

Insight

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Unconditional offers Serving the interests of students?

Do unconditional offers help or hinder students? Many teachers and others in education argue that they limit students' ambitions and achievements, and that students may not be thinking about them in an informed way. Others (including many of the applicants who receive them) see them as a positive development.

This insight brief looks at the evidence to date on the impact of unconditional offers on 18-year-old English applicants, and analyses new data on patterns of offer-making by English universities and colleges.¹ This and other data are discussed in more detail in an accompanying report.²

Universities and colleges are responsible for their own admissions policies and practices, including those relating to unconditional offers. As the higher education regulator, the Office for Students (OfS) is in turn responsible for making sure that practices such as unconditional offers are serving students' interests.

The government has asked us to monitor their impact on student access and outcomes, in particular for disadvantaged students,³ and we are also looking at the extent to which the admissions system as a whole supports student choice and effective competition in the interests of students.

The OfS's regulatory framework sets out quality and standards requirements of the universities and colleges that register with us, and they must also comply with consumer protection law.⁴ We need to be sure that unconditional offers are not detrimental to students, and that universities are not resorting to 'pressure selling' tactics in promoting them.

The growth of unconditional offers appears to be a consequence of increasing competition between universities. The OfS has a legal duty to have regard to the need to encourage competition where it is in the interests of students and employers. The question is whether the sorts

The steep rise in the numbers of unconditional offers made by universities and colleges to students applying to study with them has come under the spotlight in recent months amid concerns that it is having a negative impact on students. Are these concerns warranted? And if so, what should be done about them?

of unconditional offer practices arising from this competition are in the interests of students.

Discussion of unconditional offers among educationalists and in the media over the past year has been vocal and vigorous.

The Office for Students is the independent regulator of higher education in England. We aim to ensure that every student, whatever their background, has a fulfilling experience of higher education that enriches their lives and careers. We regulate to promote quality, choice, competition and value for money in higher education, with a particular remit to ensure access, success and progression for underrepresented and disadvantaged groups of students.

Key points

- The OfS is concerned about the rapid rise in unconditional offers, particularly those that require students to commit to a particular course. We will take action where they are not in students' interests.
- While some are seeking to justify unconditional offers as a tool to support fair access for disadvantaged students, contextual offer-making is a more effective way of achieving this.
- We will make clear where 'pressure selling' practices are at risk of breaching consumer protection law, and empower students to challenge this as well as taking regulatory action if appropriate.
- We will bring together a range of education, employer and other organisations to explore whether the admissions system serves the interests of students. We will work with the Department for Education, students, UCAS and others on a consultation on principles for how the admissions system can best achieve this goal.

'Universities must not resort to pressure selling tactics in promoting unconditional offers.'

Their critics argue that they 'sell students short',⁵ and that their use is motivated by universities' financial concerns rather than student need. Supporters argue that they benefit students by giving them certainty and confidence.

This discussion has often relied on assertion and anecdote rather than systematic examination of the evidence. We want to encourage a more evidence-led approach by identifying and articulating the issues for students and the implications for our regulation of universities.

Background

The majority of offers currently made to students are conditional. This means that a student must usually achieve specified grades in their A-levels, BTECs, or other relevant qualifications before they are accepted onto a course. An

unconditional offer guarantees a prospective student a place on a higher education course before they take their final school or college exams. This brief looks at two broad types:

'Openly unconditional' offers, which guarantee an applicant a place without any conditions.

'Conditional unconditional' offers. These are cases where a university makes a conditional offer, but lets the applicant know that it will make this offer unconditional if they make it their firm choice. These are a subset of a wider group of 'incentivised' offers, the incentive in this case being an unconditional offer.

There is another, related type of offer that is conditional, but on very low attainment requirements: for example, two E grades at A-level.⁶

University and college admissions officers have made use of unconditional offers in specific situations for some time: for courses where other entry criteria (such as portfolios or interviews) mean that A-level results may carry less weight; for students (often mature

students) who already meet entry requirements; for students requiring special consideration due to illness or disability. Before 2013, they were made in very small numbers, and rarely to 18-year-olds, but their use has expanded rapidly since then.

Further work is needed to fully understand the reasons for this expansion. But the general consensus is that it is a response to more intense competition between universities resulting from the removal of the cap on student numbers from 2012 and from a recent demographic dip in the numbers of 18-year-olds. In this context, unconditional offers can be understood as one of a number of recruitment incentives and initiatives used by universities and colleges.

The disquiet expressed in recent months arises from fears that their rapid growth indicates they are increasingly being used indiscriminately, without consideration of particular course or student imperatives. The concern is that this is having a negative impact on students' attainment before university, and that we will see the same effect when they reach university and later seek employment.

