Annex C: Consultation response form

Department for Business, Innovation & Skills

Fulfilling our Potential: Teaching Excellence, Social Mobility and Student Choice - Consultation

You can reply to this consultation online at:

https://bisgovuk.citizenspace.com/he/fulfilling-our-

potential

A copy of this response form is available at:

https://www.gov.uk/government/consultations/higher-education-teaching-excellence-social- mobility-and-student-choice

The Department may, in accordance with the Code of Practice on Access to Government Information, make available, on public request, individual responses.

The closing date for this consultation is 15/01/2016

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Please tick the box that best describes you as a respondent to this consultation.

	Alternative higher education provider (with designated courses)
	Alternative higher education provider (no designated courses)
	Awarding organisation
	Business/Employer
	Central government
	Charity or social enterprise
	Further Education College
X	Higher Education Institution
	Individual (Please describe any particular relevant interest; parent, student, teaching staff etc.)
	Legal representative
	Local Government
	Professional Body
	Representative Body
	Research Council
	Trade union or staff association
	Other (please describe)

We applaud this initiative to enhance the quality of teaching in Higher Education. The introduction of a Teaching Excellence Framework might create further incentives for universities to devote as much attention to the quality of teaching as fee-paying students and prospective employers have a right to expect, as well as reviewing the balance between teaching and research. The Research Excellence Framework has demonstrably improved research in the UK and our hope is that the Teaching Excellence Framework will do the same for teaching.

However, we are seriously concerned whether an assessment-driven TEF linked to fees for institutions able to demonstrate teaching excellence is the best way to improve teaching in either established institutions or with new providers.

Firstly, 'teaching excellence' is a contested term (Skelton, 2004). At a basic level good teaching requires planning, preparation, expert delivery, risk-taking, excellent communication, a desire to ensure participation of all learners and development of positive relationships through the creation of an environment that is highly conducive to learning (Hattie, 2003:5). In one sense, we all know great teaching when we see it. It is often unpredictable, unrepeatable, and sometimes unobservable with long-term unforeseen consequences. It is always multidimensional. This may imply it is ascribed to the individual teacher alone. Individual teaching excellence in higher education is developed and supported through the culture of a programme team, the teaching methodology, the curriculum design, and the ethos of the department[1] (Gibbs, 2012:4), all supported by a highly-resourced, institutional-wide technical and social eco-structure. Moreover, there are significant differences between learning gain within disciplines[2]. It is relatively easy to identify research excellence as publications and citations are concrete components. Boiling teaching down to a limited set of metrics may result in measuring only what can be measured, rather than what should be evaluated.

A TEF needs to reward the right behaviors and identify the mechanisms to enable these. The metrics chosen will inevitably stand as proxies for something else. For example, such data as graduate employment six months after graduation might say something about the position of specific groups of students in the market (with all of the attendant impact of league table position, discrimination against BME graduates, etc.), but little or nothing about the excellence of any teaching they have received. Using data such as graduate salary to assess teaching is particularly problematic. An institution can produce well-taught nurses and poorly taught investment bankers, but the former are unlikely to command anything like the salaries of the latter. Care must be taken to ensure that the metrics that are chosen will not tempt institutions to "game the system", cutting valuable courses that will not pay dividends, irrespective of teaching quality. Without reference to the characteristics of students at entry, evidence of the impact of teaching received and the value added, will be limited. Where metrics are used, they must be contextualized with the discipline or be subject and mission-specific, adjusted for characteristics of location and the socio-economic characteristics of students, including POLAR 3, ethnicity, disciplinary mix, etc. The use of metrics should be complemented by self-assessment and peer review by an independent expert panel that can bring judgment to bear on any metrics to ensure accountability. The OIA Access Agreement and QAA Institutional Audit (without the current tick box approach and with more emphasis on enhancement) may be useful models to follow.

Secondly, in its current form the TEF doesn't take account of excellent learning, which is active, requires time on task, and is characterised by high levels of student expectation and engagement. This is very difficult to translate into excellent teaching. The TEF will need to consider the integral necessity for student work that is self-managed and which takes place in the student's own time on-

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[1] Gibbs proposes the focus of enhancement should be on the whole degree programme and on the

[2] https://www.timeshighereducation.com/news/uk-engagement-survey-universities-have-limited-impact-students-soft-skill-development

line and in virtual spaces.

Thirdly, institutions are honest about their strengths and weaknesses and have highly developed systems of quality assurance and quality enhancement in place. These show how each provider is in a dynamic of continuous improvement against its mission, its location and the nature of its student body. The UK has an exceptionally high reputation for the uniqueness and diversity in its provision of higher education that derives from this. The language of a Teaching Excellence Framework must endorse the importance of learning and enhancement.

