

London Higher Response to the Lifelong Loan Entitlement Consultation

Introduction:

This document provides London Higher's response to the Department for Education's consultation on the [Lifelong Loan Entitlement](#) (LLE), published on the 24 February, for response before 06 May 2022.

This consultation response was created after extensive discussion with the London Higher membership and seeks to represent the diversity of "London HE".

Theme 1: LLE Ambition

Question 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 Lifelong Loan Entitlement (LLE) is an ambitious reform which is welcomed by universities and higher education colleges across London as a means to unlock opportunities for learners and address pressing skills needs – many of which are felt acutely in the capital.

For the LLE to work as intended and enable people to access tertiary education flexibly at any point they desire throughout their adult lives, there needs to be major investment in raising awareness of the LLE and detailed consideration of how independent and impartial information, advice and guidance (IAG) is made available to people through multiple media and formats. As the LLE consultation document rightly acknowledges, this will require a significant culture change in the way we consider the role and place of tertiary education in the country; yet this is not going to occur overnight, or even in the short-term.

Telling school-leavers about the planned changes to the current student funding system will be the easier part, although it is still imperative that independent and impartial IAG sessions commence as soon as possible to ensure that all school leavers, irrespective of their location, background or circumstance, are aware of their options in time for the planned roll-out of the LLE in 2025. Indeed, [research \(published in 2022\) from Dr Deirde Hughes and DMH Associates](#) found a strong desire among school pupils and their teachers for clearer and more rigorous careers guidance covering a greater range of options, particularly early on in secondary school. This IAG should be provided as broadly and impartially as possible through schools, UCAS and local FE and HE outreach programmes, and also involving employers wherever feasible.

The more difficult part will be ensuring that all eligible adult learners are aware of the opportunities they will soon have to access the LLE. This will require a large-scale public information campaign to reach those individuals in society who need it the most. Mass marketing will be necessary in the mainstream media and through large-scale public information campaigns, as well targeted information through national bodies such as JobCentre Plus and the Citizens Advice Bureau, but also through local and hyper-local community organisations, charities and faith groups to ensure no individuals and communities are left behind. This information campaign must be sustained over the long-term to ensure awareness of the LLE grows across society and the uptake of the LLE increases.

Extensive user-testing should nevertheless take place in both learner groups, school-leavers and adults, as it is essential to ensure, before plans for the LLE are formalised, if genuine demand for such a modularised learning system exists in UK society and whether learners would actually be likely to draw on their entitlement. If not, we risk unnecessarily over-complicating the existing loan system.

Finally, to ensure the LLE delivers for all learners, it is vital that restrictions such as the Equivalent or Lower Qualification (ELQ) exception rule are not carried over from the current finance system to the LLE, to ensure that people are not inhibited from training, retraining or upskilling as appropriate throughout their lifetimes. For the LLE to work as intended, we need to be empowering learners to make the best choice of study appropriate to their own circumstances and, for that, they should be able to use the LLE as they see fit; not be constrained by outdated ELQ rules or similar. This means easing rules prohibiting access to funding for second degrees, ending barriers on study intensity and removing the requirement to follow a full course for a set qualification.

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

Adult learners face multiple barriers associated with the complexity of their lives. Many adult learners are, for example, more likely to be 'time-poor', debt averse and constrained by work or caring commitments. For the LLE to work as intended, it is therefore imperative that measures are taken to: (i) bring employers onboard so that they allow employees time for retraining alongside their work; (ii) encourage education providers to adapt the time and mode of course delivery to attract learners with limited time and other commitments; and (iii) communicate carefully to prospective learners how the student finance system works to avoid the concept of a 'loan' becoming a barrier to take-up.

Further to this, the recent Covid-19 pandemic has not only exposed but widened inequalities in society when it comes to access to digital media. So, we are concerned that, if the LLE will be delivered exclusively through personalised online lifelong learning accounts, this is set to exclude those either without the means or the skills to access digital content. Putting information about the LLE online in this way, although in line with wider advancements in technology, will inevitably exclude people from the most disadvantaged parts of our society if they do not have other means of accessing this IAG or if alternative routes are overly complicated. The online delivery of LLE accounts is also set to disproportionately disadvantage older learners, who are more likely not to possess the prerequisite digital skills to use them. To bring down barriers to accessing the LLE for everyone, online IAG routes must therefore co-exist alongside alternative options: these may include a national IAG call centre with a dedicated helpline, or a network of regional advisers working within national organisations such as JobCentre Plus, who can be visited in person by prospective learners during opening hours.

