

POLICY NEWSLETTER

Greetings one and all!

This newsletter will come to your inboxes every 6 weeks and provide you digestible policy news bites from the higher education sector. If you have any questions regarding the content of the August Policy Newsletter our inboxes are always open.

In solidarity,
Caroline and Kashi x



UK NEWS

Rishi Sunak's promise to "crackdown on rip-off courses" turned out to be a restatement of powers. The Office for Students already has to restrict recruitment in subject areas that do not meet the regulator's B3 student outcomes thresholds. Fee cap cuts for classroom based foundation years will have a clear impact on access, though the government equality analysis argues that lower fees will make applicants from lower socio-economic backgrounds more likely to apply. However, there's no evidence that it is cheaper to run these often intensive and personalised pre-degree years. Meanwhile the impact of the pre-release publicity has once again kicked off conversations about the place of government in determining which courses are valuable.

Ministers are clearly sceptical about the value of foundation years, but on the limited data available [David Kernohan finds that the equalities impact of reducing them could be worse than anticipated.](#)

Universities of the United Kingdom (UUK)

In November 2020, UUK published "Tackling racial harassment in higher education", a set of recommendations designed to tackle racial harassment as part of efforts to address racial inequality in UK higher education.

The 2023 update includes a review of the impact of this guidance, and sets out how universities can improve further.

What are students' experiences of racial harassment?

Through UUK's student survey (828 students polled) it was found that unfortunately (but unsurprisingly) a significant proportion of ethnic minority students are still experiencing racial harassment at university. However, some positive steps in this area, included an increase in the proportion of students reporting racial harassment to their university.

24% of students from an ethnic minority had experienced some form of racial harassment in higher education. This figure rises to 45% for Black students. The most common form of racial harassment experienced by respondents was racist name calling, insults or 'jokes', experienced by more than half (55%) of polled students who had experienced racial harassment.

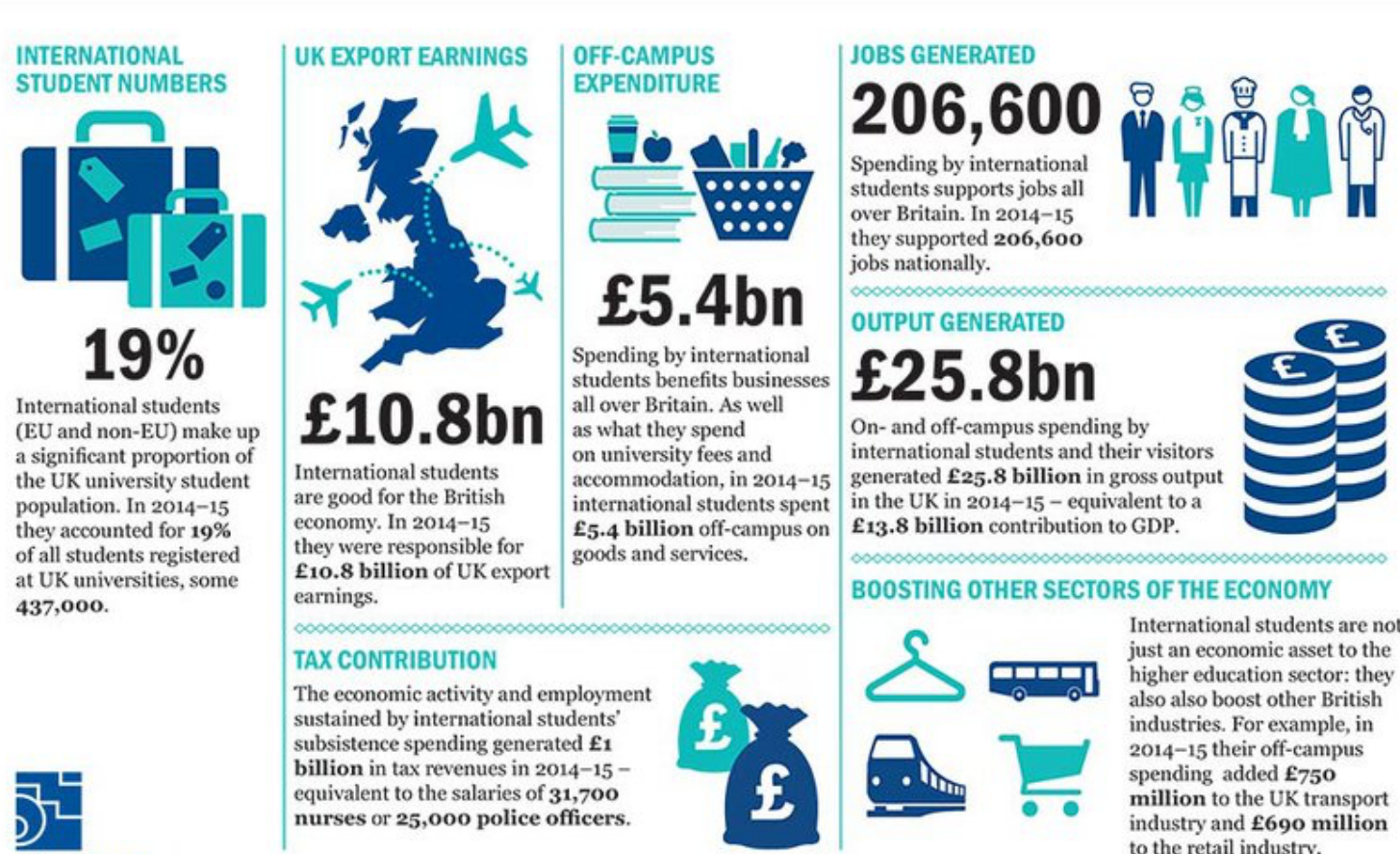
Four in 10 students (42%) who experienced racial harassment in the 2021–22 academic year reported it to their university. This is an increase of 9% from polling carried out by the Equality and Human Rights Commission (EHRC) in 2019.