Lastly, the four proposed bands are currently insufficiently differentiated and the expectation is that all providers would rush to achieve the higher level. Multiple fee levels may be possible but only achieved through subject or courses rather than whole institutions.

Above all, we would wish to see a TEF that is designed in such a way as to be consistent with the principles put forward in the consultation document, and its commitment to co-regulation, proportionality and awareness of differential institutional contexts, with due regard paid to student engagement and partnership. From our own institutional viewpoint, we value the additional opportunity of a technical consultation that will take account of those metrics that really address attainment gaps, improve access and social mobility, student learning opportunities and the enhancement of provision.

Public sector equality duty

Question 1:

a) What are your views on the potential equality impacts of the proposals and other plans in this consultation?

It is proper that the Green Paper recognises the importance of equality, which has been and continues to be a critical aspect of our own and other HEIs' missions. We are therefore pleased to see that improving social mobility for students from disadvantaged backgrounds or with protected characteristics is a core value running throughout the paper, and continues to be a concern of government to ensure equality of attainment. We would be seriously worried that any potential decrease in funding to Disabled Students Allowance and Student Opportunity funding, coupled with rising fees, may negatively impact upon retention and wider student engagement for some students. There are also some concerns that linking the TEF to fees may reduce the ability of institutions to resource or enhance supporting mechanisms needed for student success frameworks. These may include personal tutoring, non-medical help, technology-enhanced learning, etc. It would be crucial to capture and monitor student participation and progress in the broadest way to ensure that this vision, and the institutional commitments that follow, can be met.

b) Are there any equality impacts that we have not considered?

Yes

The decline of mature and part-time students has been mirrored by a decrease in part-time modes of delivery. Undergraduate students from disadvantaged backgrounds who may choose to start their studies with a partner, or other, provider and enter university as direct entrants in year 2 or 3, may be particularly affected by the lack of access opportunities offered due to diminishing resources or lack of flexible arrangements.

Although we welcome the drive to increase productivity and develop skills in partnership with industry, for example, through Higher Apprenticeships, part-time students in this category are comparatively few in number and less likely to be affected by changes in funding. We are pleased that the Autumn Comprehensive Spending Review has recognised the decline in postgraduate study and extended student loans to the over 30s.

Teaching Excellence Framework (TEF) (Part A: Chapters 1-3)

Question 2: How can information from the TEF be used to better inform student and employer decision-making? Please quantify these benefits as far as you can.

Information from the TEF should assist in identifying great teaching, rather than just representing data. We suggest adopting a similar approach to assessing excellence as in the REF, for example, developing case studies that demonstrate the impact of teaching on learner success.

In a fast moving and global employment environment, the data that would most meaningfully inform the TEF would exist through enhancement activity and itself be informed by local and institutional context. The TEF has the potential to collect additional data but recent research (DELNI, HEFCE, HEFCW and SFC, 2015) does draw into question the amount and usefulness of information currently available to assist prospective and current students, their parents and employers in making informed choices. To be useful, all data needs to be straightforward, clear and easy to comprehend, with a clear understanding of the different audiences. Students and their parents have access to a wider set of data than ever before and, understandably, may select programmes increasingly on the basis of employment prospects as well as subject interest. Over recent years, universities have made strenuous efforts to improve the alignment of non-vocational UG/PG programmes with employment outcomes. Academic staff understand the importance of developing employability skills and attributes throughout students' studies. Professional courses are already designed and taught to meet statutory and regulatory standards and confer a licence to practice. Some are sandwich courses whilst others require assessed work placements. However complex a task, there is still much that can and should be done to improve understanding of these links at discipline and course level. For example, working closely with industry, refining and publishing learning outcomes and course information that explicitly relate to employment and, redesigning curricula, in partnership with students, to include more enquiry, team, situated and work-based learning. Universities already understand the links between funding by students and implementing those things within their control to enhance the student experience and improve students' life-chances.

Question 3: Do you agree that the ambition for TEF should be that it is open to all HE providers, all disciplines, all modes of delivery and all levels?

Yes

The TEF should apply to all HE providers. It is essential to establish a level playing field and any provider who claims to deliver at this level should be subject to the same level of examination. Depending on the robustness and credibility of the TEF, and the interpretation of level, the effect of a TEF may well invigorate teaching and encourage all HE providers, all disciplines, all modes of delivery and all levels to aim for teaching excellence. However, it may also lead to a reluctance to take risks and innovate quality enhancement or quality assurance to ensure stability against its TEF level. Innovation and enhancement are the lifeblood of higher education, so ensuring that the TEF doesn't lead to unforeseen consequences would require staged development and rigorous testing.