Moreover, for any IAG to secure the widest reach, it is important that information is not just issued in English. According to the last [national census](#) for which we have data, two per cent of the population across England and Wales were found on average not to speak English well or at all, equating to 863,000 people. However, this number dramatically increases in certain areas of London, most notably in the boroughs of Newham, Brent and Tower Hamlets where between eight and nine per cent of the local population were found, in 2011, not to speak English well or at all. This number would have inevitably increased over the past decade. So, to ensure these learners are not being left behind and can use the LLE to upskill in key areas while also improving their English language competency, independent and impartial IAG on the LLE must be provided in a variety of languages and targeted appropriately.

Finally, as briefly alluded to in our answer to Question 1, the ELQ exception rule must not continue to be a barrier to learners under the new LLE system, for it threatens to go against all that the LLE seeks to achieve in opening up skilling, reskilling and upskilling opportunities to learners throughout their lifetimes. In its current guise, the ELQ rule prevents people from accessing funding for study on a course at the same or a lower level than a qualification already held; yet there is no place for such a rule in the lifelong learning agenda which should be empowering people to reskill whenever they may

need it – and ‘reskilling’ itself implies repeating study at a similar level. Allowing the ELQ rule to continue under the LLE system would, therefore, be undermining the very nature of the LLE and restricting people’s access to opportunities.

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

LLE accounts need to display clearly the overall entitlement available to individual learners, how much they may have used (if applicable), how much entitlement they have left to use and, most importantly, impartial IAG about how they could be using it, including clear links through to an official Government database of all eligible courses between levels 4 to 6. This database should be organised in alphabetical order so as not to preference either FE or HE providers over one another, and users ought to be able to filter results by region, and the towns and cities within them, subject or discipline, and key words. For larger cities such as London, where there is a particularly high concentration of higher and further education providers, there should also be the additional functionality built in for learners to filter by borough or sub-region to help them better hone their results to their lives.

Moreover, to enable learners to make truly informed choices about their futures, the information shown on LLE accounts must be consistent across both HE and FE providers. This means creating new ways of assessing both HE and FE providers fairly using a clear common tertiary framework, while also being careful to minimise the bureaucratic burden on individual providers. For example, it is both unreasonable and unrealistic to expect the same style of B3 indicators currently being consulted on by the Office for Students (OfS) for HE providers to be applied to more granular short courses.

Question 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?

If the LLE is to cover all courses at levels 4 to 6, then it is only natural that eligible provision will be expansive and include both courses deemed to be “technical” and “academic”. As a membership organisation representing over 40 different higher education providers across London, we nevertheless find the distinction between “technical” and “academic” courses unhelpful and misleading because most courses contain an element of both and equip learners with transferable skills to enhance their employability.

As a system that seeks to provide eligibility to all courses, we believe the LLE should avoid branding courses as either “technical” or “academic” and seek, instead, to build pathways between courses to abolish the binary “academic-technical” divide. This will ensure the focus is put on the transferability of the skills that these courses provide and ensure they deliver long-term value to learners as the world of work changes and employers’ needs adapt.

Question 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?

Owing to the diverse geography of UK industry, with different regions having different industry strengths, we believe skills gaps are best identified and supported at the regional level and in conjunction with existing devolved governance structures. This will help build an understanding of more specific local skills and talent needs. For example, in London, the Greater London Authority (GLA) has recently published [The Skills Roadmap for London](#), which is intended to develop a more integrated skills and employment system which meets the needs of local London businesses and employers and fosters flexible learning across the capital that supports progression into locally-relevant work. The LLE should, therefore, be developed in a way that integrates into it these different regional skills plans

from across the country and works with relevant local authorities to offer incentives for further and higher education providers within specific regions to offer provision for courses that will address local skills gaps which have been designated as priorities by local government.