The full survey data can be found [here](#).

What are the recommendations for universities?

- Ensure work to tackle racial harassment is informed by internal and external expertise in this area.
- Ensure that there is accountability for making progress in tackling racial harassment within the university and that success is clearly defined and understood.
- Work with staff and students with lived experience of racial harassment on meaningful participation and co-production, ensuring the purpose of this work is clear and that the wellbeing of staff and students with lived experience is prioritised.
- Communicate the university's evidence and resulting approach to racial harassment clearly to staff and students, including on reporting channels and level of progress made in tackling racial harassment.
- Review and continuously improve the training offered to staff and students, ensuring it is reaching the whole student population and relevant staff members, and that it is meaningful, with space for reflection.

THE ECONOMIC IMPACT OF INTERNATIONAL STUDENTS



University and College Union (UCU)

Industrial action taken by the UCU is impacting the marking of some students' final exams at LSE, meaning some graduates currently have no degree classifications.

The marking boycott is "action short of a strike" within the dispute over pay and conditions for academics and support staff, which began in April after consultation with members.

Given the threat of having to leave the country, it was always going to be international students (most of LSE's student population!) among those hit the hardest by a Marking and Assessment Boycott (MAB).

To be eligible for the graduate route, an applicant must have successfully completed an eligible course of study in the UK, and the student sponsor must have notified the Home Office, by the date of application, that the applicant has successfully completed the course of study. Applications for the graduate route cannot be made from overseas.

So back in June many breathed a sigh of relief when a deal had apparently been done with UK Visas and Immigration (UKVI) to allow students facing delays to final results to apply for their post-study graduate route visa on the basis of predicted grades. But over the past week or so, myriad stories have emerged of students facing deportation and having to apply for further study or graduate route visas from their home country.

