

Office for Students consultation on regulating equality of opportunity in English higher education

The Office for Students (OfS) held a consultation on their proposal to implement a new approach to the regulation of equality of opportunity in English higher education (HE).¹

Unlock responded to the consultation, arguing that students with criminal records should be considered a distinct group that faces risks to equality of opportunity. People with criminal records should therefore be targeted for support as well as referenced in providers' access and participation plans (APPs).

A summary of the points made in our response is listed below:

- OfS should recognise applicants and students with criminal records as a target group. People with criminal records face high risks to equality of opportunity.
- The potentially transformative experiences that HE can provide should be accessible to all. People with criminal records are routinely subject to blanket policies that restrict their access to HE. This is not an evidence-based approach and excludes candidates.
- Children and young people caught up in the criminal justice system are more likely to have previously been excluded from school. Young adults who received custodial or non-custodial sentences/cautions had lower levels of attainment at Key stage 2 than those without criminal records. They are therefore likely to already be facing disadvantage in respect of progression to HE, and may be missed by existing school partnership work.
- People from minoritised backgrounds or groups face a higher likelihood of criminalisation, and more punitive sentencing. Removing barriers to access for applicants with criminal records may therefore improve access and participation across other OfS target groups.
- Robust, quantitative data about applicants and students with criminal records is limited at present. Committing HE institutions (HEIs) to purely numerical targets for APPs may deter HEIs from exploring how to support this group.

¹ For more details about the consultation, see here [Consultation on a new approach to regulating equality of opportunity in English higher education - Office for Students](#)