Local skills systems should also be linked to the Strategic Priorities Grant (SPG) administered currently by the Department for Education, so that providers offering courses in acknowledged areas of regional skills shortages are given more funding as an incentive to take on learners and help them to succeed. This would help London, for example, where the creative and cultural sector has been designated as one of five areas of acute skills shortages in the capital, yet national policy has dictated that funding for these subjects should be halved. If the LLE were linked to regional skills needs, however, which attracted top-up funding from the SPG, then this would help London and the nation's economy to build back better post-pandemic and reverse crude, broad-brush funding cuts that severely hamper each region's ability to address their own specific skills shortages. Measures such as this would also work in harmony with existing regional measures, such as the [Mayor's Academies Programme](#) currently being rolled out across the capital.

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

By aligning the LLE to specific regional skills shortages, as detailed in our answer to Question 5A, it will make it easier for partnership models to form, including further and higher education providers coming together with employers to address specific skills needs and keep up with industry developments. At London Higher, we are already part of a successful partnership model of this kind through the [Mayor's Academies Programme](#) alongside Middlesex University, the Capital City College Group and Film London, having come together to address specific skills shortages in the screen industries – a major contributor not just to the Greater London economy, but to the UK economy as a whole. Through the Mayor's Academies Programme, employers are able to tell us in which areas of the workforce they are experiencing acute skills shortages and the FE and HE partners are, in turn, able to source the appropriate talent, develop effective pathways and signpost learners to opportunities that they might not otherwise have known exist. This is particularly true for students of Law and Accountancy, for example, who maybe unaware that their skillsets are highly sought-after by the screen and film industry.

Question 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?

If regional skills plans, such as The Skills Roadmap for London, were to be incorporated into the LLE, then it would make it easier for employers to be involved early on in the process of identifying skills gaps and working with education providers (and regional representative bodies for education providers like ourselves) to address them. For courses where industry-specific standards must be met, this could involve validation of modules by employers or relevant Professional, Statutory and Regulatory Bodies (PSRBs). However, this must not become the norm across the whole suite of modular qualifications on offer as part of the LLE, as the Government has a duty to respect institutional autonomy over course design and delivery and must not, therefore, seek third-party validation across every course offered.

Although employer interests must be recognised in the initial design of the LLE, what we must ultimately guard against is creating a system that exonerates employers from the obligation to pay for training for their staff and puts the expectation firmly on to employees to take out an LLE for their own work-based training. This would effectively benefit employers and enhance their role as

'consumers' of the skills system, and certainly does not set individual employees up for better long-term career prospects. There is the very real risk in the creation of the LLE system that short courses could add relatively little to individual learners' overall education, especially if they are not recognised as part of an established qualification framework.

As a country, [the UK already has one of the lowest levels of investment in training and skills among OECD countries](#). Further [research from the Social Mobility Commission](#) shows that the UK spends relatively little on adult skills and that people from the lowest socio-economic backgrounds are the least likely to access adult learning. This problem is not going to be solved by the LLE alone, particularly since the concept of a 'loan' is still going to detract the most disadvantaged in our society from taking out an LLE. That is why we should be incentivising employers, in parallel to creating the LLE, to invest in their staff by developing and embedding further flexibility into the Apprenticeship Levy scheme to make it more accessible for small and medium-sized enterprises (SMEs) and enable them to invest in the skills their businesses need. This should be done by increasing the overall funding available for skills, not by shrinking the money available for the LLE.

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

As a membership body representing over 40 different higher education providers across the Greater London region, we feel compelled to point out the rich diversity of educational provision that is already on display across England's higher education sector. While some institutions are already developing modular provision in selected course areas, others (particularly small specialist providers) simply do not have the capacity to do so, or do not feel it is appropriate to their particular disciplinary offering or specialism. That is why it would be folly to assume that the future of tertiary education is completely modular and can be made so without infringing on important questions of institutional autonomy, as enshrined in the Higher Education and Research Act (2017). A modularised learning system must therefore be established to complement and not replace more traditional modes of tertiary education.

For those providers that are developing modular provision, it is imperative that they are funded sufficiently by Government over the coming years so that they can continue to provide and develop bespoke support to lifelong learners who, like commuter students, will most certainly require increased assistance to enable them to participate fully in their tertiary education experience and succeed. Anecdotal evidence from our diverse members which are already offering adult education us that mature learners going into tertiary education for the first time later in their lives have extremely complex needs. To enable many mature learners to undertake their desired courses, providers have to invest much time, money and effort into equipping learners with essential study skills, support with academic writing and research, and even basic English language skills, since learners from London's diverse ethnic communities, in particular, may not necessarily speak English in the home and lack the basic communication and literacy skills.

