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**Via e-mail**

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**Scotland National Office**

27 May 2005

Dear Ms Carson

**Consultation on Cross Border Student Flows: Higher Education Tuition Fee Levels**

Thank you for your letter of 4 April 2005, seeking views on the level at which higher education tuition fees should be set and whether there should be a separate higher flat rate fee for medicine.

BMA Scotland is strongly opposed to the introduction of tuition fees, particularly up front fees, and any proposals that seek to shift the burden of educational costs onto the student. The BMA fought the introduction of the Higher Education Act (2004) in England and remains opposed to any proposals which increase levels of student debt and limit moves to widen access and participation in medicine. We were therefore disappointed that the Scottish Executive decided to respond to the new English legislation with plans to increase fee levels for non-Scottish domiciled students studying in Scotland, although we do acknowledge the difficulties that may be caused by changes to cross-border student flows arising from the introduction of variable fees in England and Northern Ireland. Whatever the legal constraints on the Scottish Executive, the sense of unfairness felt by the English and Northern Irish domiciled students the BMA also represents is only heightened by the fact that the higher fees will apply selectively to them and not to students from elsewhere in the EU.

**General tuition fee levels**

Given that the decision has already been made to increase tuition fee levels in Scotland and that the debate has now moved on to the level at which fees should be set, our strong view is that the level of fee increase should be absolutely no higher than the minimum required to ensure stability in cross border flows, and maintain opportunities for Scottish students to study in Scotland.

Fee levels should be kept under annual review to ensure they remain as low as possible to achieve the required effect, and the cost for English and Northern Irish-domiciled students of studying in Scotland should be no higher than if they had opted to study in their home country. Any decision on whether to increase fees for Welsh-domiciled students should be deferred until the Welsh Assembly has detailed its plans in response to the Higher Education Act, although the same principles should apply.

**Scottish Secretary:** Bill O'Neill, BSc FRCGP  
**Chief Executive/Secretary:** Tony Bourne

One of our major concerns over the introduction of higher fees for English and Northern Irish students is that the Executive is yet to provide detail about the payment of these fees. We are wholly opposed to any suggestion that fees are paid up front, even with loans being made available to cover them. If such loans were means-tested, this would equate to full up front fees for a number of students.

We understand that the funding of English and Northern Irish students is not the responsibility of the Scottish Executive, but we would urge you to work with your counterparts across the UK to ensure that there is no possibility of any perception that studying in Scotland is a worse financial option than studying elsewhere in the UK, which might stem from payment via up front fees. Any such perception would seem likely to cause a reduction in the number of English and Northern Irish students studying in Scotland, which we do not believe is the Scottish Executive's aim. It is imperative that cross border flows are strictly monitored to ensure that the proposed arrangements do not discourage students from other areas of the UK applying to study in Scotland, compared with current levels.

### ***Self funded Scottish-domiciled students***

We welcome the guarantee that the proposed fee increases will not impact in any way on those full-time Scottish-domiciled and non-UK EU students who currently receive fee support from the SAAS. However, we would also urge the Scottish Executive to extend this protection to all Scottish-domiciled students, including those studying for a second undergraduate degree, those students who repeat one or more years, those students studying medicine who intercalate, and those students with a HND who enter university in first year and are therefore liable to pay tuition fees for one year. Given that the stated aim of the move to increase fees is to protect the interests of Scottish-domiciled students, it would be completely illogical to then penalise Scottish-domiciled students in these groups. This is particularly important in the context of the Calman Review's recommendation<sup>1</sup> for the establishment of a graduate entry medical degree course in Scotland.

### ***Medical tuition fees***

With regard to the fee levels for medicine, the guiding principles should be no different from those for other undergraduate courses, as we have set out above, i.e. at the minimum level necessary to ensure the stability of cross border student flows. We are disappointed that Ministers have chosen to focus exclusively on higher fees as the lever for controlling cross border flows of medical students, rather than on other means of maintaining or increasing the range and number of Scottish-domiciled students studying medicine in Scotland. We support the suggestions<sup>2</sup> made by the Calman Review that Scottish medical schools should review the restrictive requirement for five Highers to be obtained in a single sitting, and that existing initiatives aimed at widening access should be intensified and extended.

Furthermore, the best way of achieving the Scottish Executive's aim of retaining medical graduates in Scotland, regardless of their original domicile, is through the development of attractive postgraduate training and long-term career opportunities. We endorse the statement<sup>3</sup> from Universities Scotland in this respect, and do not support any proposals for "golden handcuffs", believing that these send out the wrong message about Scotland as a place to study and work in medicine.

We note that the primary use of the funds saved through charging higher fees to English and Northern Irish domiciled students will be to provide financial support for Scottish students choosing to study in England, and that any saving made over and above the cost of these loans will be a pooled resource for the Scottish Higher Education sector. We hope that the Executive will carefully consider the use of this resource in widening access initiatives and in addressing the existing disparity in funding for undergraduate medical education between Scotland and England.

***Transitional arrangements***

With regard to proposals for transitional arrangements for those students who are accepted for entry to university before 2006 – 2007 but who do not take up their course of studies until that year, we would support the approach that they be treated as having entered a Higher Education Institution in the year in which they are accepted by that institution.

Finally, we wish to repeat our previously expressed concerns over the potential negative impact of the Higher Education Act in England on the disparity in undergraduate medical education funding between Scottish and English medical schools, should the latter be able to utilise a proportion of the anticipated variable fee revenue for this purpose. We would seek a commitment from the Scottish Executive to keep Scottish medical education funding under review in light of developments in England, and to ensure that levels of investment in Scottish medical schools will continue to place Scotland at the forefront of medical education.

Yours sincerely



Zubir Ahmed

Chair

Scottish Medical Students Committee  
BMA Scotland

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<sup>1</sup> Scottish Executive (2004) Review of Basic Medical Education in Scotland, Report and Conclusions – June 2004, Professor Sir Kenneth Calman pp 16-17

<sup>2</sup> *ibid* pp 14 - 15

<sup>3</sup> Scottish Executive (2005) Cross Border Student Flows: Higher Education Tuition Fee Levels pp 9-10