

# Public Consultation on Reform of Higher Education Authority Legislation

Public consultation for the Department of Further  
and Higher Education, Research, Innovation and  
Science

March 8th 2021



A written submission on behalf of AONTAS the  
National Adult Learning Organisation

## About AONTAS

AONTAS is a long established (1969), non-governmental membership organisation that promotes that value of adult learning and advocates for the rights of all adult to quality learning across the tertiary education system. We have an unwavering commitment to educationally disadvantaged adults, we offer solutions-focused advocacy that is evidence-based drawing on research and our extensive meaningful learner engagement activities. Our Strategic Plan: A Vision for Educational Equality (2019-2022) is informed by principles of: social justice, feminism, partnership, valuing diversity, advancing equality and supporting social inclusion. We continually strive to be offer work of the highest quality as an inclusive, informed, dynamic organisation which will act as a cooperative, trusted, critical friend to the Department of Further and Higher Education, Research, Innovation and Science. We continually engage with learners and educators from further education and training, community education and higher education on a weekly basis, affording us key insights into practice. We have expertise in educational equality and we advocate strongly for community education, as the most inclusive, yet underfunded part of the education system. Our work covers: Research: Authentically hearing learner voice, particularly those marginalised, through a mixed methods research project, The National FET Learner Forum. Some recent examples of publications in this area are the 2019 Annual Synthesis Report and the COVID-19 FET Learner Report. Democratising relevant academic work in our well-established peer reviewed journal, The Adult Learner. Promoting lifelong learning and access: first week of March the annual AONTAS Adult Learners' Festival (circa 300 events/open days across Ireland), STAR awards recognising excellence in inclusive education projects and an annual Policy Day event. Encouraging people to engage in learning: Freephone information referral helpline and website [www.onestepup.ie](http://www.onestepup.ie). Building capacity and supporting professional development in community education through the AONTAS Community Education Network (Est. 2007, 10-year anniversary conference opened by Minister Coveney). We have strong European links: designated by the then Department of Education and Skills as the National Coordinator for the European Agenda for Adult Learning. We lead or partner in 8 European funded projects across all levels of Erasmus+, are on the Board of the European Association for Education of Adults (EAEA) and are linked globally. Co-established the Network of Adult Learning Across Border (NALAB) in response

to Brexit, at the AONTAS Lifelong Learning Summit, with special guest, [REDACTED]. Ultimately, all our work, and communications activities aims to advocate for the rights of all adults to engage in learning so to fulfil their aspirations. Who we represent: Organisations and individuals committed to educational equality for adults: 500 members [all 16 ETBs, over 120 community education organisations, adult learning/access departments of Higher Education Institutions, social justice NGOs, educators and learners across the Island of Ireland].

## **Introduction**

AONTAS welcomes the opportunity to contribute to the public consultation process on the reform of the Higher Education Authority Act 1971 (HEA Act). The three main policy recommendations outlined here as part of the HEA Act public consultation process are underpinned by a central theme of equality. Ireland now finds itself in the earlier stages of adapting to a new political and social climate, including a post-Brexit environment, the current and future socioeconomic fallout from the ongoing pandemic, and an increasingly diverse society. The values of increasing social inclusion and generating greater educational equity are no longer aspirational guiding principles. They are urgent drivers for adapting to and overcoming whatever may lie ahead in what is uncharted territory. Through the reformed HEA Act, the Government and the Department of Further and Higher Education, Research, Innovation and Science has the opportunity to address political challenges, support growing communities and continue constructive collaboration with the wider adult and higher education sector. As vital constituents within this educational ecosystem, the adult and community education sector is very well positioned to support all learners from every community to access, progress and succeed in Higher Education as well as in life.