Question 4: Where relevant, should an approved Access Agreement be a pre-requisite for a TEF award? What other mechanism might be used for different types of providers?

We fully recognise the value of Access Agreements in encouraging institutions to work with under-represented groups and support them throughout their study. We believe they should remain a pre-requisite for a TEF award, and would welcome the development of additional powers of the Director of Fair Access to boost activity. To reduce bureaucracy, we should seek to roll together as many complementary processes as possible, e.g. quality assessment, REF and TEF into an integrated process.

Question 5: Do you agree with the proposals on:

a) **what would constitute a 'successful' QA review**

Yes

Although there are varying results for different institutions, Higher Education Reviews (HER) and Institutional Reviews for England and Northern Ireland (IRENI) should count as successful reviews for TEF level 1. These represent a benchmark against standards with elements of peer review. The reports from each of these processes would be capable of making reference to exceptional quality in components that contribute to successful learning.

b) **the incentives that should be open to alternative providers for the first year of the TEF**

Yes

Incentives should be open to alternative providers with specific designation or their own DAPs, and further education colleges with significant provision at level 6. We would appreciate the government giving some consideration to the implications for those institutions with extensive collaborative partnerships and franchise arrangements, and whether a TEF outcome for a franchise partner might impact on any continuation of arrangements.

c) **the proposal to move to differentiated levels of TEF from year two?**

No

It is difficult to provide a clear answer as there is little information given about what each level describes. We are concerned that the levels may translate into "good" and "bad" and have a negative impact on international recruitment to the UK in general. Currently international success is spread across the sector and our home students benefit from the presence of international students. In addition there are only marginal gains beyond TEF level one and the cost of submitting to other levels may prove a disincentive.

We would therefore propose an extensive consultation exercise to assess the costs and opportunities to the sector as a whole, and to individual institutions, to understand what, if any, the benefits may be.

Question 6: Do you agree with the proposed approach to TEF assessments on timing?

No

We believe that the proposed timetable is ambitious. The development of the REF had a three-year experimentation period, followed by multiple iterations, which allowed for sophisticated and expert analysis of the metrics deployed. The implementation of TEF needs to be rigorous to have credibility, so due concern should be given to a timetable that would allow for staging and testing.

Assessment panels?

Yes

Expert panels are well established in the quality review for higher education and constitute an important aspect of reflection and development.

and process?

Yes

We agree that panels, appropriately representing diverse views with deep knowledge of the diversity of institution, should be independent from UK Government and there should be a clear process for appeal.

Question 7: How can we minimise any administrative burdens on Institutions? Please provide any evidence relating to the potential administrative costs and benefits to institutions of the proposals set out in this document.

Since the publication of the 2011 White Paper and the greater role of a market in higher education, institutions have been keen to develop practices that enhance the student experience, improve learning gain and modernise curricula to produce more employable graduates. A sector-wide focus that drives collaborative effort between providers could build upon existing internal efforts by institutions in developing appropriate metrics and internal systems to ensure accountability. The development of new tools and processes for understanding what works would, amongst other benefits, produce cost efficiencies. This university welcomes the central thrust of the paper to make universities more efficient, but we are concerned about the costs, and possible increasing burden, of regulation. We appreciate that there is an attempt to minimize burden by utilising already available data for the metrics. However, we would caution against over reliance on a data set that was collected with one purpose in mind being used to serve another purpose for which the data is not wholly suited.

We therefore suggest an independent review body be established to review the level of current and future regulatory bureaucracy that universities are required to deal with. We also suggest that in further development of the metrics work already going on to improve and enhance data quality in the sector, like HESA's Data Transformation Project, is referenced.

Question 8: Do you agree with the proposed approach to differentiation and award as TEF develops over time?

See 5C. We agree that TEF assessment should be made at discipline or subject level if they are to make sense to students, parents and employers. Aggregation of these to produce an institutional score may have the unintended effect of producing 'cliff edges' and encouraging game-playing to ensure an institution reaches a particular level, especially if linked to fees. Any approach to differentiation should allow institutions to play to their strengths, but encourage the wider view of excellence that includes breadth, rather than a narrow focus on specific metrics that may be manipulated. We would discourage the differentiation of fees at subject level due to the complexity associated with administration and potential confusion for students. There is also the possibility of conflict with CMA issues.

Question 9: Do you agree with the proposed approach to incentives for the different types of provider?