Patterns of unconditional offer-making since 2012

Summary

- Numbers of unconditional offers have increased dramatically over the past five years. Although they still comprise a small proportion of the total number of offers, UCAS estimates that over a third of 18-year-old applicants received at least one offer with an unconditional component in 2018.
- Unconditional offers are used to differing extents and in different ways. They vary by type of offer, higher education provider, subject, geography, and applicant characteristics. More than half of unconditional offers are conditional on students accepting a place at a particular university or college to the exclusion of other options.
- Applicants who accept an unconditional offer are more likely to miss their predicted grades by two or more grades. UCAS modelling estimates that, in 2018, more than 1,000 18-year-olds missed their predicted A-level grades by two or more grades through holding an unconditional firm offer.
- Applicants from areas with lower participation in higher education are more likely to receive an unconditional offer than those from areas of higher participation. This is primarily due to the profile of the universities and colleges: these offers are more likely to be made by mid to low-tariff universities.

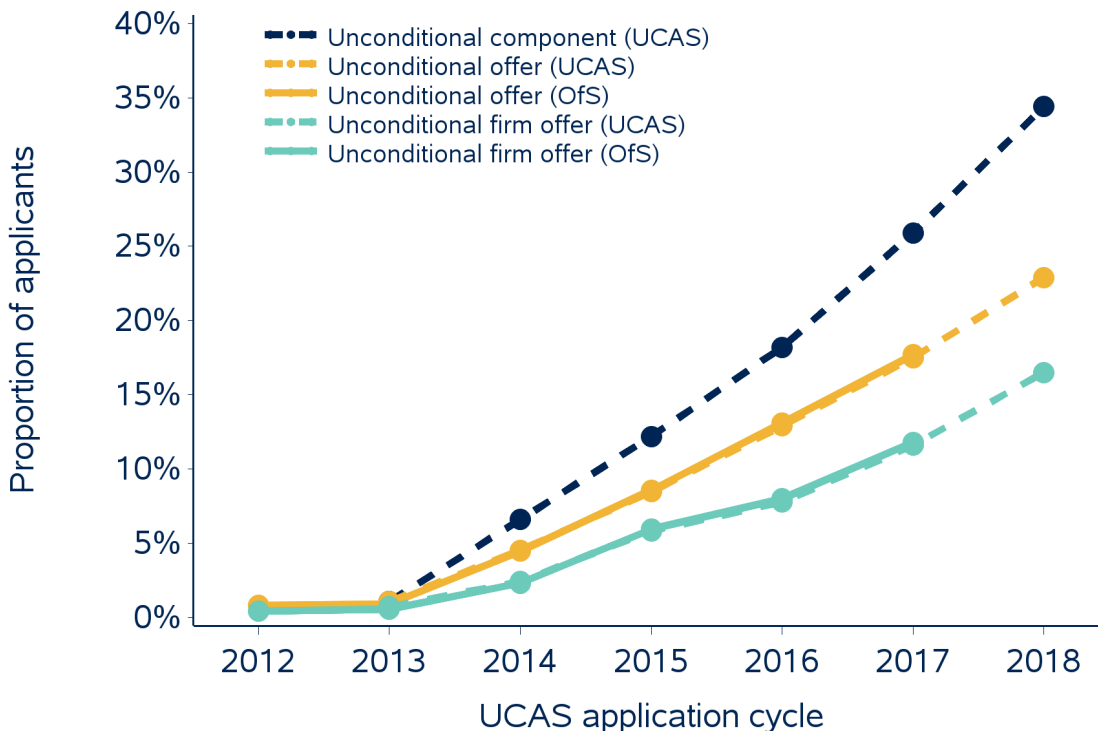
The **number** of offers with an unconditional component made by universities and colleges in the UK has increased markedly since 2013. The total made to 18-year-olds has risen by 114,000, from 3,000 in 2013 to 117,000 in 2018. Although this is a relatively small proportion of all offers made to 18-year-olds – a little over 12 per cent – the rate of increase is striking. In 2018, 34.4 per cent of 18-year-old applicants (the majority of whom will make up to five university applications) received at least one offer with an unconditional component, compared with 1.1 per cent in 2013. This means that 18-year-olds in 2018 were more than 30 times more likely to receive at least one offer with an unconditional component than 18-year-olds in 2013.⁷

The expansion in the numbers of conditional unconditional offers has also been notable.⁸

There is **no uniform approach** to unconditional offer-making. It varies by type of offer, university, geography, subject, and applicant characteristics.