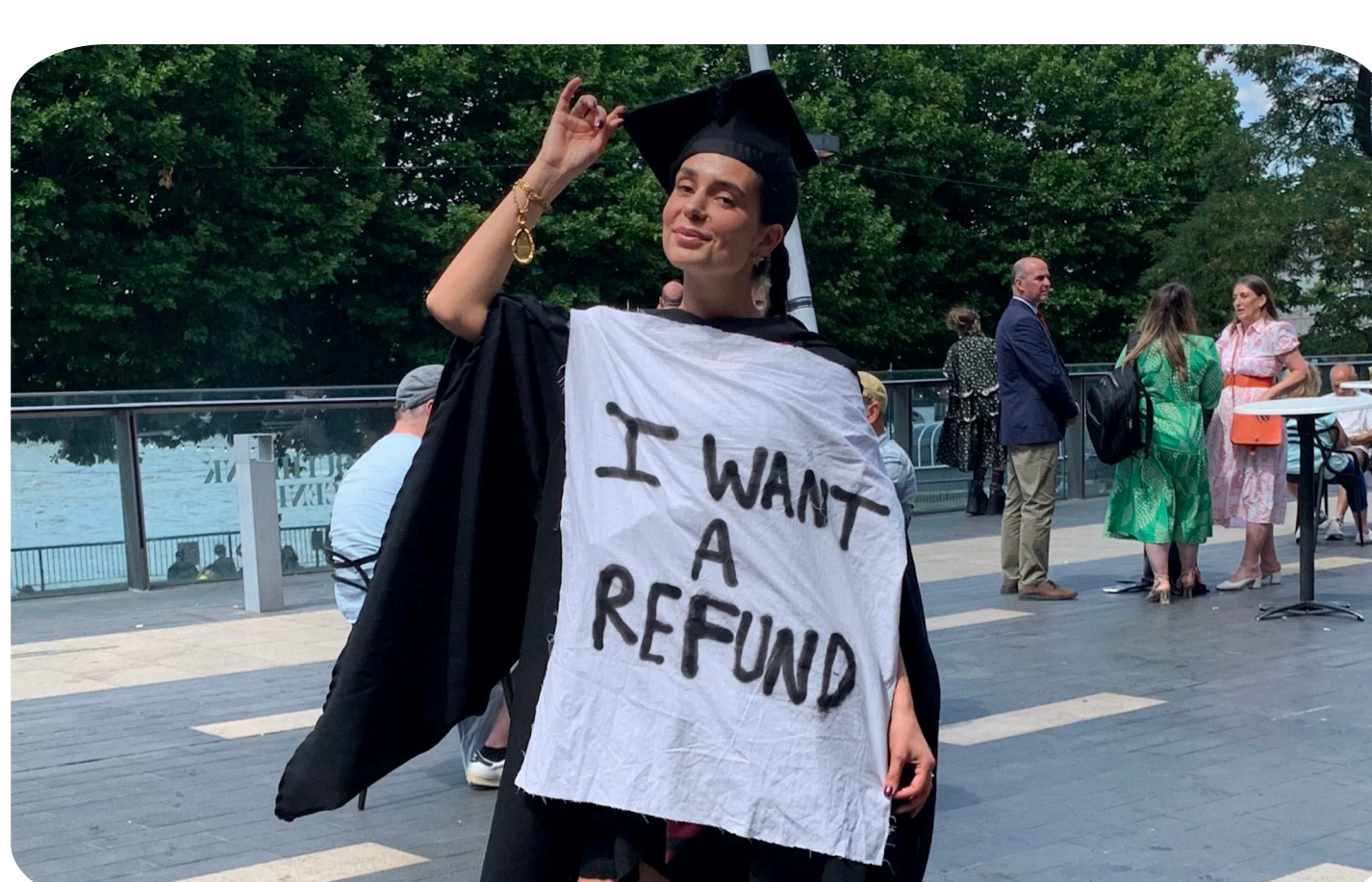
LSE Policy Spotlight

Your consumer rights as a student

Continuing the theme of students' consumer rights, this newsletter's LSE policy spotlight features LSE's policy on student's rights as consumers.

The policy summarises the key points detailed in the official [Consumer and Markets Authority \(CMA\) guidance](#) and then continues to explain how this specifically relates to LSE and offer holders. The latter section is quite lengthy and dense, making it quite inaccessible to incoming students and offer holders. Whilst the details of how terms and conditions may change for students after they accepted an offer are very detailed, the policy includes a convoluted range of sources (different webpages hidden across LSE's page) where students may obtain the information on such changes. It is unlikely that these changes would be visible and transparent to most students. One positive aspect of the policy is that it sets out that important changes would be communicated directly to students either via email or their departments.

Overall, it is likely that most students do not know that this policy exists and are uninformed of their rights as consumers under the law. It is therefore advisable that LSE include bite sized information on this policy in the offers - and registration packs they send to offer holders and incoming students.



Office for Students

Students as consumers: How consumer law can protect students in the face of industrial action

Office for Students has published an Insight Brief on the topic of ["Protecting students as consumers"](#) in June 2023, detailing potential opportunities for protecting students from universities' decisions that are not in the interest of students.

What does students as consumers mean?

"The emergence of the 'student consumer' in English higher education discourse is connected with what has been described as the 'marketisation' of higher education. At its simplest, this term is used to refer to a series of reforms to the funding of higher education in England introduced by successive governments over several decades." These reforms have led to higher education becoming a privatised financial investment for students as opposed to a public service.

How can marketisation of education protect students?

Students are seen as consumers of a service provided by universities, which whilst controversial, offers potential for holding universities to account, according to OfS. With the disruptions of higher education provision due to Covid and industrial action, students are entitled to partial or full refunds under consumer protection law. In the face of the current marking boycotts, OfS warns "that any changes made to examinations or other assessments should avoid disadvantaging students, while also maintaining standards." It is expected that students "can graduate or progress on time where this is appropriate in academic terms, and that any degree awarded accurately reflects a student's academic achievement".

How are LSE students affected by this?

Given that LSE has failed to process any refunds caused by the strikes or Covid, and failed to provide clear guidance to students in the face of the marking boycott, it is clear that LSE is in breach under consumer laws and further action on the school's behalf is required.

LSE have said that students who have missed teaching due to strikes can submit a complaint, which, if successful, will give them a tuition fee refund.