No

The reality of managing rising real costs to meet students' expectations with low inflation is proving very challenging for many institutions. Where there are few providers in a geographical area, students may be forced for economic reasons to live at home and attend their local university. If that university is unable to raise fees, the quality would inevitably fall with diminishing resources, resulting in erosion of standards and fewer real opportunities for students, especially where those opportunities are already limited. It therefore seems sensible to expect all providers to achieve a baseline, but not to tie fees into quality. We believe it is important to support diversity in the sector and balance available funding fairly between institutions to ensure a level playing field. Raising standards can be dealt with in other more creative and less disruptive ways.

Question 10: Do you agree with the focus on teaching quality, learning environment, student outcomes and learning gain?

Yes

Notwithstanding the concerns previously identified in our response to Q3, these three aspects look reasonable. We welcome the proposed technical consultation that will provide further information as to what constitutes their specific measurement. Learning gain has proven to be difficult to measure and we look forward to the results of the current HEFCE funded pilots that will inform this. We think it would be helpful to identify in the 'teaching quality' section, measures for learning design that incorporate research-enriched teaching, partnerships with students as well as metrics on full and part-time staff who are qualified to teach in HE or participating in recognition schemes.

Question 11: Do you agree with the proposed approach to the evidence used to make TEF assessments - common metrics derived from the national databases supported by evidence from the provider?

Yes

The consultation paper recognises that the existing metrics used are not direct measures of quality and learning gain but do provide some useful data that enables universities to publish information and make enhancements to diverse areas such as feedback and assessment and employment outcomes. The current *Review of information about learning and teaching, and*

the student experience has identified the HE information landscape as cluttered[3] and has made useful proposals to streamline and improve the publication of more meaningful and authoritative data that would be useful to help students, parents and employers make informed choices. Assessment should be balanced between common metrics that take account of the student demographic and institutional self-assessment that recognises strengths and weaknesses over time, and drives the enhancement of provision. The technical consultation should consider how the weightings between these might work and the role that these data may play within the institutional narrative. To demonstrate the impact of teaching received, the value added and the journey successfully undertaken, we support the use of metrics based on inputs such as tariff entry (POLAR 3, ethnicity, disciplinary mix, etc) and outputs such as graduate achievement. However the current DHLE 6-month recording period is a blunt instrument that does not sufficiently take into account the employment trajectory of students who adopt a more entrepreneurial pathway or students choosing self-employment. This particularly applies to those developing careers in creative industries[4] that have proven their value in contributing to productivity and future economic success. Graduates in these types of non-traditional pathways should be carefully considered in relation to the DLHE time frames.   It is important that the TEF should avoid mission creep and remain focused on teaching and learning. If necessary, an instrument such as an Employability Excellence Framework could be created to look at the added value provided by institutions in this area.

Having stated this objection, we note that the DLHE does provide some evidence of employability that might not be available from HMRC data alone; it allows institutions to monitor their own performance in relation to employability. If, going forward, more weight is given to, for example, HMRC data, then that data must be shared with institutions to enable us to review, at a more granular level, patterns and trends.

Assessment should use evidence of accredited provision by Professional and Statutory Regulatory Bodies (PSRBs) to determine excellence. Accredited programmes are monitored externally to ensure high standards that meet the demands of professional practice.

Metrics used to determine areas such as teaching qualifications, pedagogical approaches, and teaching intensity must be contextualised through institutional self-evaluation to avoid unpredictable outcomes such as employing staff with particularly types of expertise and experience, or encouraging one type of teaching methodology at the expense of others.

For example, there is evidence[5] that a flipped classroom approach improves learning outcomes for some students, but only in some types of institution and in certain sizes of group.

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[3] Only 18% of first years surveyed used Unistats. N=1175

[4] In 2013, the creative industries accounted for 1.7 million jobs in 2013, 5.6 per cent of UK jobs. It is growing 3 times that of the wider UK economy: https://www.gov.uk/government/news/creative-industries-worth-88-million-an-hour-to-uk-economy

[5] Weaver & Sturtevant (2015) http://pubs.acs.org/doi/10.1021/acs.jchemed.5b00316 and Farmer(2015) http://blogs.northampton.ac.uk/learntech/2015/08/27/will-flipping-my-class-improve-student-learning/

Social mobility and widening participation (Part A: Chapter 4)

Question 12:

a) **Do you agree with the proposals to further improve access and success for students from disadvantaged backgrounds and black and minority ethnic (BME) backgrounds?**

Yes

The proposal to widen participation, improve access, retention and attainment are far-reaching and welcome. It recognises the existing and new role that universities can and should play in driving social mobility for disadvantaged groups through more joined up approaches overseen by the Office for Students and the Director of Fair Access. We also welcome the extension of tuition fee loans for part-time, postgraduate and 19 to 23-year olds at levels 3 and 4, and 19+ year olds at levels 5 and 6 in the autumn CSR.

