



Higher Education Green Paper Response from BU – 18th January 2016

Q1: A) What are your views on the potential equality impacts of the proposals, and other plans, that are set out in this consultation?

Bournemouth University welcomes the commitment to increasing access to higher education for disadvantaged groups, which runs through all aspects of the Green Paper. With regard to the Teaching Excellence Framework (TEF), we support the proposals that metrics will be broken down and reported by disadvantaged backgrounds and under-represented groups. We believe that there should be further discussion about which groups and indicators are most appropriate for this purpose (see our response to question 4). This approach is likely to create incentives for institutions to focus on a limited set of disadvantaged groups. This may not be the best way to encourage institutions to meet particular local needs or encourage innovation. For that reason, although we agree that the metrics themselves will be useful, they need to be accompanied by contextual information as described in our response to question 2.

With regard to the section on provider exit, we wish to highlight that more effort may be needed to protect and support particular groups of students if their course is discontinued. For example, some students may have chosen institutions based on their location to be able to live at home or near family or services while studying, and in this case, transferring to another institution may not be particularly straightforward.

B) Are there any equality impacts that we have not considered? If so, please provide any further relevant evidence.

No.

Q2: 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.

Students and employers are already able to access large amounts of quantitative data about institutions, including information in league tables, although we agree that this information is not always consistent or easy to use. Our experience shows that undergraduate students select their university based on a range of factors, including for example, their experience at open days. This and other qualitative information appears to be more relevant than the quantitative data that is already provided.¹ We therefore believe that the TEF will be most beneficial to students if it provided more robust qualitative data, rather than purely quantitative data.

¹ Bournemouth University's own evidence gathering shows that few students are aware of the Unistats tool or confirm that they have used it (when asked, typically less than a third of our open day visitors stated that they knew of the tool or made use of it). In addition, Bournemouth University web analytics data for the year ending 31 August 2015 showed that of the 670,000 sessions which involved a view of an Undergraduate course, just 1.7% (11,000) viewed the 'Course Information Stats' page which provides the supplementary information to the data presented in the Key Information Set (KIS) widget. When questioned about this and the lack of "click through" to Unistats using the KIS widget during the focus groups prospective students felt that the information that was available directly from the course pages on the Bournemouth University website was sufficient.

It is also essential that any comparative information is accompanied by appropriate contextual information and that suitable benchmarks are given to enable the information to be useful and relevant. For example, context would include size, geographical location, mix of subjects, local demographic factors, student background and prior achievement, and factors relating to specific employment outcomes (e.g. national salary ranges for health professionals, teachers etc.).

We do agree that more consistent and comparable data should be provided, and that it will be particularly useful for employers and regulators, and certain groups of students, in particular post-graduate and international students. We suggest that as far as possible, the TEF should rely on existing measures and use existing processes, and avoid re-creating parallel systems. Please see our response to question 7.

In relation to the proposed TEF metrics:

- We believe that information relating to learning opportunities and outcomes is most useful to students and employers and that there should be a greater focus on this in the teaching excellence framework. Inspirational and innovative teaching is vital as an input into learning opportunities, but should not be the only or main measure for the TEF.
- A university education is not just about passing on information and learning analytical and presentation skills, it offers students the opportunity to develop skills, values and experience through engaging in placements and extra-curricular activities. We therefore suggest that the TEF should allow institutions to demonstrate a wide range of added-value opportunities that they provide, and the practical skills learned at the institution including team working, leadership/motivation, empathy and confidence.
- We strongly believe that the TEF must not further divide research and teaching within institutions. As well as the risk to the quality of teaching, such a divide would impact our ability to recruit and retain the right academic staff. We therefore believe that the TEF should incentivise and support links between research and teaching.
- At Bournemouth University, we also focus on integrating excellent teaching and research with professional practice to create a unique experience for students. In practice, this means that a large proportion of our students undertake placements² and in 2013, 76% of the University's programmes were developed to meet the requirements of a range of professional bodies. These strong links to professional practice ensure that our students develop the skills that employers need and give students the best opportunities in their careers after university. We believe that, especially given the focus on employability in the green paper, the TEF should incentivise a connection between teaching and professional practice.