The **extent** of unconditional offer-making varies between

Figure 1: Proportion of 18-year-old applicants with at least one offer with an unconditional component, unconditional offer or unconditional firm offer



Note: OfS figures relate to English applicants to English universities and colleges, while UCAS figures relate to English, Northern Irish and Welsh applicants to UK universities and colleges.

universities. Some make no or very few unconditional offers; some used to use them, but have stopped; others are making increasing use of them.⁹ In 2012, when they were rarely used, 11 per cent of English universities and colleges made no unconditional offers, and unconditional offers were fewer than 10 per cent of all offers made at almost all universities and colleges. In 2017, 6 per cent of universities and colleges were not making any unconditional offers, and more than a quarter of universities and colleges made at least 10 per cent of offers that were recorded as unconditional, although this is likely to be a conservative estimate.¹⁰ Figure 1 illustrates these trends.

What **types of university and college** are making use of unconditional offers? Table 1 shows the number and proportion of firm offers that are unconditional at different types of university and college.¹¹ Overall, unconditional offer-making tends to be used more often by low-tariff universities, with a number making extensive use of them. We discuss the potential implications for students below. Patterns of unconditional offers also vary by **geography**:

- The regions with the lowest rates of unconditional offers

Definitions for figures and tables

- **Unconditional offer:** An offer that is recorded as unconditional on June 30. (This will consist of all openly unconditional offers, plus the subset of conditional unconditional offers that have been chosen as firm.)
- **Offers with an unconditional component:** All offers that are either openly unconditional or conditional unconditional (regardless of whether they are selected as firm or not).
- **Unconditional firm offer:** A firm offer is an applicant's first choice, and the one that they are committed to take up once any conditions are met. When an offer has a firm reply and is unconditional this means that the applicant is placed at the university or college.

in 2017 were the North East (1,400 unconditional offers, 2.8 per cent of all offers made by universities and colleges in the region) and London (3,500 unconditional offers, 3.5 per cent of all offers).

- The region with the highest proportion of unconditional offers was the East of England (3,600 unconditional offers, 9.6 per cent).
- The remaining regions in descending proportion of unconditional offers were the East Midlands (8,300 unconditional offers, 8.2 per cent), West Midlands (7,200 unconditional offers, 7.4 per cent), Yorkshire and the

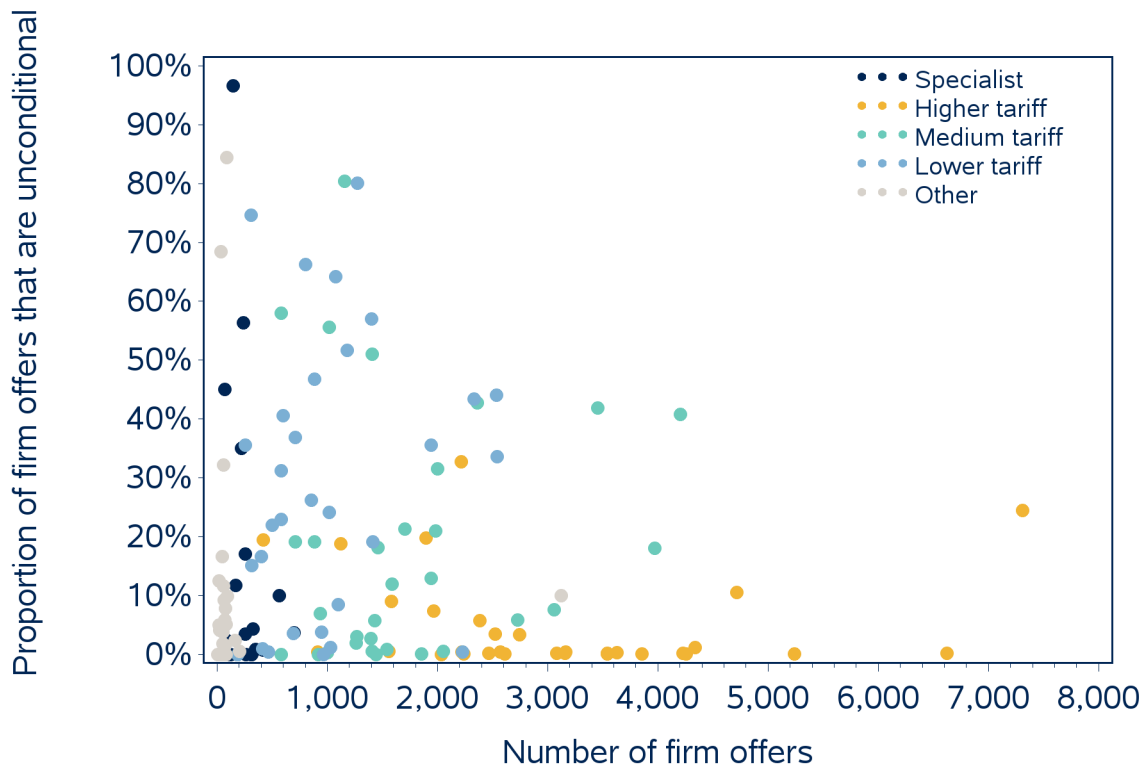
Humber (7,300 unconditional offers, 6.6 per cent), South East (6,800 unconditional offers, 5.1 per cent), North West (5,300 unconditional offers, 4.4 per cent) and South West (3,900 unconditional offers, 4.3 per cent).