Institutions such as Greenwich deeply value the principles of widening participation that form the beating heart of our institutional mission, often at the expense of our position in the rankings. We bear significant costs in resourcing widening participation, including out-reach activity, an emphasis on personal tutoring and pastoral care, mental health support, support for employment, etc. Care should also be taken in allocating the remaining student opportunity funding to ensure that those universities who already have a high spend on WP related activity are not disadvantaged, through the diversion of funds to other providers who are entering this territory.

To help students develop throughout their undergraduate or post graduate journey, factors such as flexible programme design supported by an effective technology-enhanced learning (TEL) infrastructure with embedded personal tutoring approaches, are critical to success and information about this helps students to make effective choices about providers. The use of data and metrics should take a longer term view of employment, reflecting graduate resilience and productivity in support of effective interventions that may be shared across the sector. These are likely to be highly contextualized and local, of the type of university and their mission.

b) **Do you agree that the Office for Students should have the power to set targets where providers are failing to make progress?**

Yes

We strongly agree with targets for providers failing to widen participation and that these should be set by OfS in consultation with the Director of Fair Access to ensure that they are fair and proportionate.

c) **What other groups or measures should the Government consider?**

Particular consideration should be taken with regard to prior educational routes taken by WP students and the resource required to support retention through the first year of UG study, as well as a greater emphasis given to supporting part-time and mature students.

Question 13:

a) What potential benefits for decision and policy making in relation to improving access might arise from additional data being available?

Additional data should enable providers to identify successful interventions as well as areas that require intervention. Big data should be used carefully as it is still a poorly understood area. It is highly discipline specific and, used indiscriminately, can lead to encouraging *unhelpful* behaviours. For example, our own research shows that law students who do not use the library progress poorly, whereas computing students who use the latest sources on the web rather than the library perform better. Many universities work extremely hard to improve access and retention, however the relationship between those from disadvantaged backgrounds and retention rates requires further investigation. Any measures should be considered in the light of an institution's offer, locale and particular demographic to avoid encouraging blanket behaviors leading to responses that inadvertently disadvantage the very groups needing support.

b) What additional administrative burdens might this place on organisations? If additional costs are expected to be associated with this, please quantify them.

There may well be an agency role (Jisc/ HEA) to collect data that can support institutions so that additional administrative costs can be shared across the sector through subscriptions. Big data and analytics is part of the zeitgeist and HE landscape so institutions are either already resourcing activity around this or preparing to.

Opening up the sector to new providers (Part B: Chapter 1)

Question 14: Do you agree with the proposed single route into the higher education sector?

Yes

New entrants must demonstrate that they meet minimum quality standards to ensure the integrity and reputation of the sector is not compromised. A common set of criteria for entry into the higher education sector against which any new provider can be assessed should be encouraged. Streamlining procedures and reducing timescales are likely to encourage new providers and enable them to better manage the processes for entry, establish DAPs more quickly and help to recoup costs. Some qualifications currently sit outside the QAA regulatory umbrella so there is an opportunity to bring all level 4 – 8 qualifications into line and encourage a level playing field for all.

Question 15:

a) Do you agree with the proposed risk-based approach to eligibility for degree awarding powers (DAPs) and university title?

Not sure

There is considerable risk to the integrity and reputation of the sector, which must be protected.

Risks include:

a) The 'university' title becomes diluted to the extent that it loses meaning and impacts negatively on the international reputation of our higher education
b) It becomes too easy for any provider to apply, thus encouraging a rush of applications that might produce a bottleneck with implications for assuring quality
c) Negative impact on international recruitment for well-established institutions when underperforming institutions with similar names derived from geographical location have their university title removed
d) There is a lack of clarity of the role for the OfS and its safeguarding procedures.

It is of the utmost importance to maintain rigour in any changes to the existing process and maintain a watching brief on reviewing new entrants to ensure the quality kite mark is not eroded for all. That said, we believe a risk-based approach would allow greater flexibility for new entrants to select the model that suits them best.

b) What are your views on the options identified for validation of courses delivered by providers who do not hold DAPS?

We would support option 3 - Government approval and endorsement of existing bodies with DAPs to operate as central validating bodies. If organisations, comprising diverse missions and different types, were to collaborate, they could bring the substantial experience and expertise that is required to examine whether prerequisites have been met and assure the quality of new degrees.

The emphasis on competition, diversity and innovation would be helpful in informing degree validation more generally.

We do not support the other options. The first option may lead to a possible conflict of interest or the development of such a wide role for the OfS (noting the outline of duties on p58:9 of the Green paper) which may then find it difficult to carry out its main regulatory duties. The second option would lack credibility as non-teaching bodies have no experience of validation or the impact of decisions and recommendations that may be impossible to implement.