In our view, academic staff must focus on continually integrating research, teaching and business engagement to be able to deliver innovative and engaging teaching.

We also believe that it is important to encourage institutions to demonstrate a range of approaches and encourage innovation.

- If the TEF offers a fixed set of metrics that measure inputs, reported at a high level across an institution, in our view innovation will be discouraged and the focus within institutions will shift from student experience and outcomes to managing the inputs as measured by those limited metrics.

² In 2013, Bournemouth University had a higher proportion of graduates with work experience (90%) than any other university in the UK ([Source: graduate-jobs.com](http://graduate-jobs.com) July, 2013).

- Rather than focussing on creating high-level institutional scores, we believe that the TEF should adopt an approach similar to the Research Excellence Framework (REF), require case studies and be assessed by an independent panel. By using case studies, institutions will provide rich and relevant information that reflects the range of learning opportunities provided to students and the outcomes for those students.
- This information will enable students to choose the university that provides the most suitable opportunities for them, and will provide employers with information about the practical and other skills and experience that the students will have gained.

Please see our responses to question 10 and question 11.

The regulatory and monitoring role of the Office for Students (OfS) goes beyond its title, which would be more accurately the “Office for Students and Higher Education”. We welcome the focus on students, but we believe that it is important to recognise the broader role that the OfS will have and its responsibilities to taxpayers and employers as outlined in the paper. Please see our response to question 18.

Q3: 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? Please give reasons for your answers.

Bournemouth University agrees in principle that the TEF should apply to all providers, disciplines, delivery and levels, and we have some more detailed comments:

- We foresee some issues with the logistics of presenting such a large amount of information across courses that are not directly comparable. For example, some postgraduate students may not complete a whole programme, but may take selected units that relate to their professional development. Their experience is therefore limited to a short time frame and limited exposure to wider opportunities. The information gathered will not be representative of the whole programme or the institution, and should be weighted accordingly. It might be appropriate to have an ‘opt out’ for some courses if the information obtained is not likely to be robust.
- We welcome the inclusion of distance and blended provision; however, we question how easy it will be to measure the quality of teaching online (as opposed to the quality of the teaching materials and opportunities provided). This illustrates our point in response to question 2 that we believe the TEF should focus on learning opportunities and not just teaching.

Q4: 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?

Bournemouth University agrees that an Access Agreement should be a pre-requisite for a TEF award.

We would like more clarity concerning the definition of ‘disadvantaged students’ as this is currently interpreted very widely for different purposes. We question how robust and comparable the information provided may be if this is not clear.

It is not clear how these requirements will apply to some providers, for example, online providers. As noted in question 3, we believe that the TEF should apply to all providers in the same way, and we believe it is important that on-line and other providers should be required to meet these requirements and invest in this area.

In addition to an Access Agreement, we suggest that the TEF could include additional metrics focusing on inclusive teaching for diverse backgrounds. This would ensure

institutions have a strong commitment to widening participation and supporting disadvantaged students once they have started their courses.

Q5: Do you agree with the proposals on a) what would constitute a successful QA review b) the incentives that should be open to alternative providers for the first year of the TEF c) the proposal to move to differentiated levels of TEF from year two? Please give reasons for your answer.