These high levels of essential wraparound support to enable mature learners to participate in tertiary education and succeed require significant financial resource and investment. This means that the administrative burden of providing one module to adult learners certainly cannot be calculated as simply a fraction of that for a 3-year 'traditional' undergraduate degree, as the support needs of adult learners are greater and putting these modular courses on will clearly come at a higher cost to providers. Higher education providers in England are already being financially penalised by the decision by the Department for Education to freeze fees for full-time students at £9,250 under the current student finance model, particularly at a time of rising inflation and increasing operating costs – and providers in London also need to factor in the recent loss of the London Weighting from the

SPG, which has seen funding to the capital's higher education sector cut by over £64million. That is why it is imperative that the LLE does not financially penalise providers even further by underfunding the costs of delivery and making adult education a loss-making exercise for providers.

To enable providers to support and facilitate learners gaining qualifications through modular study, it is therefore vital that the Government recognise first and foremost its responsibility to increase the unit of resource for providers so that they can adapt and expand their suite of learner support accordingly. This is similar to the rationale behind the [fee increase that was passed for two-year accelerated degrees in 2019](#), which allows providers to charge up to 20 per cent more to cover the increased costs of added teaching time and wraparound support out of traditional term time. Clarity is therefore needed urgently as to the fees and funding proposed for similarly 'unconventional' modular courses.

Moreover, given [the expected rise in demand for higher education](#) in the London and South-East region by 2035, on top of London's already significant commuter student population, we appeal to Government to reinstate the London Weighting in the SPG at least to coincide with the roll-out of the LLE, but preferably before, to ensure that learners in the capital receive the same baseline investment in their education and support as learners elsewhere in the country. If London providers continue to be left without the London Weighting amidst a climate of rising inflation, then it will be very difficult for them to deliver the LLE in the UK's most populous city to the high quality and standards that are expected of them.

Question 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?

The LLE, with its ambition to be a truly flexible resource which learners can access at any point in their lives, in theory offers people from a wide range of backgrounds and circumstances the opportunity to access education wherever and whenever they need it. In practice, however, the current plans are set to disadvantage those who cannot access their LLE accounts online for reasons of digital poverty and lack of digital literacy. There is also the risk that those from the most 'hard to reach' and disadvantaged parts of society might never know about the opportunities afforded by the LLE because vital IAG is not getting through to them either in a language they can understand or a medium they can access. That is why the Government should first invest time to create established structures through which HE and FE providers can work more closely with other agencies, such as JobCentre Plus, to ensure these people are reached.

Moreover, empirical evidence shows that people from the most disadvantaged backgrounds are far more likely to be debt averse than those from more advantaged backgrounds, and that debt aversion also increases with age as people take on more financial responsibilities such as mortgages, loans for household items, cars and childcare costs. The fact that the term LLE includes the word 'loan' is therefore likely to inhibit the very people at whom the LLE is targeted and who could most benefit from it. It is also set to remain inaccessible to some Muslim learners and members of other faiths, who may be reluctant to use their LLE due to concerns over the interest added to the loan product and who are already under-represented at the most academically-selective institutions.

The question of whether barriers to access for loans for some Muslim students can be removed has been a long-running issue under the current student finance model and it would be particularly insensitive to carry over the same barriers into the LLE without developing a more inclusive and Sharia-compliant loan offering first. This is also an issue that is particularly acute in some parts of London since, for example, the London borough of Tower Hamlets is home to the highest percentage of

Muslims in the UK (32 per cent) and the East London borough of Newham is home to the second-highest percentage of Muslim residents. To prevent this significant group of London learners from being further disadvantaged from accessing education at all stages of their lives, we would therefore suggest the roll-out of the LLE be delayed until this known barrier has been removed.

Another group of learners set to be excluded disproportionately from the LLE are disabled people if sufficient IAG about disability-friendly training environments is not provided. [A new study for the GLA](#) shows that disabled people already report facing additional costs and inadequate provision for reasonable adjustments in tertiary education settings. So, to encourage them to enrol on education later in their lives, it is important they are aware of the specialist facilities and inclusive environments provided by individual education providers. Without this tailored IAG, disabled students may find themselves reluctant to take out an LLE, believing all tertiary education settings are not spaces they can trust or feel welcome in.