One likely explanation for these disparities is that they are the result of a domino effect: once a university in a particular region starts to make unconditional offers, its local competitors follow suit. A student wishing or needing to study in a particular location may or may not have a chance of receiving an unconditional offer, depending on the location.

Table 1: Distribution of firm offers and unconditional firm offers across provider types in 2017

	Number of offers with firm reply	Number of unconditional firm offers	Proportion of firm offers that are unconditional	Proportion of all unconditional firm offers
Specialist	5,275	560	11%	2%
Higher tariff providers	94,150	4,455	5%	17%
Medium tariff providers	53,295	10,525	20%	40%
Lower tariff providers	31,545	10,030	32%	38%
Other providers	4,890	495	10%	2%
All	189,155	26,065	14%	100%

Figure 2: Provider-level proportions of offers with a firm reply that are unconditional by the number of firm offers and by provider type in 2017



Patterns also vary according to **applicant characteristics**. We look at this in more detail in section 2 below.

Discussion

Are unconditional offers a good or bad thing? This is probably the wrong question. Most commentators agree that, used appropriately, unconditional offers have a legitimate and useful place in the university admissions system. The right question is probably more complex: what does an ‘appropriate’ unconditional offer look like?

Our conversations with schools, universities and colleges suggest that there is continuing support for the practice as it has traditionally been used – for particular types of course or where entry requirements are already met. More recently, some supporters have emphasised the benefits to individual students in terms of boosting their self-esteem, reducing pressure in the lead up to exams, and enabling them to start planning for their lives in higher education.¹²

So, too, have students themselves. A recent UCAS survey found that around two-thirds of 18-year-old applicants were positive about receiving an unconditional offer, with respondents commenting that the guarantee of a university place was motivating, and confirming that it helped to relieve the stress of exam preparation.¹³

Concerns about unconditional offers cover a number of aspects. For the sake of convenience we have grouped them into three broad categories, but the links and overlaps will be evident.