- (a) We agree with the definition of a successful quality assessment (QA) review. However, we believe that this should not be a “minimum” level 1. A successful QA review is recognised internationally as representing the quality of Higher Education (HE) in the UK. The TEF should not undermine this, as that would damage the international reputation of UK HE. The TEF should also allow institutions to reflect QA commendations. We have commented that we do not believe that there should be institutional tiers in the TEF, but we believe that QAA commendations (or criticism) would be relevant when institutions are preparing their submissions to the TEF.
- (b) No comments – we believe that there should be a level playing field for all providers.
- (c) We do not agree with creating different levels of TEF. There is the risk of reputational damage to not only individual institutions, but the HE sector as a whole, if level 1 institutions, which have successful QA reviews, come to be regarded as in some way inadequate. See our response to question 8.

Q6: Do you agree with the proposed approach, including timing, assessment panels and process? Please give reasons for your answer

We welcome the TEF as a framework for improving teaching quality in higher education and believe that it has great potential to be a positive driving force for the sector. However, there are risks if the new review process is not joined up with existing processes.

Crucially, we are concerned that the new framework could drive further separation between research and teaching. As we have noted above, staff at Bournemouth University are encouraged to integrate excellent teaching, research and professional practice to create a unique experience for students, whilst having an impact on society. This ensures that the fundamental elements of the university are connected and share common goals. To support this and reduce the risk of a divide, we propose that the TEF should not only follow a similar format to the REF as we note in our response to question 2, but should also share processes and use the same terminology. For example, the TEF should use the same Units of Assessment as the REF.

We suggest that the TEF should recognise the role of professional bodies in accrediting courses. Professional accreditation should be celebrated in the TEF, and should exempt courses from alternative reporting requirements and metrics. Please see our response to question 10.

We agree that assessment should be led by an independent panel, and we support the inclusion of student representatives on this panel.

We do not believe that the process should include routine visits to institutions. The OfS should have the option to visit an institution if there is evidence of potential problems that causes concern.

We support the development of an appeals process, this is particularly important in the early stages of the TEF.

Q7: How can we minimise any administrative burdens on institutions? Please provide evidence relating to the potential administrative costs and benefits to institutions of the proposals set out in this document.

It is important to recognise that existing processes ensure that HE in the UK is highly regarded internationally. We believe that to reduce bureaucracy and avoid confusion and mixed messages, as far as possible, the TEF should use existing measures and information, and not create duplicative or parallel measures and processes.

As noted above, this means reflecting the results of rigorous and extensive professional accreditation and QA reviews in the TEF.

New measures should, as far as possible, be consistent with and build on other existing processes.

- For example, as mentioned above, the TEF should adopt the Units of Assessment used in the REF. Using common terminology and structures will reduce the administrative burden for institutions but will also help students and employers by making the information more accessible, as they will not need to consider two completely separate regimes.
- The TEF should also take into account accreditation by the Higher Education Academy's UK Professional Standards Framework (UKPSF).
- As we have said above, we believe that students do not consistently engage with existing metrics. If engagement with metrics is to improve, it is important to make the information accessible.

Q8: Do you agree with the proposed approach to differentiation and award as TEF develops over time? Please give reasons for your answer.

Bournemouth University does not agree with the differentiation of TEF into three or four levels, as we believe this will damage perceptions of the HE system in the UK.

- Inevitably, there will be an assumption that current standards meet "minimum" levels instead of being measures of quality.
- We also do not believe that aggregated scores at an institutional level will truly represent the diversity and innovation that is offered across the sector. As noted above, we do not believe that high-level aggregated scores will be useful to students or employers. Students tend to be interested in qualitative information and make choices based a range of factors, as we have described above, and employers will generally only be interested in matters that relate to a subject area or set of skills.
- We therefore recommend that the same approach is taken for the TEF as for the REF, which allows excellence to be recognised wherever it occurs, and which does not force institutions into a ranking.

Q9: Do you agree with the proposed approach to incentives for the different types of provider? Please give reasons for your answers.

Once providers have Degree Awarding Powers (DAPs) or have the right to use the University title, we believe that all providers should be treated the same in terms of measures and incentives in order to create a level playing field.