Where the LLE does offer some advantage for people with protected characteristics, however, is when it comes to students with children, as they are far more likely to study as mature students. It is also well-established that people leaving education at age 18 are also more likely to start families earlier in their lives than those who go on to some form of tertiary education, therefore adding to the need to make the LLE available for all adult learners over 18. For learners with children, the LLE could be beneficial because it would enable them to access funding for courses on a timescale decoupled from the traditional academic year. The structure of the 'traditional' academic year is often disproportionately difficult for students with children. So, the ability to apply for, access funding for and then study parts of a degree at times in the year that fit around caring responsibilities would therefore be a positive change and might enable more adults with children to access tertiary education in the future. This is something which can only be advantageous, as we know that children's educational aspirations are strongly correlated with those of their parents, and seeing their parents embark on tertiary education and succeed is a good way to positively influence the attitudes, aspirations and behaviours of young people when it comes to educational attainment for future generations.

Question 7. What barriers might learners with protected characteristics face in accessing/drawing on their LLE and how could these be overcome?

As has already been mentioned in answers to previous questions in this consultation, learners without basic levels of digital literacy or access to technology will struggle to access their online LLE account if other formats are not made available to them and clearly signposted to them. Learners without good knowledge of English will also be inhibited from accessing or drawing on their LLE if personal accounts, associated IAG and Government course databases are not provided in other languages widely spoken by ethnic minorities in the UK. Finally, some Muslim learners and those from other faith groups may be unable to access their LLE due to the interest added to the loan product, so a Sharia-compliant version of the product should be developed before roll-out of the LLE commences in the interests of fairness to those in multicultural and diverse cities like London.

Theme 2: Scope of the LLE

Question 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?

If the ambition is to create a level playing field through the LLE for all level 4 to 6 courses, then it is only right that all courses at these levels which are currently designated for HESF funding should be

included in the scope for the LLE. What is key, however, is that: (i) these courses must be offered by registered and approved providers to help ensure taxpayers' interests are safeguarded; and (ii) the courses should be part of a recognised qualification framework or pathway to prevent uncontrolled expansion and cost and, particularly, ward against unscrupulous providers from entering the market and using the LLE to offer courses for which they would otherwise charge a far lower amount.

Higher education qualifications in England are already structured to build towards clear educational outcomes and they form part of an established and accepted 'currency' which makes them easily recognisable and transferable between employers. This may not necessarily be the case for short courses. So, we must guard against the LLE becoming a means from which some training providers could make profit. That is why we believe the LLE should be focused only on courses that have the proven ability to contribute to an overarching qualification, irrespective of whether learners choose to complete this wider qualification or not.

As has been mentioned earlier in this consultation response, the ELQ exception rule should also be abolished alongside the roll-out of the LLE, so that adult learners are able to take courses and qualifications as they see fit to allow them to progress in, or change, their careers throughout their lifetimes – being led by personal preference rather than held back by an outdated and discriminatory rule that unnecessarily prevents people from switching career paths. If the LLE really is to be an entitlement for learners to do with what they will, and not be put towards only those courses and qualifications that the Government of the day thinks people should study, then all level 4 to 6 courses should be included in the mix without any exemptions or restrictions.

Question 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)] • If not, please explain why?

Yes. All of the above courses should be incorporated into the LLE if it is truly to become a resource that people can use as they see fit to advance and develop their own unique learning journeys. The Higher Education and Research Act (2017) seeks to expand and protect student choice. It is therefore imperative that the LLE works to enhance this choice and not restrict it by closing off certain study routes to individuals. For example, if Foundation Years are to be excluded from the LLE, then this would clearly prevent learners without prior qualifications from embarking on tertiary education, thereby disproportionately further disadvantaging the most disadvantaged in our society. Similarly, if integrated Masters are to be excluded from the LLE, then learners on these courses will be prohibited from completing their courses and succeeding, since integrated Masters courses are not eligible for separate postgraduate loans.

Question 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?

