

16 June 2022

Our Ref: AOS/rlc

Lord James Wharton
Chair
Office for Students
Nicholson House
Lime Kiln Close
Stoke Gifford
BRISTOL BS34 8SR

Sent by email only

Dear Lord Wharton

University of Wolverhampton – Course suspensions 2022/23

I am writing to you as the Regulator for Higher Education providers in England on behalf of the University and College Union (UCU) in respect of plans by the University of Wolverhampton (UoW) to 'suspend' student recruitment to 146 courses of study for 2022/23.

The affected courses range across a number of academic disciplines (see attached list) including health and science, but the School of Performing Arts will be particularly hard-hit because all of their Level 4 (Undergraduate) entry and Level 7 (Masters) entry courses are being suspended with immediate effect.

UCU believes these plans mean the University is likely breaching its conditions of registration because of the severity of the impact on students, the staff who teach them, and the wider community.

1. We are concerned, for example that the University's plans breach the primary regulatory objective 'to ensure that all students, from all backgrounds, and with the ability and desire to undertake higher education are supported to access, succeed in, and progress from, higher education',

We know from figures contained in the University's own Access and Participation Plan 2020/21 that, "relative to other universities, more [about two-thirds of UoW] students are recruited from the [West Midlands] region". We also know that over the past five years "more than 60% of the University's student population come from low socio-economic (IMD12) backgrounds, and from low participation neighbourhoods A significant proportion (68%) of [UoW] students are the first within their family to enter higher education, which is far higher than the sector norm (48%)."

By closing these courses UoW will be failing to provide access to higher education for significant numbers of disadvantaged local students which will have a disproportionate adverse impact on their life chances coming, as they overwhelmingly do, from economically deprived areas in the West Midlands region. We know from the Access and Participation Plan that many of them will not be able to take up places outside the West Midlands region for financial and family reasons so, as a direct result of the University's actions, will be deprived of the opportunity to access Higher Education.

2. In relation to the second primary regulatory objective to ensure all students 'receive a high-quality academic experience, and their interests are protected while they study or in the event of ... course closure', here too, we believe the University has fallen short of the standards required.

The affected courses were advertised in the University's 2022/23 prospectus. In reliance on that prospectus students applied and accepted offers from the University to start their courses in September. They have now suddenly been told they are not able to take up their places as expected. Although some have been offered a transfer to alternative courses at UoW, those who applied to the School of Performing Arts cannot be accommodated by the University as all under-graduate and Masters courses in that school have been suspended – as have many in the School of Art. These students have been referred back to UCAS to see if they can be allocated places elsewhere. However, as referred to above, we know that many of them will not be able to take up places outside the West Midlands region and so the University has failed in its duty to properly protect their interests in this process.

Furthermore, the experience of those students going into their second and third years of their Performing Arts degrees, and to a lesser extent other degree programmes, in September will also be adversely affected by these plans. These cohorts will find themselves in a situation of severely depleted student numbers on their courses which will affect their ability to interact and collaborate with a range of fellow learners across the School's programmes of study. Because all Performing Arts courses are being 'taught out' with no replacement programmes envisaged, the remaining students will also be aware that the university does not appear to value their chosen disciplines.

This perception will only be strengthened by the University's decision to offer a 'Mutually-Agreed Resignation Scheme' to terminate the contracts of existing teaching staff. It has strongly encouraged applications to the scheme from staff whose courses are affected, telling them that they would be better off taking the offer than waiting to be made compulsorily redundant. We understand that all but 7 teaching staff in the School of Performing Arts have applied under the scheme and been accepted. They will leave their employment on 31 August this year. The implications of this are that, in September, the University will likely not have sufficient staff to 'teach out' these 2nd and 3rd year cohorts and will have to rely on bringing in temporary staff without the experience of the institution or familiarity with UoW's student demographic. Furthermore, with such drastic reductions in staffing numbers it will be difficult for the University to preserve the necessary subject specialisms for the remaining undergraduate students until the end of their courses or to provide proper supervision to students already embarked on post-graduate programmes of study.

In no respect could any of the above be described as a satisfactory, let alone a high-quality, academic experience for students and therefore we believe the University to be in breach of this regulatory objective.