However, we are concerned about the effect of increasing fees on rising levels of student debt. While we agree that institutions should be able to raise tuition fees in line with inflation, we believe that the effect of increases must be reviewed and monitored carefully to ensure

that it is not having an adverse effect on disadvantaged groups or affecting recruitment for key programmes, such as nursing.

We would expect to see student loan support increased to match any rise in tuition fees to ensure that students are not faced with an added financial burden.

Please note our response in question 8; we do not support differentiated levels of TEF.

Q10: Do you agree with the focus on teaching quality, learning environment, student outcomes and learning gain? Please give reasons for your answer.

We broadly agree with the inclusion of teaching quality, learning environment, student outcomes and learning gain.

As noted in our response to question 2:

- The TEF should incentivise and support links between research and teaching.
- The TEF should incentivise and support integration with professional practice.
- We believe that information relating to learning opportunities is most useful to students and employers, and that teaching, although extremely important, is only one input into this.
- The TEF should allow institutions to demonstrate a wide range of added value opportunities that they provide.

We believe that the “teaching quality” section should be developed to include links between teaching and both research and professional practice, which we believe are crucial elements of creating programmes that are engaging for staff and students and lead to better academic and employment outcomes for students.

- We believe that REF outcomes should be reported as part of the TEF and that in the TEF institutions should be measured on the extent to which research is integrated into their undergraduate and taught post-graduate provision.
- We suggest that the TEF should recognise the role of professional bodies in accrediting courses. Internationally respected professional bodies play an important role in reviewing courses run by institutions and have a great deal of input into the design and content of programmes, but also into how courses are delivered. In some cases, such as healthcare courses, institutions are scrutinised by multiple bodies. Professional accreditation should be celebrated in the TEF, and should exempt courses from alternative reporting requirements and metrics. Higher levels of accreditations should also be reported, for example if the Nursing and Midwifery Council give an institution 'earned autonomy' based on excellence.
- We suggest that one measure of the integration of professional practice into courses is the availability and take up of placements, and we believe that this should be reported in the TEF.
- As noted in question 7 above, the TEF should also take into account accreditation by the Higher Education Academy's UK Professional Standards Framework (UKPSF).

We believe that the “learning environment” section is underdeveloped.

- As we have noted, the learning environment and learning opportunities are crucial for engaging students in learning. We welcome the opportunity to discuss this further in the technical consultation on proposed criteria.

- Different subjects have very different paths and experiences for students, and these differences should be reflected in the TEF to encourage innovation. The TEF should recognise multi-disciplinary approaches where these add value.
- We support a focus on career readiness for students and recognise that this section refers to added value, but we would expect more inclusion of the wider university experience, for example more focus on engagement with co-curricular and extra-curricular activities.
- It is also important to recognise the role of placements as a key part of the learning environment, as noted above.
- In addition, we suggest that information on physical resources (IT, lecture theatres, laboratories) available to students, and how they contribute to strategic teaching and learning strategies, should also be included in this section as a key part of the learning environment.
- We would expect this section to recognise a commitment to the Open Educational Resource (OER) movement as set out in the December Organisation for Economic Co-operation and Development (OECD) report³.

Q11: Do you agree with the proposed approach to the evidence used to make TEF assessments- common metrics derived from the national database supported by evidence from the provider? Please give reasons for your answer.

We support this. As noted above we believe that as far as possible, the TEF should rely on existing measures and use existing processes, and avoid re-creating parallel systems and the TEF should adopt an approach similar to the REF, and require case studies. For example:

