



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
	Higher Education Institution
	Individual (Please describe any particular relevant interest; parent, student, teaching staff etc.)
	Legal representative
	Local Government
	Professional Body
x	Representative Body
	Research Council
	Trade union or staff association
	Other (please describe)

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?

As the proposed Teaching Excellence Framework beyond the initial 2 years looks to create a 'tiered' educational architecture which will potentially have a negative impact on student access and equality, particularly students from poorer, disadvantaged backgrounds and historically underrepresented groups who already face barriers to access in such a system may be disadvantaged

further in their access to education, and the quality of education which they can access, through an increased unwillingness to incur the levels of debt that may be required to attain such access.

Linking fee levels to teaching quality through TEF, therefore, risks worsening inequalities of access which already exist. Where students from poorer backgrounds already make choices on the amount of debt they are willing to incur to access HE, after TEF their decisions will also limit the quality of teaching which they are able to access and reduce the historically equalising effect of education. While there is a positive argument to be made for the introduction of a Teaching Excellence Framework – so long as the metrics chosen accurately reflect a robust picture of teaching quality within institutions – this should not be linked to fees. Such a link has an inherently negative equality impact.

The metrics ultimately chosen should reflect the added value of education to students. This places a number of constraints on the possible metrics. For example, the inclusion in the proposals of employer destinations and outcomes is not necessarily linked to the quality of teaching received but may instead be due to a number of other socio-economic factors unrelated to the educational experience. This may also provide an incentive for institutions to seek to recruit students who will improve their performance on such metrics, rather than seek to improve the quality of teaching, and have negative equality impacts particularly for groups already disadvantaged. This will be difficult to avoid given the complexity of factors which contribute to individual success.

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

Yes

No

Not sure

Please provide any further relevant evidence.

More information on the proposed protections offered to students against suffering from course failure is needed to be able to answer this. For example, if students who have protected characteristics cannot or would be less likely to take advantage of some of the protections offered (for example relocation for disabled students), this could have a clearly negative equality impact.

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.

There is a clear argument to be made for a framework which accurately incentivises and highlights the positive effects of teaching quality on the student experience. Further, redressing the balance between research and teaching, which many students feel has swung too far in the direction of research at the expense of teaching, is also to be welcomed.

An accurate and comparable source of information on teacher quality would be a positive addition to student choice in-so-far as it provides robust measures of teacher quality (prioritising the choice of valid and reliable metrics in the construction of the TEF), and that these add value to existing sources of information. There is a balance to be struck between easily measurable indicators of student focussed teaching such as contact time, assessment marking turnaround or the ratio of teaching staff to students, and more difficult to measure but important measures of 'added value'. While the latter are important and the metrics for measuring this 'added value' need to be robust, the former are also important to students and provide an indicator of the commitment of institutions to the students learning experience. Students often perceive a correlation between the two and both kinds of metrics should be included in the TEF. Employers will find the second set of measure most useful, but only to the extent that they are robust and accurate measures of the added value of teaching as opposed to other potential factors influencing individual success. Anything else would create a system incentivising institutions to seek to influence their TEF results through recruitment of those socio-economically more likely to succeed, potentially disadvantage underprivileged potential students and contradict the wish expressed in the Green Paper to bolster Widening Access Initiatives.

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 No Not sure

Please give reasons for your answers.

While we are of the opinion that all students would benefit from accurate information on teaching quality whatever the nature of HE provider, we also believe that this should not be linked to additional fee rise or access to additional funding. We also have concerns about the creation of a TEF which it is foreseen will cover an increasing number of diverse providers and areas.

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?

Yes. This should be a requirement, tailored to the institutions WA needs relative to student demographics. It should be recognised that linking the TEF to fees contradicts the Widening Access goals of the Green Paper, and create a tension within a TEF which included WA in its metrics. We would strongly suggest that Widening Access should be included in TEF, and the link of TEF to fee levels should be removed from the proposals.

Question 5: Do you agree with the proposals on:

a) what would constitute a 'successful' QA review

Yes No Not sure

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

Yes No Not sure

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

Yes No Not sure

Please give reasons for your answer.

The use of the current QA process as a quality baseline is sensible, as is the requirement that all HE providers should be subject to this baseline. However, linking this to allowing additional fee rises for institutions who meet these basic standards appears unjustified. As most, if not all, relevant HE institutions meet these standards at the moment this amounts to introduction of a fee rise without institutions needing to make any significant change or improvement in teaching for students. As the Green Paper itself notes student concern about whether they currently receive 'value for money', we could not support this and the proposals seem in this respect self-contradictory. In so far as the TEF is to be linked to any form of fee or financial incentive, this should not occur until appropriate metrics for 'TEF2' have been determined. We would argue, however, as we argue elsewhere in this response, that the link between TEF and fee rises should not be established primarily due to concerns on the impact of equal access to education and Widening access concerns.

