access loans for maintenance. These learners should attract access and participation funding to higher education institutions and this could be used for a variety of purposes, including bursaries.

We can see how bursaries would have a strong impact and can help reach learners who are debt adverse towards loans. However, should one of the aims of these reforms be to create greater parity across further education and higher education there may be benefit in a more unified approach to maintenance support. It's unclear from these proposals what the proposed scope of provider-based bursaries would be, for example, which providers, students and courses. Would this operate alongside or instead of a loan?

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

Yes. We agree that there should be a consistent way to extend fee limits to provision under the LLE. In doing so the cost of studying in a modular way should be proportionate to traditional study. Students should not pay different fees due to the mode of study intensity. This would drive behaviour based on pricing rather than what is in the best interest of learners. We would support a fee limit calculation to the effect of: credits in course/module x by rate-per-credit = fee limit.

Having fee limits set in this way has several benefits. It aligns with the intent to fund modules that already form part of a wider course – supporting quality assurance and progression. For learners, it ensures that modular study will not be more or less costly than studying full-time.

Ultimately, delivering on a modular basis must also be sustainable for providers. This must be understood in the context of the higher cost of part-time provision. Meeting this cost is an important purpose of the current Part-Time Student Premium, which is an element of the Strategic Priorities Grant (along with full time access funding and priority subject funding).

The following risks must therefore be mitigated:

- The cost of modular delivery will exceed that of full-time provision for providers. This is partly due to the additional administration required. We also know individuals re-entering formal study may require additional academic and study skills support upon entry. This includes wrap around support such as careers guidance, counselling, and access to facilities.
- High-cost courses and modules would need further support. For example those that use labs or specialist equipment. Therefore, deriving a fee from the qualification may not completely compensate where the take up of particular modules is more prevalent than others. A high level of unpredictability initially about learner demand for short courses could impact the cross-subsidy model that higher education providers operate. There is a risk that providers are disincentivised from offering expensive courses. We think these challenges could be mitigated through the strategic priorities grant, over developing models for differential fees.

It seems likely that the distinction between the current full-time and part-time fee caps should be abolished in the LLE, with the introduction of one credit-based cap, it will still be necessary to distinguish 'part-time' (including modular) for the purpose of Strategic Priority Grant support. A suitable definition in the LLE flexible world would be that part-time is 'any course of study that is specifically designed to enable the student to vary their intensity of study and is not normally a fixed full-time commitment for the duration of the course'.

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

Our view is there should not be any restrictions on the point at which learners can access maintenance support. These reforms must account for the variety of circumstances learners come from.

We recognise that maintenance support at 30 credits may not be appropriate for all learners. This is why information, advice and guidance will be important. However, we would underline that the purpose of these reforms is for new learners to train, retrain and upskill. To drive such change, we must accept that the existing funding arrangements have not been sufficient for some learners. Given the wider cost of living crisis access to maintenance will be a key enabler to study.

29. Currently means-tested elements of the maintenance system relate to family income. Should this be reconceptualised for a system with more adult participation, and if so, how?

Yes, it would be appropriate for the DfE to revisit this model. The concept of household income could be used to recognise that the learner may be generating income. However, it's important to note that upon undertaking study an individual's income may change due to work reduced hours.

30. To what extent do you think maintenance support would be a consideration for learner access to, and progression through, LLE funded courses?

Maintenance support will be instrumental. As noted in our response to question 2, funding was the biggest barrier to lost learners accessing study. For learners to pursue flexible study they are likely to reduce working hours or require childcare support. The LLE must be ambitious and facilitate those learners who have historically not pursued higher levels of study.

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

It would be inappropriate for the maintenance offer to change by course type or mode of study. We think the age of a learner would need to be considered when assessing income – whether that is on the basis of parents or guardians or through a household. We agree that more bespoke support may be suitable for other learners such as those with caring responsibilities.

Furthermore, we can see a strong potential in providers teaching modular courses through distance learning and we would recommend maintenance support is

considered for these learners. Access to maintenance support should be study mode blind, this change will be instrumental in taking advantage of new forms of learning and reversing the decline of mature learners.

Regulating quality flexible and modular provision

32. How can we support flexibility whilst maintaining high quality provision through the introduction of the LLE?

Providers must have space to innovate and meet the needs of learners. This will require trust. Higher education institutions already navigate a heavily regulated environment which provides assurances of high-quality provision for learners. The introduction of the LLE should use these existing mechanisms while recognising the reduced level of scrutiny needed at the module level. We think there would be value in the CMA undertaking work on collaboration to support collaboration between providers without the fear of breaching competition law.