Question 16: Do you agree with the proposed immediate actions intended to speed up entry?

Yes
The three proposals put forward are sensible innovations to the process and would be likely to assure a quality process. In proposal 3, further clarity on how HER assessment operates with the transfer of responsibility from the QAA to OfS and TEF would be required.

Proposal 2 proposes a greater role for the validating partner during a designated probationary period where the partner would be required to carry out in-year monitoring and quality assurance. This may place a further burden on already stretched resources and partners may choose to withdraw altogether or shift the resource required onto the new provider.

The proposal to manage SNCs over time for new providers appears appropriate as it is linked to strong performance and record of success which would uphold reputation. The importance of ensuring the reputation of the sector and the protection of students cannot be overstated.

Provider exit and student protection (Part B: Chapter 2)

Question 17: Do you agree with the proposal to introduce a requirement for all providers to have contingency arrangements to support students in the event that their course cannot be completed?

Yes

Please give reasons for your answer, including evidence on the costs and benefits associated with having a contingency plan in place? Please quantify these costs where possible.

It is right that students should be protected in the event of a provider exit or course closure. HE students are already legally protected against unfair contracts and by the laws prohibiting unfair commercial practices, overseen by the Competition and Markets Authority (CMA). Financial penalties including negative TEF scores would help universities to make better decisions in the students' interests.

Providers should have their own contingency plans and agreements in place as a precursor to TEF agreements overseen by OfS in the first instance. We do not believe that it would be helpful at this stage to force universities to pay into a scheme to protect 'at risk' providers, although once there is greater stability in the sector with TEF arrangements, this may be revisited. If the principle of bailing out those failing institutions is an important feature of the new HE landscape, it may be more appropriate to place responsibility on the OfS who regulate new entrants.

It is not clear what benefit to providers any partnership arrangements would bring. If there are clear recognition of prior learning (RPL) processes in place, it should not be an issue for students to transfer courses. This practice is already increasing whereby students are choosing to start their study in one institution and complete in another.

We would be happy to see the OfS develop its powers to direct successful providers to intervene early where provision was seen to be failing, so long as there were some incentives to do so for individual institutions.

Simplifying the higher education architecture (Part C)

Question 18:

a) **Do you agree with the proposed changes to the higher education architecture?**

Yes
It makes sense to review the HE architecture to support the proposed regulatory framework and provide value for money for students and the taxpayer. Further consideration should be given to the title of OfS. While we support and commend a focus on students, the proposed title obscures the broad remit for universities that takes into account teaching, research and (co-)regulation.

b) **To what extent should the Office for Students (OfS) have the power to contract out its functions to separate bodies?**

Fully

The model adopted by HEFCE for contracting out would work equally well for the OfS, so long as there is overall accountability.

c) If you agree, which functions should the OfS be able to contract out?

Any of the functions, subject to government oversight and in consultation with HE providers.

d) What are your views on the proposed options for allocating Teaching Grant?

Option 1: BIS Ministers set strategic priorities and BIS officials determine formula.

Disagree

Option 2: BIS Minister sets strategic priorities and allocation responsibilities divested to OfS

Agree

Option 2 would allow for closer consultation with the sector and achieve greater ownership. Whilst we recognise the need for government to implement its duties and promises, we would be concerned to maintain a healthy balance of powers and, suggest that boundaries between the sector and political expediencies characterised in Option 1 may be crossed, leading to unpredictable outcomes.   There is an assumption that determination of the allocation will be through the mechanism of a formula. This may need to be rethought to enable OfS (or BIS, if option 1 is preferred) to fund particular initiatives.

Question 19: Do you agree with the proposal for a single, transparent and light touch regulatory framework for every higher education provider?

Yes

Yes, we agree that there should be a single transparent and light touch regulatory framework for every higher education provider so long as it is able to support the necessary scope of an increasingly diverse sector.

Please give reasons for your answer, including how the proposed framework would change the burden on providers. Please quantify the benefits and/or costs where possible.

Without further information about the TEF it is difficult to see what additional resources might be required, although current requests for data and information place an ever increasingly large burden on already overstretched academics and professional services staff.

Question 20: What steps could be taken to increase the transparency of student unions and strengthen unions' accountability to their student members?

We would not envisage any changes needed to the law on students' unions or to make any changes in their accountability at this stage. It is proper that students' union members, whose fees ultimately pay for their activity, should be able to direct priorities and influence decisions. At the same time students' unions should understand how a positive partnership with their institutions can create synergy and add mutual value to both. From previous experiences of working with them in developing teaching and

learning enhancements, we know that students' unions are in a prime position to identify areas of provision requiring attention as well as acting as a mediator to explain and communicate any difficulties in implementing changes.