To ensure we continue to bolster our domestic talent pipeline in key sectors of our economy, arrangements should be made in the LLE for courses that are over four years and are designated as being of significant economic or social value to the country. These include 'key worker' courses such as medicine, veterinary science and dentistry, as well as subjects such as architecture. The arrangements that should be put in place include providing extended access to the LLE for the duration of these courses and, on completion of the courses and successful entry into the labour market, the

Government could consider removing the interest rate added for the additional years of necessary study over four years as an incentive to learners to complete their qualifications and progress.

Question 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?

It is right that all HTQs should be in the scope of the LLE but we do not have a strong view whether approval as an HTQ should be the sole route for ALL-funded qualifications to become eligible for the LLE.

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

We believe the key to a successful LLE is that it will be learner-driven, not employer-driven, nor centrally-planned. The training and skills which employers or the Government may want or need now may not be advantageous for learners in the future or help individuals to advance in their careers over their lifetimes. For this reason, it is important to balance employer-relevance against sustained learner-benefit, and we must avoid creating short-term skills pathways that benefit employers over long-term learner gain.

Question 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?

In the interests of creating a fair and equitable system, we do not feel it right and proper to exclude any type of provision from modular funding.

Question 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?

The proposal to set a limit of 30 credits per funding application is problematic for two reasons: first, many current modules are already delivered on a 20-credit system, so there is a very real risk that a 30-credit limit could encourage credit-inflation among some providers and, therefore, further regulatory mechanisms would have to be put in place by Government to ensure baseline quality and standards for these modular courses across both the HE and FE sectors. Second, setting a 30-credit limit could be seen to stifle innovation in course development, particularly around micro-credentials, which would be worth fewer credits (likely 10 or 15 credits). Although we appreciate the fact that smaller modules such as these could be “bundled” together to meet the minimum application amount, the incentive for providers to develop such micro-credentials will inevitably be reduced if learners will need to pick two or three of them to complete a single funding application.

Question 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?

We believe this is for individual providers to decide.

Question 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).

n/a

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

n/a

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

In theory, modular study should allow learners to be more mobile over their lifetimes if their qualifications are portable and they can build up credits from providers across the country. As a body representing a group of over 40 higher education providers across London, we clearly welcome this idea as a means of both attracting and retaining talent in the capital and encouraging people to undertake study at one or more of our member institutions.

As the UK capital, London has large domestic inflows and outflows of people and the city's population growth and structure are heavily influenced by domestic migration. Traditionally, young adults tend to move to the capital in their 20s or 30s for work and to take advantage of London's cultural offer, making London a prime location for the uptake of the LLE. It is as this cohort ages and forms partnerships or has families that people typically tend to move out of London (along with many who initially came to the capital as international migrants) either to the commuter belt or further afield.

While the number of people moving in and out of London remains high, [GLA data](#) show that inflows and outflows dropped considerably during the recent Covid-19 pandemic, with 219,000 people moving into the capital in 2020 (representing a fall of 36,000 on the 2019 inflow) and 320,000 people leaving London for another part of the UK (representing a fall of 29,000 on the 2019 outflow).

These sizeable flows of people in both directions enhance the need for the portability of all courses under the LLE at all stages – both to enable people coming to London to access funding for courses at the city's providers and to enable those leaving the capital to continue their learning journey elsewhere in the country.

For courses from London providers to be part of a UK-wide lifelong learning agenda, it is essential the entitlement works seamlessly across the devolved administrations, and providers in all four parts of the UK should be subject to equivalent levels of scrutiny for quality and standards.

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

n/a

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

The four most important considerations to enable the LLE to work should be: (i) providing accessibility to everyone irrespective of location, background and circumstance; (ii) maintaining freedom of choice for learners and removing arbitrary restrictions on the choice of subject or course studied; (iii) ensuring employers do not get to remain 'consumers' in a skills system that ultimately comes to benefit them at the cost to individual learners and the taxpayer; and (iv) enhancing and facilitating appropriate student support, as the wraparound support that is needed for modular learners will clearly need to be funded sufficiently and delivered in a different way to that already offered for more 'traditional' students.

Question 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?

None. Access to the LLE should be available to all adult learners aged over 18. If the LLE is truly to facilitate people entering and benefiting from tertiary education at any point in their lives when they choose, we should not seek to impose maximum age limits on access to loans. Instead, the LLE should be available to people throughout their working lives, allowing only for a reasonable amount of time for repayment towards the end of their careers.