Our general position is that the LLE should draw from existing regulatory and quality infrastructure. We must ensure that delivering modular provision does not lead to disproportionate regulatory intervention that may disincentivise providers or create an unnecessary burden that detracts from delivery. In practical terms, this would mean regulating provision through the OfS' existing conditions of registration. We do not believe it would be appropriate to develop new conditions of registered. This means that the existing conditions and their guidance may need to be revisited, however, principles-based regulation should where possible apply across different types of provision. This would also mean using existing systems such as the Framework for Higher Education Qualifications and outcome classification descriptors. There are also voluntary frameworks which while non-regulatory act as complementary sector recognised standards, this includes Credit Framework for England and subject benchmark statements.

33. How should the approach to quality change to support the introduction of the LLE?

We agree that the use of a credit framework will help to quality assure the LLE system. It will do this through stipulating expected credit levels which can be used

consistently to set fee-levels. Students can therefore be confident that the modules they are undertaking – while potentially different in content and delivery – are broadly equivalent from the perspective of quality.

We support for the continued use of the QAA credit framework for England, which was updated as recently as 2021 to reflect current practices and expectations for using credit. While it operates outside of the regulatory framework it reflects long-standing and well-established practices and is widely used by HEIs. Government may wish to not adopt the framework in full but rather in an adjusted or abridged form. However, whatever framework is produced must have sector confidence which we think can be achieved through proper consultation and using the existing frameworks as the foundation.

The credit framework has two main purposes:

1. to ensure the number of credits in the module is proportional to the number of credits in the corresponding course type
2. to ensure the number of credits in the full course is aligned with the credit framework size (for example, 240 as equivalent to FHEQ level 5)

There are some unknowns around who is responsible for a student's outcomes when they have been achieved over multiple institutions – and this is an issue that will become more critical to understand as the OfS looks to take a more rules-based approach to regulating outcomes. For example, practice related to how providers classify a learner's qualification. A learner's previous assessment and module marks are not normally carried over at the point of transfer and institutions typically rely on marks received post-transfer. Some institutions require a certain percentage of a student's learning to be completed in a single institution at level 6 to calculate the final classification. The regulation around the LLE will have to consider the implications of different practice across the sector when calculating classifications and assessing student outcomes and how these can be mitigated or managed.

34. What, if any, regulatory changes might be needed to support a modular system?

There is a risk that modular delivery could lead to disproportionate regulatory intervention. Recent legislation altering the definition of higher education courses to encompass individual modules could generate large amounts of data submissions. This added burden may disincentivise providers from offering and developing more modular-based options. Regulation needs to avoid additional costs which takes

resources away from delivery undermining quality. It also needs to enable flexibility to allow providers to be responsive to changes in student preferences and local or national skills needs in an agile way.

We believe the OfS is the suitable regulator to monitor the LLE system. However, going forward there are a number of areas where the OfS will need to review its practice.

The OfS should consult and review on the appropriateness of student outcome measures for learners studying under the LLE. For example, at what point would it be appropriate to assess continuation and completion, and which provider over the course of a student's 'step on step off' education would be judged on this? The proposed B3 conditions set absolute numerical baselines for full-time and part-time learners against which the provider that students are registered with are judged. However, under the LLE learners may study less clearly defined volumes at a time and potentially at more than one provider.

The non-completion measure would need revising and/or a clause added to accommodate modular learning. Leaving a provider without completing a full degree cannot in itself be regarded as an indicator of failure, either for the student or the institution, but particularly not in the case where a 'step on step off' approach is proactively encouraged. Employment and further study outcomes would also need to be reconsidered to account for non-linear work and flexible study patterns of learners, and/or the possibility that individuals already in 'professional jobs' are re-skilling or up-skilling.

As we have stated in our responses to the OfS consultation on student outcomes, we think it is vital that any assessment of a providers' quality and standards considers the context of students and courses. This must extend to issues associated with lifelong learning, for example potentially different student characteristics and prior experience and the learning outcomes. Metrics should reflect the study goal, whether that is a module or a whole qualification. Further thought would need to be given to how providers will be held responsible for outcomes where students have studied across multiple institutions.

The new approach to quality and standards from the OfS risks data from small modular courses being statistically insignificant and inappropriate to form robust metrics. We propose the OfS should place a moratorium on implementing regulation of outcomes for this provision until robust data is available and there is better understanding of outcomes for this provision and what 'good' might look like.

The reforms must also protect the diversity and autonomy of the sector, to enable providers to meet the different needs of students and employers across the country. Similarly, it must also support and facilitate partnerships and collaborative provision where this may be able to offer greater student choice and different ways of responding to skills needs.