- The paper proposes measuring how many staff are on permanent contracts as a proxy for teaching quality. Given our approach to fusing professional practice with teaching and learning, we use professionals who are currently practising to teach some elements of some courses. Their expertise is vital to ensure students are ready for work, which is an important aim of the green paper. We believe that use of practising professionals on appropriate courses should be encouraged and we have concerns about the unintended impact of a measure of permanent staff.
- Additional detailed institutional evidence should not be required in areas covered by existing benchmarks. For example, the quality of our teachers is already recognised by the Higher Education Academy (HEA). Where possible, we believe the TEF should use existing information about teaching quality, including formal teaching qualifications and the outcome of internal reviews of teaching quality.
- We receive very useful feedback from external examiners and would like to ensure that third party feedback can be incorporated into the evidence.
- We have noted above that employment outcomes will need to be put into context. For example:
 - metrics should reflect salary expectations for different career paths, such as healthcare professionals;
 - a longer term view of employment outcomes would be valuable; and

³ The Organization for Economic Cooperation and Development (OECD): [Open Educational Resources: A Catalyst for Innovation, Educational Research and Innovation](#).

- success will be different in different contexts, for example some groups of disadvantaged students (such as student carers) may face particular issues in obtaining immediate full-time employment, but the relative outcomes for these students and their families may still be extremely positive, especially when viewed over a longer time period.

As noted above, we welcome the opportunity to discuss the proposed metrics further in the technical consultation.

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, we support these proposals. We believe that it is important to clarify and stabilise the definitions with the sector in a more detailed consultation, and to reflect local demographics and requirements, as well as the range of courses offered when assessing an institution's progress in this context, and for reported data to reflect this context so that it is meaningful for students and employers.

As we have noted above, there is a risk that institutions will be incentivised to focus on a limited set of disadvantaged groups. An approach to the TEF that is based on case studies and not simply on metrics would encourage institutions to meet their local needs and encourage innovation.

Increased participation by any underrepresented group can only be achieved by raising aspirations at the very earliest possible point. The outreach work that is done by universities in primary and secondary schools is fundamentally important in this respect and we believe that this should be continued, enhanced and recognised in the TEF, particularly as it may not lead directly to recruitment directly to the university concerned.

The most underrepresented groups often cannot afford to come to university as living costs outstrip available funding, even with bursaries and scholarships being provided by universities. It would be helpful to link the Student Finance England application process to the Undergraduate Courses At University And College (UCAS) application process so that applicants have an earlier understanding of the finance that is available to them.

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

No, we do not support this proposal. Targets must reflect a number of factors that will vary for each institution and should continue to be negotiated as they are now. There would be a risk that the OfS would set targets that do not reflect the particular challenges or opportunities for each institution, and this would be unlikely to lead to an improvement in performance.

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

We believe that this area should be considered in more detail based on research and a consultation with the sector, and that existing experience from the further education and schools sectors should be taken into account. We also believe that UCAS processes and requirements should be reviewed to ensure that they are not inhibiting wider participation and to reduce conscious or unconscious bias (not just name blindness).

Question 13: (a) What potential benefits for decision and policy making in relation to improving access might arise from additional data being available?

We believe that having more data about outcomes and challenges for disadvantaged groups will inform the development of best practice and encourage innovation in this area.

However, we believe that there should be a focus on progression and outcomes as well as access for these groups, which would also provide valuable information for decision makers.

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

Institutions may not collect this data in the form required at the moment and may need to make adjustments to systems or collate data manually, at extra cost. The most significant extra cost would be compiling and analysing the data, it might be possible to reduce costs if an external organisation, such as UCAS, could analyse the data for the sector.

Question 14: Do you agree with the proposed single route into the higher education sector? Please give reasons for your answer, including information quantifying how the potential cost of entry would change as a result of these proposals.

Bournemouth University agrees in principle with the proposed single route into higher education. However, we have concerns about how it will be implemented. The approval process should ensure that new providers will provide consistently high quality education for students.

Whilst we support efforts to reduce the burden of the process to gain DAPs and University title, we have concerns that the timeframe is too short to allow rigorous quality checks. For example, for a provider that is completely new to the sector, it is important for a cohort to complete a course and review the outcomes and feedback before an institution is given degree-awarding powers. To shorten the process increases the risk of providers exiting the market shortly after entry, which will undermine the reputation of HE in the UK.