National and international reports clearly indicate that educational disadvantage has been exacerbated (OECD, 2020; UNESCO, 2020; AONTAS, 2020), particularly by COVID-19. The recommendations made by AONTAS in this submission which ultimately aim to address this situation, are rooted in the evidence it has gathered from its members and adult learners across the country. We know that all forms of adult learning build social cohesion, support social mobility, and reduce inequalities. It brings people together from across a diversity of backgrounds, ages, and life experiences while building thriving communities and partnerships. According to UNESCO (2016) the benefits of adult learning also include

improving healthy behaviours and attitudes and enable better mental health and overall wellbeing. Adult learning can be conceptualised as a framework that offers a formula for interventions which provide better outcomes for learners, their families, their communities and society. This formula includes supporting children, young people and people with disabilities, addressing intersectional inequity, and fostering cultural integration. Given the accumulation of knowledge about adult learning here and globally, and with an awareness of what may lie ahead, there is simply no scenario where further investment in and support for social inclusion and educational equity today will have a negative effect on how Higher Education meets tomorrow's socioeconomic and societal challenges. That is why AONTAS is making the following recommendations regarding the new legislation:

- 1. Increased equality, diversity and inclusion of traditionally under-represented groups in governance structures, representative groups and the academic council**
- 2. Increased presence in decision-making mechanisms of representation from local communities and civil society organisations**
- 3. Core funding linked to a commitment to widening access to higher education**

## **1. Increased equality, diversity and inclusion of traditionally under-represented groups in governance structures, representative groups and the academic council**

Any newly reformed, robust and refreshed legislation for the higher education sector must address the inequality, lack of diversity and barriers to inclusion that have traditionally characterised the HEI's governance structures, representative groups and the academic council. By legislating for actions that increase the nature and number of representatives from traditionally excluded gender, social and minority groups within governance structures the reformed HEA Act would be achieving each of the core objectives outlined in the Consultation report on reform of the Higher Education Authority Act, 1971. Concepts of equality, equity, and inclusion are not new to this area. The University Act 1997 contained a number of key provisions which this new legislation has the opportunity to cement. For example,

- Section 12.f required universities to 'support and contribute to the realisation of national economic and social development'
- Article 18.6.b further stated that universities should 'have regard to the attainment of gender balance and equality of opportunity among students and employees.'

Since the implementation of this Act, Ireland has seen a number of legislative changes that progressed these fundamental principles even further. The current National Plan for Equity of Access to Higher Education 2015 – 2019 adopted a language of equity and inclusion, arguing that a comprehensive strategy to increase participation rates among disadvantaged populations, was beneficial to the overall social and economic advancement of Irish society. The Department of Education and Skills' Action Plan for Education 2016-2019 described equity and inclusive education as 'a fundamental principle of our education and training system' (page 26). In an effort to ensure that Ireland's higher education sector not only survives the ongoing pandemic, but is set up to thrive post-COVID, this shared commitment to advancing educational equality to include concepts of social inclusion with gender and racial equity as core components of the Irish educational landscape are a minimum requirement.

Building on the aspiration outlined in the Higher Education Authority Act 1971 of the further 'democratisation of the structure of higher education', AONTAS calls for broader forms of active learner voice engagement in governance structures. A broader initiative is required to ensure the voice of under-represented learner groups, whose voices are often omitted from formal representative and survey models, are still included in student engagement frameworks. Solidifying learner voice initiatives in legislation will help ensure that learner voice becomes an integral part of the democratisation of the decision-making, policy development and evaluation process.

The National Gender Equality Dashboard for Higher Education Institutions provides an invaluable resource on gender equality in Higher Education Institutions. It shows a healthy gender split between female (51%) and male (49%) among staff in our higher education institutions (HEIs). However, **there is a significant level of under-representation of female staff at the highest decision-making levels in Irish universities (19%)**. This is unjustifiable. Equality, diversity and inclusion in governance structures, representative groups and the academic council must be placed on a statutory footing to avoid being held hostage to ever-changing political circumstances and successive programmes for governments. Enshrining equality, diversity and inclusion at the core of good governance must not be open to negotiation or comprised, risked, stalled or interfered with. Moreover, a new Higher Education Authority Act that delivers on this core objective would not only be in keeping with previous progress made in this policy area, but would also be setting a standard for higher education sectors across the world to live up to and replicate. Therefore AONTAS calls for increased equality, diversity and inclusion of traditionally under-represented groups in governance structures, representative groups and the academic council.