1. Risk of reduced attainment

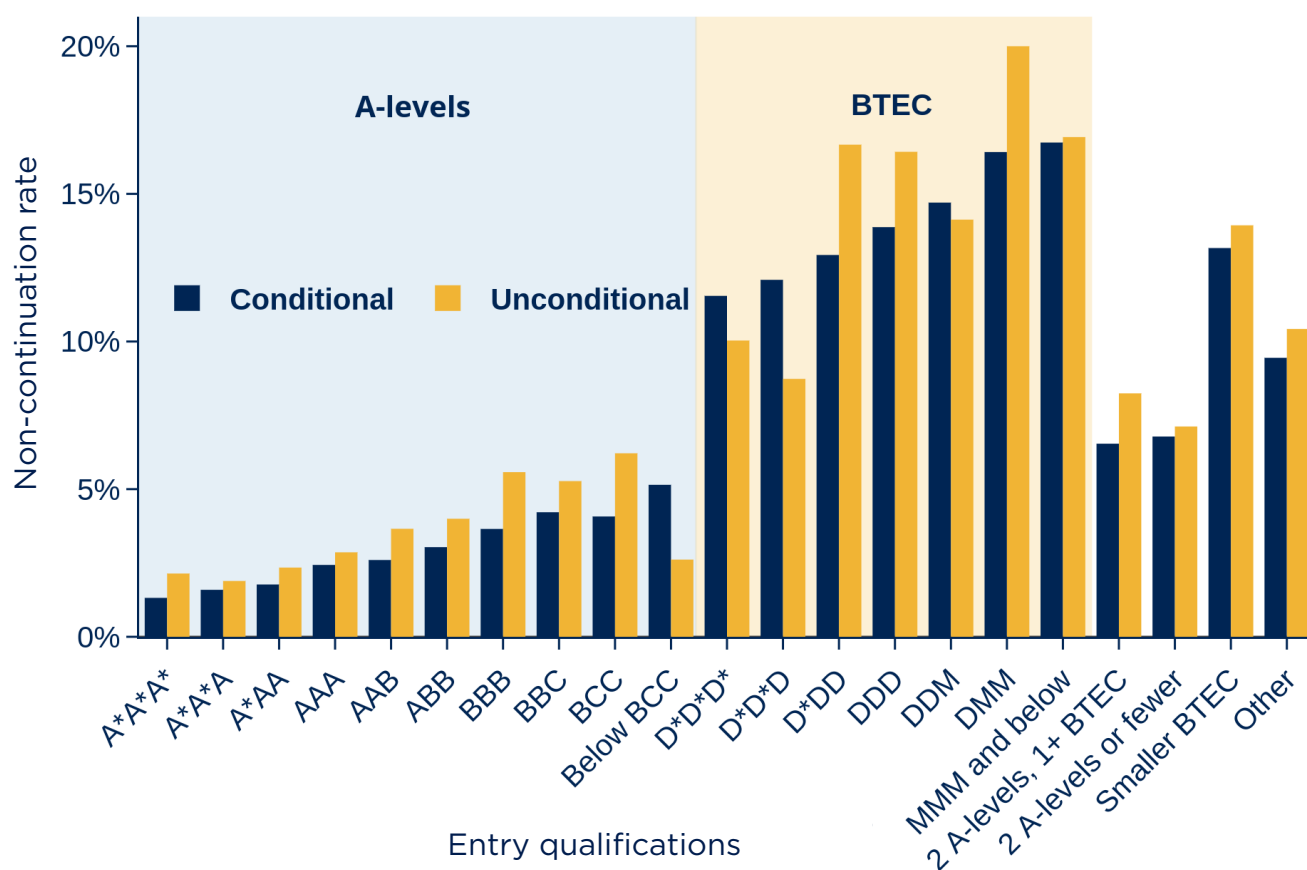
A number of critics have argued that unconditional offers risk students doing less well in their A-level, BTEC or equivalent examinations. The Association of School and College Leaders says that they can lead to students making less effort in their A-levels because their place is assured, and school heads and teachers report a significant decrease in motivation among some pupils who have received an unconditional offer.¹⁴ They

‘The OfS is concerned about the potential impact of unconditional offers on student attainment and outcomes.’

fear that as a result, these pupils will achieve grades below their capability.

The most recent UCAS report, and our own analysis, support this concern. UCAS estimates that the proportion of applicants placed in higher education through unconditional offers who miss their predicted grades by two or more grades is around five percentage points higher than would be expected compared with those holding a conditional offer. UCAS’s modelling controls for different attainment at GCSE, background characteristics of the student and the course where they hold their firm offer to ensure that this estimate is not influenced

Figure 3: Non-continuation rates by entry qualifications



by the group of applicants who hold unconditional offers. This proportion has remained fairly stable throughout the increase in unconditional offer-making. This means that as unconditional offers increase, more young people are attaining slightly weaker A-level results than expected each year.¹⁵

Why should this be a problem if a student with an unconditional offer will be accepted onto the course of their choice regardless of their exam results? Critics of the practice argue that it may mean that students are less well prepared for the demands of higher education, and as a result may underperform, or decide not to continue with their course. Further down the line, poor A-level results can hamper students' job prospects.

What's the evidence for these claims? The rapid increase in unconditional offers means that it's too early to assess with any certainty their effect

on continuation rates, student satisfaction and degree attainment. The limited evidence we have on non-continuation rates is set out in Figure 3, which shows non-continuation rates by entry qualifications. Because of the timescale we have only been able to look at entrants in 2015-16, when the numbers of unconditional offers were much lower than in 2018, and the differences are not statistically significant. We will continue our analysis as more data becomes available.

For the same reason, we also still need to develop our understanding of the impact of unconditional offers on employment outcomes, once the data becomes available. We know, however, that employers make extensive use of prior attainment and degree results when recruiting. A recent survey by the Institute of Student Employers found that 28 per cent of employers use UCAS points

or A-level results as a minimum selection criterion. Over 50 per cent use degree classification (usually at least a 2:1) to define minimum entry.¹⁶ It is clear that in a highly competitive graduate jobs market, where large numbers of candidates are competing for a limited number of jobs, good exam and degree results are more important than ever.

2. Impact on disadvantaged students

There are particular concerns about the effect of unconditional offers on students from disadvantaged groups. Critics highlight the particular vulnerability of applicants who are the first in their family to attend university, and of those who lack parental support. These applicants may be more likely to accept an unconditional offer with limited information about their options and the potential drawbacks.

UCAS analysis shows that more unconditional offers are

being made to applicants from the areas with the lowest rates of participation in higher education: these applicants are more likely to receive an unconditional offer than applicants from areas with higher participation. This is illustrated in Figure 4.