3. We also have concerns about the University being in breach of the third primary regulatory objective, to ensure students 'are able to progress into employment or further study, and their qualifications hold their value over time.'

Inevitably current and former UoW students will feel insecurity about the value of their degrees once the University has ceased to offer these programmes. This is especially true of the School of Performing Arts students. Progression into employment in the arts is difficult under any circumstances but particularly so with a degree that has been discontinued and where the last two or three years of study have been disrupted by sub-optimal teaching and learning arrangements as a result of these plans. We believe, despite the University's flat refusal to discuss its projections beyond the academic year 2022/23, that the University's current actions will lead to the permanent closure of the School of Performing Arts. Consequently the value of the School's qualifications will diminish over time to the detriment of its students and in breach of this regulatory objective.

4. The fourth primary regulatory objective requires that students (and taxpayers) 'receive value for money'. For those students currently part-way through degree courses that are being discontinued or who have begun postgraduate courses, their student experience will inevitably suffer in all the ways discussed above as a result of the University's plans. In comparison with their fellow students whose courses are unaffected they could not be said to have received value for money. And nor could the taxpayer, as the University is heavily reliant on income from public funds through grants and the student loan system. Accordingly we believe the University to be in breach of this regulatory objective too.

We have asked the University on several occasions for information demonstrating that these drastic plans are necessary.

An examination of the University's audited accounts for the year-ending 31 July 2021 shows:

- An increase in income of 2.4% in comparison with the previous academic year
- A decrease in staff costs from the previous academic year
- A strong cash position (closing cash balance - £45.1m)
- No outstanding bank financing
- Extremely low debt and no long-term borrowing
- Healthy reserves

The auditors concluded that as at 31 July 2021 'the overall financial health of the University remains in a good position'.

When pressed, about why the University had decided to take this action, the Vice Chancellor (VC) and Deputy Vice Chancellor (DVC) indicated at a meeting with the union on 7 June 2022, that cost savings were necessary, owing to a 'projected deficit of £20m in the University's finances if we do nothing'. It was surprising to hear about such a swift and dramatic decline in the University's financial position within only a few months of the stable and positive picture painted by the audited accounts.

The projected deficit was attributed by the VC and DVC to falling student recruitment, retention and progression rates. The reason given for this was that, during the Covid-19 pandemic, the University decided to make all existing students a 'no detriment' offer to defer their courses for the duration. In other words, they told all students that, during the pandemic, they could defer their courses of study (without the need to produce any medical evidence in support of deferral that would ordinarily have been required) and that they would suffer no detriment when they eventually resumed their studies. This offer reportedly resulted in larger than anticipated numbers deciding to defer which, in turn, has adversely affected the

retention and progression rates of students and thereby impacted the University's fee-income streams. The student recruitment rates for the coming academic year were thought not to be strong enough in many areas to offset the accumulated fee-income losses resulting from the deferrals, so the decision has been taken to close 146 courses of study for next year.

Despite having asked on several occasions in the context of a mass redundancy exercise which these course closures have precipitated, we have received no corroborating evidence of the University's rationale beyond a single set of management accounts from February 2022 which are not adequate to fully explain the purported change in the University's financial situation.

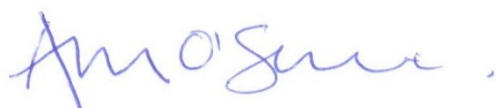
Assuming the deferrals are the demonstrable explanation for the University's course-closure plans it shows that the senior management of the University has made a disastrous mistake – for which they will not suffer but for which students, staff and the wider community will instead have to pay the price.

We understand that the OfS' regulatory approach is 'designed primarily to protect the interests of students, short, medium and long term (especially the most disadvantaged) rather than those of providers'.

Owing to the devastating impact course closures on this scale and within this timeframe will have, we regard this situation as a reportable event under the regulatory framework and would therefore urge you to examine whether the University is in breach of its conditions of registration and, if so, to take appropriate enforcement action.

If you require any further information please let me know and, I will endeavour to provide it.

Yours sincerely



Anne O'Sullivan
UCU Regional Official West Midlands

Enc

cc: Greg Barnett UCU Head of Bargaining, Organising, Representation and Operations
Paul Bridge, UCU Head of HE