## **2. Increased presence in decision-making mechanisms of representative from local communities and civil society organisations**

Higher Education Institutions (HEIs) play a vital role in the local life of communities they are geographically located in. This role extends beyond the physical boundaries of the lecture theatre and campus; and HEIs have an impact on more than just their relationships with staff and the student body. AONTAS, therefore, recommends that an ecological approach be taken to HEIs engagement with, and responsibility towards, local stakeholders within the wider adult and higher education system, specifically Education and Training Boards, Colleges of Further Education and Training, as well as local constituents of the adult and community education sector.

The emphasis on HEI engagement with the local community is noted. Specific structures within the HEI need to be established whereby local representation is meaningfully included. Specific spaces on the governing authority and other structures are needed to create more horizontal engagement with the local community rather than top-down engagement.

AONTAS also recommends developing partnerships between universities and external stakeholders on a statutory footing. Such partnerships should focus on learner experience, equal access and on supporting local communities to thrive. Universities should create and promote volunteering opportunities in their localities as part of certified programmes. These opportunities should be developed collaboratively with local communities and civil society organisations and be focused on educational, social, civil and cultural enterprises which bring about positive, sustainable change rooted in social justice values that empower participants. This would encourage personal development for learners, promote a culture of civil engagement and support community development in university localities.

Another feature of this approach in the new legislation would be how HEIs could engage more meaningfully with local businesses through robust and responsive apprenticeship programmes. In its recent submission to the Department of Further and Higher Education, Research, Innovation and Science Apprenticeship Action Plan 2021-2025 Consultation Paper, AONTAS detailed their vision of creating an apprenticeship structure that supports learners and local communities alike. HEIs can work collaboratively with local businesses to

ensure apprenticeships provide a rounded experiential and classroom-based learning programmes, showcasing different learning models and the rich educational opportunities that apprenticeship programmes provide. There is also scope for Universities, FET centres, community education providers, and local businesses to work collaboratively, to create accessible pathways to apprenticeships. This would ensure apprenticeships are a lifelong learning option for all potential learners, focusing specifically on groups under-represented in apprenticeship programmes such as learners with disabilities, Travellers and Roma, home carers, women, older adult learners, learners in Direct Provision, and learners with literacy, numeracy and basic digital literacy needs. The still unknown long-term impact of the pandemic makes all of the above even more urgent. AONTAS has significant concern for the area of apprenticeships as a vital constituent of the wider tertiary education system and take the position that now is the moment to place this priority on firm legal grounds.

### **3. Core funding linked to a commitment to widening access to higher education**

A specific link between core funding and a commitment to widening access to higher education by marginalised groups is essential. Within the *reporting section* (5.2 A Governance Framework between Higher Education Institutions and the HEA) there needs to be an explicit link between the aims of public policy that centre on higher education access and funding agreements. Publicly funded education is a public good, and specific measures must be introduced to ensure access initiatives are implemented. Access in this sense covers access, retention, success and progression in higher education by under-represented groups of the population, mainly those educationally disadvantaged.

Within section 6.7 *Equity of Participation* it states “A designated institution of higher education shall report annually to the HEA on the implementation of the equity of participation plan in their institution providing details of the goals and targets met in the implementation of the equity of participation plan. The HEA shall compile an annual report on the equity of participation plan and this shall be published after approval by the Minister.” We recommend that all HEIs are required to report annually on the implementation of the equity for participation plan, and this is linked to core funding, an outline of targets met or otherwise stated. There are stark disparities in access levels



between HEIs, with respect to the baseline rates of participation by under-represented groups across HEIs and innovation should be rewarded and underachievement in HEI targets explained. Equity in participation is a fundamental aspect of the Higher Education Act, and real initiatives to ensure progress is made are paramount.