Our own analysis demonstrates that some of this difference may be attributable to types of university rather than to student characteristics. In other words, universities and colleges may not, in general, be directing their unconditional offers towards disadvantaged students; rather, those that take a greater proportion of disadvantaged students tend to use more unconditional offers.

This is an important distinction. It suggests that unconditional offer-making to disadvantaged students may be driven more by the circumstances of universities and colleges than the needs of the students.

This contrasts with the practice of contextual offer-making, which takes into account

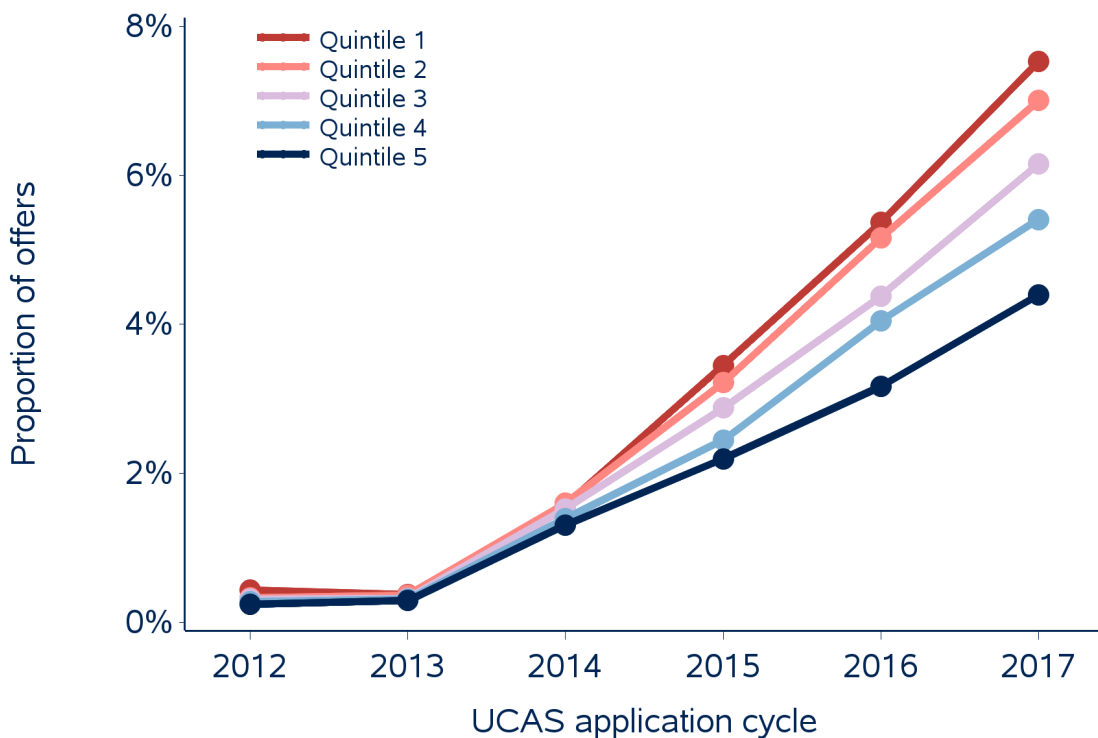
‘Contextual offer-making is a more effective way of achieving fair access than unconditional offers.’

the circumstances in which academic results are achieved. For these offers, universities make use of socioeconomic background, school performance, and other data and information in assessing applicants’ attainment and potential to succeed in higher education. They reflect this in their entry requirements, so that one applicant may receive a lower offer than another for the same course. Contextual offers give confidence to students (one of the positive features claimed for unconditional offers) while also motivating them to work towards the best possible grades.

A related issue concerns the implications of the increase in

unconditional offers for widening access to the highest-tariff universities. Underrepresented and disadvantaged groups of students are least well represented in such universities. While positive student experiences and outcomes can be found in all parts of the sector, the OfS is committed to ensuring that students from all backgrounds have the chance to benefit from the opportunities these universities provide, and we are strongly challenging them to provide fair access for such students. We know that unconditional offers are more likely to be made by lower-tariff universities. To the extent that disadvantaged students are accepting these offers, and thereby potentially missing out on the opportunity to attend a higher-tariff university, this is working against the goal of fair access. A more ambitious approach to contextual admissions by high-tariff universities, rather than unconditional offer-making by lower-tariff ones, is the way to achieve fair access.

Figure 4: Proportion of offers that were unconditional by area-based background



Note: English 18-year-old applicants to English higher education providers. Participation of Local Areas (POLAR4) quintile 1 areas are those with the lowest young participation in higher education.¹⁷

3. Constraining choice?

University applicants say that unconditional offers influence their choice of university,¹⁸ so we need also to understand the implications of this.