35. Are there opportunities to simplify the regulatory regimes that will operate under the LLE?

We agree that the LLE is an opportunity to consider the roles of different regulators and where this can be simplified. We can see particular value where there are duplicate or conflicting reporting requirements across different regulatory bodies (OfS, the Institute, Ofsted, and sometimes professional, statutory and regulatory bodies also). We see this already in relation to degree apprenticeships and there is a risk of this emerging for higher technical qualifications. It will be useful to identify where collaboration between regulators can reduce the burden on providers. For example, in the case of data collected through the Individualised Learner Record (ILR) collaborative data sharing between the OfS and the Education and Skills Funding Agency (ESFA) for higher apprenticeships would mark a meaningful step in reducing the burden on providers.

It's unclear from the proposals if the DfE intend multiple regulatory regimes to coordinate the LLE across further education and higher education. If the LLE does aim to allow transference of students and qualifications between further education and higher education – how will quality, transferability and progression be monitored without adding additional burden for providers who operate partnerships? We think that the OfS is the appropriate regulator to lead on the LLE and that together the regulatory activities must be risk-based and appropriately targeted.

36. How should government look to facilitate new and innovative provision while supporting high quality provision?

To support innovative provision the regulatory environment needs to be proportionate. It needs to be there to protect students. However, it should not impact the universities' ability to deliver for their students because they are focusing too much of their attention on regulatory requirements and not enough time on teaching, assessment, and student support.

A key way for the government to facilitate new provision is to set out an extensive programme of pilots which locates demand, as detailed in answer to question 5c. Clearly articulated employer and student demand will support higher education institutions to deliver the qualifications most needed quickly. This could be developed on a local basis to address regional skills needs through cooperation with regional authorities and local skills plans, with top-up funding linked to the strategic priorities grant (SPG).

Level 4 and 5 technical education quality assurance

37. We welcome views on how quality assessment and regulation could best work for level 4 and 5 technical education within the wider LLE context.

We support work to ensure HTQs can be studied as modules. This flexibility will be important for adult learners. Fundamentally, getting the quality assurance and regulation right may require changes to the design of HTQs. The Institute for Apprenticeships and Technical Education (IfATE) has not agreed a standard credit size for an HTQ. Qualifications of different sizes, even those based on the same occupational standard, can theoretically be awarded the quality mark. This will be challenging for individuals and employers to understand. HTQs should align with a credit framework – this may involve unbundling the linear occupational standards HTQs are based on to support alignment with the LLE.

We have detailed further thoughts on this in response to question 25 of the higher education reform consultation.

Credit recognition and transfer

38. What are the barriers to encouraging greater credit recognition and transfer between providers?

Credit transfer and recognition is an important element of a flexible and responsive education system that can meet the needs of students and employers. UUK welcomes addressing the barriers to greater credit recognition and learning from existing practice. Providers should be encouraged to facilitate recognition of modular

credit, while accepting that this may not always be appropriate for the most integrated programmes. We should draw from existing systems that facilitate credit transfer such as the QAA's Credit Framework for England. We recognise that some barriers are collectively in the control of the sector and there are others where government intervention would be helpful.

The lack of a clear understanding of demand is currently a key barrier. While frameworks and policies can enable transfer, they do not on its own actively promote transfer. This is because studying across different institutions and overtime will only be right for some learners. However, for many learners it will not be. An understanding of which learners would benefit from and/or would like greater transfer opportunities would be valuable.

Without a common framework the onus on navigating the credit transfer policies lands with the learner. The LLE is an opportunity to provide clearer advice and guidance to learners about options to transfer.

A key strength of a responsive sector is its diversity. However, with specialisation it means that there is inter-institutional variation in course content and structure. This means that although the discipline, level and size of credit may in theory fit it may still not be appropriate for a learner to transfer. For example, the students transferring courses may not have covered similar content or have the necessary skills e.g. in using a particular type of software. The student will either therefore have to spend additional time with self-directed learning to overcome any gaps in their knowledge or a university provide additional one-on-one support that in reality could be equivalent to an entire module in and of itself.

The current admissions timetable does not easily lend itself to credit transfer. Similarly, there is a significant time and resource pressure on admissions staff to assess the equivalence of study. This is compounded by the lack of detail often displayed on transcripts and the learner record. At present, credit transfer between institutions is largely done on a case-by-case basis. The challenges on building economies of scale does not incentivise the creation of a more comprehensive transfer system.

There are many examples of credit transfer agreements already taking place, such as through articulation arrangements and partnerships. We should learn the lessons of what has worked well in these instances. UUK would welcome case studies and examples of practice that currently work well and recommend the DfE or OfS undertake a review of existing practice. This should include exploring how challenges were overcome and the development of guidance to support the sector.

There may be some scope to explore how pedagogical best practice related to the recognition of credit can be shared. Currently the focus on transfer involves matching module level learning outcomes. This can be a time consuming and complex process. There may be scope to exploring whether in some instances programme outcomes can be matched instead. Drawing and sharing practice across the sector in this area could dramatically reduce the burden associated with transfer.