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

Timing?

Yes No Not sure

Assessment panels?

Yes No Not sure

and process?

Yes No Not sure

Please give reasons for your answer.

We welcome the aim to move towards individual subject assessment as more valuable for student comparison.

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.

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

Yes No Not sure

Please give reasons for your answer.

The impact of facilitating fee cap raises through the TEF 1 contradicts the overall TEF aim of helping institutions to meet student expectations. The Green Paper itself mentions that many students are of the view that they are not currently receiving value for money, and a raise in student fees after year 1 will not address this.

We have strong concerns about moving towards a 'tiered' education system based on the TEF as proposed. We are unclear as to why this should be an aim for any TEF which should be directed towards incentivising improved teaching quality at all institutions. We have mentioned that linking Teaching quality to fees would have a likely negative equality and Widening Participation impact. The creation of defined 'levels' through TEF may solidify current perceived differences between groups of institutions, and cement inequality of opportunity within the sector. In addition, Teaching is only one incentive for institutions within the sector (competing with REF and other potential goals). Creating a potentially artificial 'tiered' sector may create more confusion than support for student choice.

We also disagree that the Fee cap limits should be made by government decision rather than through a more transparent and democratic method, as currently. Any such decisions will have a major impact on the opportunities of students and should be made and justified through a clearly accountable mechanism where students and other interested parties can have an input.

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

Yes No Not sure

Please give reasons for your answer.

We agree with NUS that an attempt to create an artificial relationship between fees and degree quality (which does not currently exist and where there are a number of other significant contributors) will create a misleading and distorted educational market. In addition, institutional level fee rises may exacerbate the lack of relation of fees to degree quality as they likely will have no relation to the quality of individual courses within the institution.

Reputational rather than financial incentive in contrast, would give the benefits of student information, while avoiding the distorting effects on institutional behaviour and student choice and recruitment (and thus provide a secondary financial incentive without the distorting effects of an artificial tiered fee system.

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

Yes No Not sure

Please give reasons for your answer.

As long as the metrics chosen for the TEF are robust and accurately reflect measures of quality in teaching, we welcome attention and focus on these.

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 No Not sure

Please give reasons for your answer.

TEF should produce value added to current data available to students. Information currently available, such as for example through NSS, while a good measure of student satisfaction should not be used as a proxy 'objective' measure of teaching quality. Use of such proxies may also lead to perverse incentives to institutions in order to support desired outcomes rather than focus on improving teaching provision. Such databases are also unlikely to provide as nuanced a picture of teaching excellence at sub-institutional level as is necessary to capture the likely diverse examples of diversity as are available within the sector.

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 No Not sure

Please give reasons for your answer.

We welcome this commitment, as a representative body for students who came from a diverse background including a high percentage of BME students.

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

Yes No Not sure

Please give reasons for your answer.

We believe that the current system of agreed target setting between OFFA and institutions is more constructive and leads to more institutional ownership of the widening access agenda. We would like to see the government solidify student involvement in the setting of OFFA agreements.

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

The needs of mature and part-time students, and disabled students in relation to access and social mobility.

Question 13:

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

More information may enable institutions to better tailor access agreements to meet the particular needs of the institution and students, and measure impact of existing programmes.

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

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 No Not sure

Please give reasons for your answer, including information quantifying how the potential cost of entry would change as a result of these proposals.

In theory this could be beneficial in terms of clarity for student applicants, provided that this maintained quality standards within the sector.

Question 15:

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

- Yes No Not sure

Please give reasons for your answer.

We see the advantage of differentiating on the basis of risk, and cost benefits for long-standing low risk institutions. There is some concern that awarding the University title to a wider range of providers may lead to confusion amongst students. We think that this proposal may require some reconsideration and the creation of more stringent criteria.

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

The first option for validation, through the Office for Students, appears to us the most consistent with the overall approach, and as the paper sets out 'de-risks' the proposed DAP approach.

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

- Yes No Not sure

Please give reasons for your answer.

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 No Not sure

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.

Students' invest significant time, faith, money and commitment into their choice and progress on their course and this should be reflected in the protection awarded to them to unforeseen circumstances for which they are not responsible.

Simplifying the higher education architecture (Part C)

Question 18:

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

Yes No Not sure

Please give reasons for your answer.

Provided that the new Office for Students does work for and with students and their interests, we support the creation of this body. Students should be fully involved in defining their own interests at all stages.