Question 15: (a) Do you agree with the proposed risk-based approach to eligibility for degree awarding powers (DAPs) and university title?

We do not agree with a risk-based approach for eligibility for DAPs. Providers should be required to go through a rigorous review to both sustain the reputation of higher education in the UK and to ensure students are protected.

We do not believe that it is sufficient to rely on monitoring powers and remedies; institutions should provide strong evidence for the OfS to have confidence that the organisation can deliver programmes and sustain quality before they award DAPs. As we have noted above, it will not be good for the sector and its international reputation if the system permits new providers to enter and leave the market quickly, and students will already have been affected.

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

We do not agree with the proposals for validation of courses.

- We believe that only academic providers with substantial experience of delivering courses in the relevant area should be able to validate courses.
- We are particularly concerned about quality issues and reputational risks for the sector if institutions that have submitted limited evidence or do not have relevant experience are able to validate other providers.
- We are concerned about inefficiency and quality issues if a separate system is set up for centrally administered validation, especially if new bodies are set up.

We believe that providers should continue to validate courses as they do currently. We do not agree that there are competitive issues with this in practice, given the large pool of potential validating bodies. Validation is a high cost and high-risk exercise for providers and providers should continue to have discretion about the providers and courses that they choose to validate.

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

In principle, we support the actions outlined in the paper. However this is subject to our earlier comments around ensuring a level playing field for all providers as well as ensuring there are sufficient controls in place concerning quality to maintain the reputation of the sector.

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? 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.

We do not believe that providers should be permitted to close courses mid-cycle on a voluntary basis, but must be required to complete delivery of the course to all enrolled students.

- As we have noted above, we believe it is important that new providers are able to demonstrate that they will be able to deliver their courses on a sustainable basis to reduce the risk of rapid entry and exit from the market.
- As noted in our response to question 1 above, we believe that course closures may have a particularly serious impact on disadvantaged students, as some groups may not be able to transfer and they may therefore be more likely to drop out.
- As noted in the paper, course closure will cause problems for international students under visa rules.

We do not believe that it is helpful to require low risk providers to maintain on-going contingency arrangements. This will create a cost and administrative burden that we do not believe is justified. It would be appropriate to include a power for the OfS to require an institution to put a detailed contingency plan in place if there are concerns about the on-going viability of an institution. This could also apply if there is a risk that Tier 4 licences will be removed and students will be affected.

We are concerned about the cost of a contingency fund. We believe that new providers and providers who may be at risk of financial failure should be required to provide guarantees or other financial assurance (similar to the minimum capital requirements that apply in the financial services sector), that would ensure that there is funding available to teach out courses where this is appropriate.

We are concerned that bilateral arrangements will distort competition between providers, to the detriment of students who will have already been damaged by the failure of their chosen institution.

- We are not in favour of bilateral arrangements to transfer students, as this will reduce the choice for students. Such arrangements are unlikely to reflect the range of factors that a student would take into account when choosing an alternative provider. For some, quality will be key, although they will not all have the same criteria for quality (including approaches to teaching and learning and the other factors that will be considered in the TEF), but some students will be constrained by location or other practical issues. This is a particular concern for mature students and some disadvantaged groups, as we have noted above.
- We are concerned that providers will be tempted to offer “all-inclusive” back-up solutions for other providers in bi-lateral arrangements, with the result that students are transferred to providers with limited experience or lower quality provision in the relevant area.

- Bi-lateral arrangements might include arrangements to validate courses in order to avoid course closure. As noted above, we believe that providers should have appropriate direct experience to provide validation support and we are concerned about generalised arrangements to validate a wide range of courses.

We would prefer a transparent solution in which, once the OfS has provided other support, the OfS determines whether validation or transfer is more appropriate. If the OfS believed that validation would be most appropriate, it should invite providers with the relevant experience to bid to provide validation services at an appropriate rate of remuneration. If the OfS believes that complete course or institution closure is required, it would invite providers to offer places to affected students in a process similar to the current clearing arrangements.