We believe that the role of students' unions in student representation and student voice can be improved at course level with the assistance of new technology to support these governance processes. We value the independence of students' unions and close working relationships, formally and informally, in developing better partnerships to improve teaching, learning, assessment, curriculum redesign and opportunities that enhance student success. We believe it would be helpful for OfS to work with the NUS to identify research and other initiatives to support institutional implementation of the TEF, and support, where necessary changes to representation, governance and engagement.

Question 21:

a) Do you agree with the proposed duties and powers of the Office for Students?

Yes

The proposed statutory duties and powers outlined are appropriate to implement reforms to the HE architecture and landscape. We would not advocate powers for the OfS to validate programmes (see Q15), but would support their role in ensuring effective arrangements for validation by others with DAPS, including powers to direct bodies with DAPs to withdraw external validation for failing institutions or programmes. To encourage the adoption of the TEF, we believe the OfS would be in a good position to commission strategic initiatives into areas to expedite teaching excellence such as improving staff student partnerships, use of TEL and flexible curriculum, and curriculum and learning design.

b) Do you agree with the proposed subscription funding model?

Yes

We would support the proposed subscription funding model so long as it was proportional to its institutional income. There should not be a net increase in the cost burden to institutions.

Question 22:

a) Do you agree with the proposed powers for OfS and the Secretary of State to manage risk?

Yes

The proposed powers reflect existing powers and are reasonable and proportionate. Whilst we agree that government should be able to take any necessary steps to deal with breaches in compliance or malpractice in using public spending, we do not agree with the proposal to allow BIS to 'enter and inspect'. If implemented this would alter the relationship between universities and government creating unnecessary tensions and unpredictable behaviors as well as sending out mixed messages beyond the UK about the independence of universities from government. We would prefer this power to be given to OfS.

b) What safeguards for providers should be considered to limit the use of such powers?

Safeguards should include establishing a clear process and a set of procedures for inspection that should be met before withdrawing registration and DAPs

Question 23: Do you agree with the proposed deregulatory measures?

Yes

Institutions should be able to make decisions about their own constitution and conduct, and any measures to accelerate innovation and encourage dynamism are to be welcomed. The OFS should be the authoritative partner in the approval of changes.

Reducing complexity and bureaucracy in research funding (Part D)

Question 24: In light of the proposed changes to the institutional framework for higher education, and the forthcoming Nurse Review, what are your views on the future design of the institutional research landscape?

We welcome the re-affirmation in the Nurse review of dual funding, the Haldane principle and supporting research excellence wherever it is found.

We generally agree with the recommendations of the Nurse review. In particular, we welcome the creation of Research UK as an umbrella body interfacing with government and parliament, but retaining the individual existing research councils with identified budgets interfacing with their respective research communities. We also welcome the proposed incorporation of Innovate-UK into RUK as this will provide joined-up thinking between research and innovation. The creation of a ministerial oversight committee for RUK would enable the involvement of other government areas beyond BIS in the strategic distribution of funds among individual research councils. We would suggest that the governing body of RUK should incorporate appropriate representation from research users, such as industry.

Question 25:

a) What safeguards would you want to see in place in the event that dual funding was operated within a single organisation?

We would suggest that REF and the resulting QR funding (and possibly HEIF) becomes the responsibility of a new body within RUK similar to individual Research Councils, for instance the Research Excellence Council for England (RECE). In this way it would have an identified budget set out by ministers in the same way as other individual Research Councils and would have control for the allocation of its funds. In addition, in the current devolved model, this body would have responsibility for the allocation of English funds alone so it could have a board drawn exclusively from England. Finally, this body could have a duty to liaise with the proposed Office for Students in order to ensure an integrated vision of research and teaching across the sector. This could be achieved by appropriate common representation in their respective governing bodies.

b) Would you favour a degree of hypothecation to ensure that dual funding streams,

along with their distinctive characteristics, could not be changed by that organisation?

Yes, we would favour this and the model proposed above would ensure that this is the case

Question 26: What are the benefits of the REF to a) your institution and b) to the wider sector? How can we ensure they are preserved?

a) The REF has significantly driven up research excellence standards across the UK HE sector. It has helped identify true excellence throughout the community and provided valuable data that has informed strategic decision making at many levels. The impact component of the REF2014 has focused the sector on the societal benefits of our research. It has also improved and incentivised public engagement efforts.

b) The REF has a significant developmental benefit to our institution and its academic staff. Our REF preparation process is used to identify, grow and develop a culture of research excellence across the institution. It is also a vital management tool driving strategic investment into areas of research excellence, as it provides a credible external assessment of our research. We therefore see the administrative burden associated with REF preparation as part of the core management activities of our institution. The cost of the actual submission itself is modest but could be reduced further as described below (Q27).