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

Fully Partially Not at all

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

Currently the QA, for example, is contracted out from HEFCE and we would argue that this has worked well. Decisions on this should be made with regard to the function concerned and suitability. However core functions and oversight should remain with OfS.

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.

Agree Disagree Not sure

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

Agree Disagree Not sure

Please give reasons for your answer,

Allocation by the OfS would seem most in keeping with the architecture set out and maintain a more decentralised sector with minimal and purely strategic central involvement. If the OfS is to be a true regulatory body then it should be given the power to make the allocation of the teaching grant in the interests of its stakeholders. The alternative, even if unjustly, can lead to perceptions of political direction and threaten academic freedom.

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

Yes No Not sure

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.

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

We welcome the recognition of the important role that Students' Unions play in representing students and building student community within institutions. As with many/most Students Unions, City University London Students Union is a Charity and subject to Charity Law as regulated by the Charity Commission, as well as the Education Act 1994. As a result, we are legally required to be transparent about our finances, and to be representative and democratic to our members. As a membership organisation, we are fully accountable to our members through a number of democratic mechanisms including regular online all-campus elections, referenda, Annual general Meetings and General Meetings and work constantly to

engage and involve our members in everything that we do. As a result we have developed a close and constructive working relationship with City University London who recognise our representative role and our accountability to our members.

The comparison made in the Green Paper between Students' Unions and Trades Unions is inappropriate as our Charitable obligations preclude us from engaging in political activity and campaigning. We are also funded not by subscription, but by City University London due to their obligations under the 1994 Education Act and their belief that we contribute to our shared educational aims.

Question 21:

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

Yes No Not sure

Please give reasons for your answer.

The duties appear, on the whole, to be consistent with the proposed architecture. We would question the role of the Secretary of State to set fee caps, as previously noted. We would prefer a more accountable and transparent mechanism.

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

Yes No Not sure

Please give reasons for your answer.

Institutions may have more interest in this question.

Question 22:

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

Yes No Not sure

Please give reasons for your answer.

Devolution of power below the Secretary of State as much as possible to ensure minimal political involvement would be preferable.

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

See above.

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

Yes No Not sure

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

HE Institutions should continue to be subject to FOI, as this is more compatible with the information and choice agenda for students that the Green Paper seeks to promote. This is important both because of the critical importance of the sector and the role of HE institutions as recipients of public money. In the same way that the Green Paper proposes a single entry process and inclusion of alternative providers, these alternative providers should become subject to FOI where they are not already.

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 support maintaining the dual funding approach to research combining forward looking project funding and impact based reward. This allows a good mix of applied and speculative research which may yield interesting and unforeseen results, and retains a strong element of research independence and research & academic freedom within the system.

Question 25:

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

Some method of independent operation of the two streams – perhaps through distinct allocation mechanisms and personnel.

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

No

Not sure

Please give reasons for your answer

See answer to question 24.

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?

REF provides a positive measure of research impact for the institution (and beyond) and a valuable benchmarking tool for research quality. It has been used by the institution as a driver for research improvement over the last cycle. The combination of REF and TEF, if appropriately implemented with robust metrics, will ensure that there is a similar Teaching benchmark. The two should be developed in parallel to ensure that they continue to be robust and useful, with an understanding of how research and teaching can and should interact, and to ensure that adequate resourcing and attention is allocated to both.

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

No Comment.

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

No Comment.

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

Please use this space for any general comments that you may have, comments on the layout of this consultation would also be welcomed.

We welcome the proposals on Sharia compliant student loans, and the emphasis on Widening access, and as long as students interests are placed at the centre of its operations, the proposed Office for Students.

As we have made clear throughout this response, we welcome an increased attention to teaching and see the possible benefits of the TEF but think that the driver for this should be to improve and benchmark teaching quality and not to raise fees. The link to fees we believe reduces the incentives to quality and introduces other motivations and potential institutional behaviours which contradict the aims set out in the Green Paper. They also introduce negative equality and access impacts which could undo work on Widening Participation which has been valuable in improving the sector over the last few years. We have concerns that the metrics chosen for TEF must be robust and directly related to teaching quality and not open to manipulation by institutions. We also feel that there should not be a rush to introduce TEF, and time should be taken to work out the appropriate metrics before this is introduced. Certainly, if the link to fees is not broken, we would not support TEF 1 which would give existing institutions the ability to raise fees without improving quality and worsen the perception of a lack of 'value for money' which the Green Paper notes is held by many students. If the fee link was broken, the TEF 1 stage would be less of an issue as it would be an opportunity for alternative HE providers to ensure they meet QA standards. However, provided that the metrics chosen are robust, and the link to fees is broken, we would welcome TEF.

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

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 No

BIS/15/623/RF