We agree that institutions should comply with consumer regulatory requirements, support students and if appropriate, provide financial compensation, but we would expect the OfS to provide clear criteria to ensure that providers are consistent in their approach.

Question 18: (a) Do you agree with the proposed changes to the higher education architecture?

Bournemouth University supports efforts to streamline the various sector owned bodies. In principle, we support the creation of the Office for Students; however, we do have some comments on the detail.

- We believe that students will expect an Office for Students to include or oversee key student services, in particular the Student Loans Company and UCAS. The OfS should perhaps have a role to work with these organisations to ensure that they are supporting the same agenda and working in a joined up way with the sector. For example, UCAS were slow to engage on necessary changes to reflect the Competition and Markets Authority guidance on consumer regulation for Higher Education, and some difficulties have been identified in relation to the impact on student loans when institutions apply the cancellation provisions of the Consumer Protection Regulations.
- We anticipate there may be conflicts of interest within the OfS if it responsible for both championing students and also for ensuring the quality and regulatory aspects of higher education. For some courses, such as healthcare, an institution is acting as a gatekeeper to a profession and has duties in respect of patient and public safety, and it is important that the system does not create perverse incentives that could compromise these. These issues need to be carefully managed and each function should be managed separately. Ideally, the funding, oversight and student champion activities will be carried out by separate entities under sub-contracting arrangements that ensure that each function can act independently.
- As currently proposed, the role of the OfS goes beyond its title, which would be more accurately the “Office for Students and Higher Education”. We support the focus on students, but we believe that it is important to recognise the regulatory role that the OfS will have and ensure that it is recognised internationally, and by employers as a credible regulator. We are concerned that the proposed title downplays the role of the organisation.

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

As noted above, we believe that it is crucial for the OfS to be able to contract out its functions to separate bodies both to avoid conflicts of interest and also so that where appropriate activities are carried out by experts in the field.

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

We believe it would be crucial for the OfS to contract out quality assurance, and would support the OfS to contract out any of its functions to a suitably experienced body.

(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.**
- **Option 2: BIS Minister sets strategic priorities and allocation responsibilities divested to OfS**

We support option 2, as we believe that this will provide greater consistency and allow for long term planning, as well as providing more opportunities for scrutiny and oversight.

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

We agree with the proposed single, transparent and light-touch regime, and we agree with the risk-based approach. However, as mentioned in our response to question 15 we do not agree with a light touch route into higher education. It is important that new structures build on existing processes that work well and that the light touch regime removes duplication and inequalities. As we have noted in our response to question 23, many institutions are subject to a range of regulatory requirements and there is a risk that the burden will be increased rather than reduced if the new requirements are inconsistent and effort has to be duplicated.

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

Bournemouth University is confident that our Student Union is accountable and transparent and provides valuable support for our students. We would expect that new and alternative providers should also engage with Student Unions to ensure that their students are represented and have access to independent support services when appropriate.

Question 21: (a) Do you agree with the proposed duties and powers of the Office for Students?

We agree with the proposed duties and powers of the OfS outlined in the consultation. We support the proposal that the OfS could require other bodies to provide data and information to help institutions with widening access for students. It is important that the OfS retains the existing expertise, for example, in the Quality Assurance Agency (QAA).

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

We agree with the proposed subscription funding model. However, we believe that there should be a risk-based approach to funding a contingency fund to cover support for failing institutions.

Question 22: (a) Do you agree with the proposed powers for OfS and the Secretary of State to manage risk?

We agree that the Secretary of State should give directions to the OfS about the exercise of its functions, and we welcome the reference to institutional autonomy.

However, we are unsure about inspections by BIS or other organisations. If the OfS is functioning effectively, and relying on third party assurance by the QAA or equivalent and professional bodies where appropriate, that this should not be necessary, and we are not

sure how effective it would be. We also support the OfS having its own powers to visit struggling providers.