## **Current Context for HE Access**

Adult and community education plays a vital role in the progression of learners from disadvantaged communities and marginalised social groups into Higher Education. There is a concerning trend in enrolment figures from 2019 to 2020 indicating that barriers to education are having a more acute impact on learners at lower-level courses on the National Framework of Qualifications. According to data from QQI published in the Barriers to Education Working Paper released by the Mitigating Educational Disadvantage Working Group, compared to 2019, in 2020 there was

- an average **reduction of 50% in QQI Major Awards attainment at NFQ level 1-4**. This compares to an average decrease of 17% for QQI levels 5 and 6.
- Similarly, compared to 2019, in 2020 there has been a **decrease in QQI Minor Awards at Level 4, and Level 5 of 51%, and 28%**, respectively.

Data is also emerging that there has been a **25% reduction in participation rates of marginalised FET learners in 2020 compared to 2019**. Given this unprecedented negative impact there is now a very real concern that traditionally under-represented groups in Higher Education will be left even farther outside Higher Education and be even further behind. New and increased barriers to their progression is an area which must be considered in the new HEA Act. The route to Higher Education via adult and community education must be adequately invested in to enable a higher proportion of disadvantaged learner cohorts accessing and succeeding in Higher Education. Core funding linked to access and proportion of disadvantage is necessary to avoid a devastating legacy of educational

disadvantage that may last generations, with the risk of some families and communities never returning to pre-pandemic educational trajectories.

Recent studies from the HEA show that “In terms of ratios, there are 4.9 students from disadvantaged areas to every 10 students from affluent areas, but this varies across institutions” in higher education. The Progress Review of the National Access Plan identified clear progression pathways from FET into higher education as a recommendation for improving access in Ireland. Similarly, the FET sector also highlighted in the Progress Review of the Further Education and Training Strategy 2014 – 2019 that alongside increasing progression targets, ETBs, QQI, and SOLAS should work together to explore ways to increase flexibility in progression pathways. AONTAS welcomes these changes. Through the National FET Learner Forum Advisory Report (2017) learners have recommended that HEIs and ETBs work cooperatively to increase the number of reserved places for FET learners in HEIs and for FET providers to develop a clear mapped trajectory from FET into higher education. Equitable and inclusive educational practices in Irish higher education is a social responsibility of HEIs and must be utilised to promote the educational advancement of all people in society. This is, of course, a challenging task, and one in which universities will have to work cooperatively with government to ensure progress is made. Success will require cooperation between a number of government agencies, NGOs, HEIs and the HEA. Building links between the FET and community education sector and the Irish higher education sector will help us to achieve a truly equitable and inclusive education system.

## Conclusion

AONTAS welcomes the opportunity to contribute to the public consultation process on the reform of the Higher Education Authority Act 1971. The three main policy recommendations outlined focus on the theme of equality.

1. Increased equality, diversity and inclusion of traditionally under-represented groups in governance structures, representative groups and the academic council
2. Increased presence in decision-making mechanisms of representation from local communities and civil society organisations
3. Core funding linked to a commitment to widening access to higher education

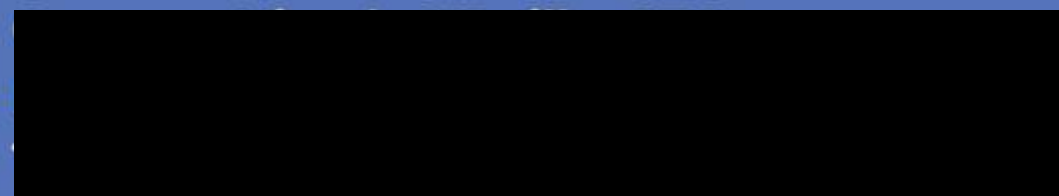


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