39. How can the introduction of the LLE support credit recognition and transfer between providers? (Including those across the Devolved Administrations).

We would support exploring what scope there is to introduce regional based agreements on credit transfer. Groupings of local institutions would come together to recognise credits (based on academic infrastructure) in certain areas such as business, digital, engineering and manufacturing. We believe some initial investment would be needed to pilot this approach, build networks and make necessary changes.

There are existing equivalencies between the Scottish, Welsh and English frameworks (for example, [see the QAA's guide to comparing qualifications in the UK and Ireland](#)). For England these are based on FHEQ (rather than the English credit framework, but the credit framework uses the FHEQ levels and providers all use compatible definitions of credit.

There needs to be systematic equivalence between what's funded in England through LLE and in the Scottish Credit and Qualification Framework and the Welsh Credit and Qualification Framework so that cross-border credit recognition and transfer is facilitated.

40a. How far does successful credit transfer depend on mutually recognised credit frameworks?

The barriers noted above would still exist within a single credit framework. Mutual recognition and buy-in from providers is crucial.

40b. Is a single credit framework a precondition for easy credit transfer?

We support the use of a single credit framework. However, while a single credit framework may be an enabler to easy transfer it is not a simple pre-condition. Credit transfer already happens across the sector. There are many examples on a local and regional scale where frameworks have developed to support transfer. However, there tends to be challenges building economies of scale and elevating agreements across the entire sector. For providers to administer high volumes of transfer many would need to make substantive changes to their admissions and student record systems.

41. If relevant, please provide details of any bespoke arrangements you have with other providers that support credit recognition and transfer.

There are numerous examples across the sector. We do not believe a single model would be appropriate in all contexts, rather approaches must adapt. Significant lessons can be learnt from Higher Education Funding Council for England's (HEFCE's) Lifelong Learning Networks and the progression agreements. Some models of interest may include Southern England Consortium for Credit Accumulation and Transfer (SEEC), Northern Universities Consortium for Credit Accumulation and Transfer (NUCCAT) and the Midlands Credit Compass.

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

Professional academic judgement based on previous study is the most important consideration for providers when assessing credit recognition and transfer policies. Previous study in a generic subject area may not in all cases be appropriate to enable credit recognition and transfer. Effective recognition for transfer must marry what a learner brings and what they transfer to. The diversity of the sector and courses mean these will often be case-by-case decisions.

Other considerations include the of level of study and assessment outcomes. The learning, module and programme outcomes may also apply. Depending on the course structure particular pre-requisites study areas may also be required.

Typically, students will not be able to apply for exemption for parts of a module – it must be accepted in whole or not at all.

43. Should there be a time-limit on how long modules stay current? Should this vary by subject? Please explain your answer.

We would advise against making top-down judgements on the currency of modules. Curricula and occupations are constantly evolving therefore it would be impractical to impose strict limits. This should fall to higher education institutions in consultation with PSRBs and employers where relevant. Naturally some subjects see more rapid change but providers have mechanisms to compensate this alongside experience in employment or through other means. It's important that decisions are made as transparently as possible.

44. How can prior workplace or experiential learning be more consistently recognised for credit?

We should build on what providers do currently to recognise prior learning. The difficulty of consistently recognising prior experience is the diversity and pathways of learning, taking account of individual circumstances of learners. Absolute consistency is therefore likely to be challenging.

However, we think there is scope to share good practice. Work on this could be done through the lens of subject areas, such as healthcare, engineering and digital. Providers with employers could develop frameworks to share current practice on recognising prior work for credit. However, providers are responsible for recognising the credit and must be assured that the learners can succeed on their programmes.

QAA Scotland have developed a [national framework of recognition of prior learning](#). This helped expand RPL practice, reduce inconsistencies and enhance the experience for learners.

45. How might government work with professional standards bodies to facilitate recognition of prior workplace or experiential learning?

As noted previously, we think there is scope to bring higher education institutions together with PSRBs to facilitate recognition. PSRBs already have often well-established processes for recording CPD for those already in the profession. Such frameworks could be built on to facilitate recognition to credit.

46. Are there courses/subjects which would particularly benefit from accreditation of prior workplace learning?

Higher education institutions currently assess accreditation of prior workplace learning for a range of subjects.

47. What data should be collected to facilitate credit recognition and transfer?

N/A

48. How can the process be more transparent?

We think that providers have a responsibility to ensure that learner opportunities to transfer and have their credit recognised are clearly accessible. Given learners will be navigating their entitlement throughout their life it is important providers are transparent with learners about how the currency of their learning could change overtime potentially impacting on their ability to transfer. Where providers have transfer agreements with other institutions it is right that these are published and clearly accessible to potential learners.