The above benefits will be preserved if the Research Councils aim at achieving a distribution of their funds that is not too dissimilar to the distribution of REF power. There is evidence at present that RCUK funds are overly concentrated on a small number of institutions and not truly funding excellence wherever it is found. For instance, universities in the Alliance group make up for 7.4% of REF research power but receive 2.0% of current RCUK funding. This is particularly acute in relation to funding for doctoral training, as suggested in the Nurse review: "Doctoral training programmes if too inflexibly applied can prevent graduate students being supervised by quality researchers who are not part of such programmes."

Question 27: How would you suggest the burden of REF exercises is reduced?

In the context of fiscal pressures, it is right that we should consider ways to reduce wastefulness and inefficiencies in the system, as long as the underpinning principles of seeking and supporting excellence in the system are maintained. This requires creating a system that rewards dynamism and diversity, and does not incentivise universities to operate a binary system for staff contracts, forcing staff into 'teaching only' or 'research only' pigeonholes, which would affect the ability to deliver research-informed teaching to students.

The key strength of the REF exercise is the peer review of outputs and impact case studies by expert panels of assessors. However, institutions often place significant amounts of management effort into mapping their internal structures onto the REF UoA panels and creating coherent narrative environment documents for the resulting units. This burden could be reduced by replacing the current environment section of the assessment with a metric-driven system based on income, doctorates awarded and, where appropriate, bibliometric data. This could be accompanied by a reduction of the weight allocated to the environment section to 10% and an increase of the impact weight to 25%. This metric driven environment section could (and should) be calculated and updated automatically on an annual or bi-annual basis and hence allow for longer intervals between main REF assessment of outputs and impact case studies by expert panels. In addition, the drive towards significantly reducing the number of UoA's should be continued, as this encourages multidisciplinary research and is in line with the creation of RUK.

We look forward to working with Lord Stern and the steering committee on their review into the REF.

Question 28: How could the data infrastructure underpinning research information management be improved?

By making this a key responsibility of the proposed Research-UK body. Appropriate data infrastructure and management systems for research should make it possible to operate a metric driven environmental REF assessment section without any additional burden on the sector.

RUK should lead the development of central research data infrastructure systems and provide guidance to HESA and HEI's on their current and future research information management systems (RIMS). This can remove duplication of effort taking place in each university and across the sector. Many institutions and commercial organisations have invested in research information management systems and infrastructure to aggregate research activity data from silo systems across an institution. For many institutions – including our own - the implementation, maintenance and longer term management of these systems will not be cheap, and will divert funds from frontline research. For instance, much effort has been given to ResearchFish to capture research outputs and impact for RC funded projects. This type of platform should be expanded and used for all research and enterprise projects if possible. Interoperability with other research information systems is also required in order to avoid duplication of effort in inputting data. It is likely that each university will have its own RIMS to promote and mange it research activities, but the database holding much of this data could be centralised and maintained by RUK or possibly HESA under guidance from RUK. RUK could also consider sector wide proposals such as the use of a mandatory unique identifier for each researcher (e.g, ORCID or similar) in order to facilitate the process of gathering bibliometric data. If an annualised assessment approach was to happen there will need to be a clear understanding set by Research UK as to what data is expected to be submitted (or automatically sourced – depending how novel the technological enhancement), and by which internal system. The concern here is that time will be taken up with data cleansing and verification processes which will increase not decrease our administrative burden.

Do you have any other comments that might aid the consultation process as a whole?

We would support a general principal of good data governance – that institutions have full access to the data that is being held by other organisations about their performance, especially where that data has reputational or financial impact. This includes, for instance, data held by the SLC and HMRC.

We strongly believe in the value of a joined-up approach between the REF and the TEF and how the two agendas will be connected to support research-led and research-informed teaching. We are concerned that a teaching excellence framework, rather than a learning excellence / enhancement framework may further disconnect teaching from research and lead us towards the creation of teaching-only institutions who only answer to OfS and research universities who answer to another body.

References:

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Thank you for your views on this consultation. Thank you for taking the time to let us have your views. We do not intend to acknowledge receipt of individual responses unless you tick the box below.

Please acknowledge this reply - **Yes**

At BIS we carry out our research on many different topics and consultations. As your views are valuable to us, would it be okay if we were to contact you again from time to time either for research or to send through consultation documents?

Yes