Question 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.

Given the distinct risk of market expansion and the creation of work-based, short courses that are set to bring short-term benefit to employers rather than bring individuals long term career gain, we believe all courses eligible for the LLE ought to be part of a wider established qualification framework or be part of a pathway to a qualification, irrespective of whether learners choose to use their entitlement to pursue this wider qualification or not over the course of their lifetimes. This protects against new courses being developed purely for commercial profit and minimises risk to the learner and taxpayer. There should, however, be no restrictions on how learners choose to use their overall LLE – be it for a series of different individual modules or ones which amount to a full qualification.

Question 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?

The programmes of study eligible for the LLE should ultimately deliver long-term benefit to learners and their careers and not be used to deliver only the short-term skills that employers need. That is why the LLE needs to be developed in parallel with other schemes through which employers can actively be brought into the skills system as co-creators and co-investors, such as by developing and increasing the flexibility of the existing Apprenticeship Levy (to be achieved through an increase to the overall funding available for skills). This way all employers, including SMEs, would have a means through which they could co-develop and fund short and immediate skills-based training courses that will address their business needs, while the LLE would be protected and reserved to provide educational opportunities to individuals with advantage for their future career prospects.

Question 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?

No government, no matter how hard they may try, can claim to understand the skills needs of the future; neither can employers. And no government should dictate what or where people should study and, ultimately, deprive individuals of studying a subject for which they have a genuine passion or flair, only to force them, instead, on to a course in which they have no interest just because it appears to work well for the present labour market. Moreover, with UK regional economies so different across the country, what may be deemed a superfluous skill in one part of the country, may well be deemed a necessary and highly sought-after talent in another. That is why we believe the LLE should be linked to local skills plans and remain free from any unnecessary restrictions on level and subject, save for ensuring courses are related to wider qualification frameworks to uphold quality. This will enable learners to make their own judgements about how courses will advantage them for their own futures and leave open the possibility for them to be mobile in the future should they so desire.

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

No.

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

n/a

Question 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. With mature learners typically more debt averse than younger learners, it is essential that measures are put in place to prevent learners taking on more debt than they might otherwise want or need. This will also protect the future taxpayer, as an unrestricted LLE system is likely going to result in a higher RAB charge for the Treasury, so keeping maintenance proportionate to course-length will help in this regard – provided, of course, that other means-tested measures are put in place to ensure that those who need access to extra support can access it should they need to.

Question 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)?

No. There should not be any restrictions on access to maintenance support for those who need it.

Question 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. The current student finance system already unfairly disadvantages some students, particularly estranged students, who may not be supported by their parents, yet their maintenance allowance is still determined by their family income. This system is clearly unsuitable, too, for adult learners, and access to maintenance should be based on solely the individual learner's income and, importantly for people living in expensive cities like London, their disposal income after basic living costs have been accounted for. In recognition of the higher living costs in London, we appeal to Government to maintain the London supplement in the LLE for learners living and studying in the capital and, contrary to the current system, this should be accessible to learners irrespective of whether they have moved to London from elsewhere in the UK or whether they have previously lived or grown up in the Greater London region. Living costs in the capital are the same regardless of where in the country you originated from and [research from the Trust for London](#) shows that 28 per cent of Londoners (2.5 million people) are already living in poverty, with households in poverty in London facing housing costs that, on average, in 2020, amounted to 56 per cent of their net income. For London providers to better support these learners, the London Weighting should also be reintroduced to enable providers to target essential wraparound student support appropriately.

Question 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 a significant consideration for learner access to, and progression through, LLE funded courses, since risk aversion generally becomes greater in more mature student cohorts who typically have greater financial worries, e.g. through childcare responsibilities, mortgages and other household bills and debts. With adult learners typically having no other means to support themselves through study, maintenance support can be an essential lifeline, particularly if employment hours have to be curtailed to allow for more study time or even ceased completely, and if relying on personal savings is also not an option. Given London's specific poverty profile,

maintenance support will be essential to encourage uptake of the LLE in the capital and other large UK cities. As stated in our answer to Question 25, just under a third of all Londoners (2.5 million people) live in poverty, while the costs of living are between 15 and 58 per cent higher in London than the rest of the UK – and that was measured before the current rising rate of inflation. More specifically, the Black and Minority Ethnic poverty rate is 38 per cent in London (nearly twice that of White groups at 21 per cent), so maintenance support is vital if we are serious about closing the gap in access to tertiary education between different learner groups.