A concern is that applicants may choose an unconditional offer because they see it as a safer option than a conditional offer. In particular, students accepting a conditional unconditional offer are depriving themselves of the chance to consider other universities and colleges. This can result in students making sub-optimal choices, without information on alternative options which may be more suitable for their career plans or may better reflect their abilities and talents. In other words, they may not necessarily be opting for the course and university or college that would be best for them overall.

Since they can have the effect of reducing attainment, unconditional offers may also limit students' ability to choose a different higher education course, whether by changing their mind before starting, 'trading up' during adjustment or clearing, or transferring courses at a later stage.

A connected concern centres on a perceived lack of transparency about how unconditional offers work. There is limited understanding of the criteria universities apply in selecting applicants to receive unconditional offers. Schools feel ill-prepared to advise applicants, and worry that those deciding whether to accept an unconditional offer do not have the information, advice and guidance they need to make an informed choice.

Conclusion

The recent steep increase in the numbers of unconditional offers has prompted questions about their impact on students. We don't yet have all the answers: a fuller picture will begin to emerge

once the first cohorts of students accepting unconditional offers in large numbers have gone through university and into employment.

Unconditional offers, whatever form they take, must be in the interests of the individual students who accept them. They must not disincentivise students from working hard in their pre-higher education exams to get the best possible results, and they must not adversely affect their decisions about what and where they want to study. Finally, in inviting students to take up an unconditional offer, universities and colleges must ensure that they are giving them the opportunity and freedom to make an informed choice. So-called pressure selling tactics – for example, applying psychological pressure, or creating an impression of urgency in decision making – could be a potential breach of consumer protection law.

The OfS is taking action in relation to unconditional offers on a number of fronts:

- We will continue to monitor and assess the way unconditional offers are being used across the sector.
- We will ensure that provider-level data on unconditional offers is published on a regular basis, starting in 2019, including their impact at all stages of the student lifecycle where this can be monitored.
- We will identify any cases where the evidence suggests that students with unconditional (or very low) offers are particularly at risk of poor outcomes, or not being properly supported. We will challenge the universities or colleges concerned, and intervene where necessary.
- We will make clear our expectations that the governing bodies of

universities and colleges are fully sighted on their institution's admissions policy and its implications for the interests of individual students.

- We will make clear where 'pressure selling' practices are at risk of breaching consumer law, and empower students to challenge this as well as taking regulatory action ourselves if appropriate.
- We will work with UCAS and other bodies providing information, advice and guidance to improve students' ability to make informed choices about unconditional offers.¹⁹

As this last point suggests, accessible, up-to-date information on unconditional offers is vital. A more transparent approach should go some way towards assuaging some of the concerns we have highlighted in this brief.

However – to pick up on a question we asked earlier – the task of defining what an 'appropriate' unconditional offer looks like may also give rise to more fundamental questions. Are unconditional offers symptomatic of wider issues with the university admissions system?

The OfS will bring a wide range of stakeholders together to explore whether the admissions system more widely serves the interests of students, and whether the way that universities and colleges behave in response to competition is in the interests of students. We will work with the Department for Education, students, universities and colleges, UCAS, information bodies, schools, employers and others with an interest in education on a consultation on the principles of how the admissions system can best achieve these goals.