Question 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?

No. The basic rate of maintenance should be consistent across course types and disciplines. The factors that should be used to determine whether a learner ought to receive a higher level of maintenance are: (i) a learner’s net income after basic living costs have been accounted for, including costs of dependents if applicable; (ii) their age (should they still be supported in some way by parents or guardians); and (iii) their geographical location, with learners in London being specifically entitled to a London supplement to cover the increased costs of living in the capital.

Theme 3: Supporting quality provision and flexible learning

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

One obvious way to support flexibility in the system is to ensure we are applying less scrutiny to modular study and short courses than that which is currently being consulted on by the OfS for more ‘traditional’ HE provision. For short courses to be developed effectively, providers ultimately need space to innovate and the current mode of regulation in the HE sector cannot simply be applied to a world of modular courses without stifling progress. What is needed, instead, is a common, light-touch regulatory approach across all tertiary providers, both FE and HE, to ensure baseline quality levels are being met but with the flexibility to allow providers of different sizes and capacities to continue to enhance the lifelong learning landscape.

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

The proposals for quality and standards currently being consulted on by the higher education sector regulator, the OfS, are already causing concern over the increased burden they are set to impose on providers at ‘traditional’ course level. To apply this approach to modular LLE courses would be impractical and, above all, unsustainable for a sector that is already stretched to capacity following the Covid-19 pandemic to deliver courses and appropriate wraparound support to students. ‘Micro’-courses cannot be micromanaged.

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

A more hands-off, light-touch approach to regulation will be needed to support a modular system, as it will be nigh-on-impossible to collect the same amount of data for more modular course offerings to form indicators and benchmarks as is currently being consulted on by the OfS for more ‘traditional’ HE courses. There is also the risk that data from small modular courses will be statistically insignificant and inappropriate to form robust metrics. In particular, the current non-completion measure would need reconsidering for modular study, as would employment and further study outcomes to account for the non-linear work and study patterns of flexible adult learners. Should the current proposals for HE regulation be carried over to the LLE, this will stifle course innovation and disincentivise providers

from creating new courses and modules. It will also create an uneven regulatory playing field between FE and HE providers, thereby inhibiting partnerships and collaborative provision.

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

If the LLE is to create a level playing field for FE and HE providers offering courses between levels 4 to 6, then the current regulatory regime will no longer suffice for this new system. That is why we should embrace the opportunity to reconsider the current roles of the different regulators operating in this space. More appropriate to a more simplified world of tertiary education would be to establish a new single tertiary funding organisation that would help to maintain quality and standards across both HE and FE providers and administer funding for courses and address skills shortages accordingly. This is similar to the tertiary systems currently being created in Scotland and Wales.

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

New provision will be supported through proportionate regulation that minimises burden on providers and gives them scope to innovate. 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 SPG.

Question 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.

Should a single tertiary funding organisation be created as per that outlined in our answer to Question 35, then it would make it easier to assess quality and regulate standards for level 4 and 5 technical education and better integrate established assessment mechanisms such as Ofsted inspections, as they would no longer stand at odds with other regulatory regimes, such as that administered by the OfS.

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

n/a

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

n/a

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

n/a

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

n/a

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

n/a

Question 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?

n/a

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

As courses develop and the world of work advances, it is impractical to impose a standard time limit on how long modules stay current. However, to maintain the relevance of modules contributing to a qualification over time, we understand the Government may wish to put in place clear parameters for the validity of some modules, particularly in subject areas and disciplines that are developing quickly (such as AI and Technology-based subjects) and also in instances where a module taken some time ago may no longer be deemed relevant to obtain a professional qualification for practice. This will require close consultation with PSRBs and employers as well as providers, and decisions should be made, justified and communicated as transparently as possible.

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

n/a

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

n/a

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

n/a

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

n/a

Question 48. How can the process be more transparent?

n/a

Further Information:

If you would like to discuss this consultation response further or require any further information, please contact Dr Diana Beech, Chief Executive Officer at London Higher on diana.beech@londonhigher.ac.uk.