Notes

- 1 In this brief, for the sake of readability, we have used 'universities and colleges', or sometimes simply 'universities', to refer to what our regulatory framework and other more formal documents call 'higher education providers'.
- 2 See 'Unconditional offers: Data analysis based on UCAS data' (available alongside this report at www.officeforstudents.org.uk/unconditionaloffersbrief/).
- 3 See 'Strategic guidance to the Office for Students: Priorities for financial year 2018-19' (available at <https://www.officeforstudents.org.uk/advice-and-guidance/regulation/guidance-from-government/>). The Education Select Committee has also called on the OfS to take action after criticising the practice in its recent report 'Value for money in higher education' (available at <https://www.officeforstudents.org.uk/advice-and-guidance/regulation/guidance-from-government/www.parliament.uk/business/committees/committees-a-z/commons-select/education-committee/inquiries/parliament-2017/value-for-money-higher-education-17-19/>).
- 4 'Securing student success: Regulatory framework for higher education in England' (OfS 2018.01, available at www.officeforstudents.org.uk/publications/securing-student-success-regulatory-framework-for-higher-education-in-england/). The relevant regulatory conditions are B2 and B3, which concern the quality and standards a university or college must meet in order to be registered with the OfS, and C1, which requires them to demonstrate that they have due regard to Competition and Markets Authority guidance. Where the OfS suspects a breach of consumer protection law, we may take regulatory action ourselves or refer the matter to the Competition and Markets Authority or other relevant enforcement bodies.
- 5 See Carlisle, Liz, 'Unconditional offers sell students short', Times Higher Education 2 January 2019 (available at <https://www.timeshighereducation.com/blog/unconditional-offers-sell-students-short> [NB paywall]).
- 6 Our analysis follows UCAS's definitions of unconditional offers (available at <https://www.ucas.com/providers/good-practice/unconditional-offers>), i.e. applications submitted in the main UCAS application scheme that are recorded as 'unconditional' on 30 June. It therefore includes all of the first type, and a subset of the second type (when the applicant makes the university or college their firm choice), when these have been recorded on that date. We have not looked at low attainment offers.
- 7 UCAS, 'End of cycle report 2018 Chapter 3: Unconditional offer-making to 18-year-olds from England, Northern Ireland, and Wales' (available at <https://www.ucas.com/data-and-analysis/undergraduate-statistics-and-reports/ucas-undergraduate-end-cycle-reports/2018-end-cycle-report>), pp17-18.
- 8 In 2013 no conditional unconditional offers were detected, but the frequency of this type of offer has increased yearly. In 2018 providers made 66,315 conditional unconditional offers, 6.9 per cent of all offers made to 18-year-olds from England, Northern Ireland and Wales (UCAS, 'End of cycle report 2018 Chapter 3', p6).
- 9 For example, the University of Sheffield does not make unconditional offers except to students who have already gained their pre-university qualifications (Carlisle, 'Unconditional offers sell students short'). By contrast, Sheffield Hallam University made 'hundreds' to an incoming cohort of 7,000 undergraduates in 2018 (Adams, Richard, 'One-third of 18-year-old university applicants get unconditional offer', The Guardian 29 November 2018, available at <https://www.ucas.com/data-and-analysis/undergraduate-statistics-and-reports/ucas-undergraduate-end-cycle-reports/2018-end-cycle-report> www.theguardian.com/education/2018/nov/29/one-third-18-year-old-university-applicants-get-unconditional-offer). After experimenting with unconditional offers in 2017, St Mary's University, Twickenham announced in 2018 that it would not be making any more of them (BBC, 'University stops making unconditional offers', 31 October 2018, available at <https://www.bbc.co.uk/news/education-46033799>).
- 10 For an explanation of why this is likely to be the case, see paragraph 25 of 'Unconditional offers: Data analysis based on UCAS data'.
- 11 UCAS tariff scores are a way of measuring post-16 qualifications (see <https://www.ucas.com/advisers/guides-and-resources/information-new-ucas-tariff-advisers>). Universities previously funded by the Higher Education Funding Council for England (excluding specialist providers) are grouped into higher, medium and lower tariffs when ranked by average tariff score of UK-domiciled undergraduate entrants, defined using Higher Education Statistics Agency data from academic years 2012-13 to 2014-15. The remaining universities and colleges are represented by the 'Other' group.
- 12 See, for instance, the comments by Prof Graham Galbraith, Vice-Chancellor of the University of Portsmouth, in Adams, Richard, 'Rise in unconditional offers prompts call for university admissions overhaul', The Guardian, 26 July 2018 (available at <https://www.theguardian.com/education/2018/jul/26/rise-in-unconditional-offers-prompts-call-for-university-admissions-overhaul>).
- 13 UCAS, 'End of cycle report 2018 Chapter 3', p36. Note that the survey was limited to 6,000 applicants. It gauges positive, neutral and negative sentiment, which does not necessarily equate to considered support for unconditional offers.
- 14 See Staufenberg, Jess, 'Don't force pupils to accept unconditional offers ahead of other university places, school leaders urge', Schools Week 20 November 2018 (available at <https://www.schoolsweek.co.uk/dont-force-pupils-to-accept-unconditional-offers-ahead-of-other-university-places-school-leaders-urge/>).
- 15 UCAS, 'End of cycle report 2018 Chapter 3', p33.
- 16 'ISE annual student recruitment survey 2018', Institute of Student Employers September 2018 (available at <https://ise.org.uk/page/ISESurveys> [NB paywall]).
- 17 For further information see www.officeforstudents.org.uk/data-and-analysis/polar-participation-of-local-areas/.
- 18 UCAS, 'End of cycle report 2018 Chapter 3', p39.
- 19 UCAS's current guidance for applicants on unconditional offers is available at <https://www.ucas.com/undergraduate/after-you-apply/ucas-undergraduate-types-offer>, and for universities and colleges at <https://www.ucas.com/providers/good-practice/unconditional-offers>.