We agree that the OfS should have a range of actions short of deregistration that it could take to deal with breaches of conditions; developing these plans should be a priority for the OfS, as deregistration should be a remedy of last resort.

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

We support the introduction of an appeals process run by an independent panel to act as a safeguard for providers. However, we encourage early, strong and open dialogue between BIS, the OfS and providers so that deregistration does not become necessary.

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

We support the efforts outlined in the consultation to level the playing field for Higher Education Corporations (HECs). We support the simplification of the role of the Privy Council; however, the OfS would need to have a greater input into governance if the role of the Privy Council is reduced or simplified. Bournemouth University has used the current process to request approval from the Privy Council to update its governing documents. The existing process permits a certain degree of flexibility but other matters are within the primary legislation and therefore could not be changed. We would welcome further simplification of the requirements in this area.

HEFCE is currently the principal regulator for the purposes of Charities regulations and the OfS or another body would need to take on this responsibility. These issues must be explored with the Charity Commission.

We firmly support the commitment to transparency and accountability expressed in the paper. Many providers are already subject to the governance and reporting obligations that apply to charities. Outside the higher education and charity sectors, listed companies are also subject to governance and reporting regimes, to protect shareholders. We believe that all higher education providers should be subject to similar requirements, regardless of their status, to ensure transparency and accountability across the sector.

- We therefore propose that the new regulatory regime should include a publication scheme, to ensure that all institutions publish a minimum level of information to ensure transparency and accountability in the public interest. We suggest that the minimum disclosure requirements could be set based on current HEFCE requirements as well as the additional information that charities and listed companies are already required to publish. If this were to be implemented, we would support the proposal that institutions should not be subject to the Freedom of Information Act.
- As an alternative to removing institutions from the Freedom of Information Act, we support proposals made in a number of responses to the call for evidence by the Independent Commission on Freedom of Information. We do believe that even with a reduced burden, the requirements should apply to all higher education providers.⁴

The public procurement rules do not apply to all providers, and we believe that this is another area for review in the interests of ensuring a level playing field. Compliance with these rules represents a significant cost. We are committed to fair and transparent procurement practices, and have obligations as a charity to ensure that we procure

⁴ <https://www.gov.uk/government/organisations/independent-commission-on-freedom-of-information>

effectively and appropriately. We do not believe that removing these requirements would result in significant cost savings in managing procurement because we would need to operate a proper procurement process.

However, we believe that, in addition to cost the effect of some of the detailed requirements is to delay procurement and that contracting authorities are sometimes unable to get the best terms, for example because there is no scope for post-tender negotiations, we are unable to negotiate longer term arrangements, particularly where there is a significant up-front investment in a project. Compliance with these requirements is also a cost for suppliers, which is reflected in the prices paid by the sector.

We accept that this is a complex area governed by EU law but believe that it would benefit from further review to ensure consistency. As a minimum, under a single regulatory framework, all providers should be subject to the same requirements given that they are fulfilling a public role.

Q24: 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 the continued commitment to the Haldane principle and the retention of the dual support system.

As we have noted in our response to question 2, we are concerned that research and teaching should continue to be linked in universities. It is essential that the OfS and Research UK (RUK) clearly lay out how they will work together to ensure that universities are able to maintain these links and not be forced to choose between teaching and research.

Q25: (a) What safeguards would you want to see in place in the event that dual funding was operated within a single organisation?

We do believe that the dual support system should be placed within RUK as proposed in the Nurse Review, provided there is a clear separation of responsibility for the two elements within RUK. It is important that a long term and broad view is taken when considering investments in future research. The block grant element of funding is based on a backward-looking perspective. This mix is valuable, as reflected in the Nurse Review, and the separation should be maintained through separate governance arrangements and autonomy in decision making.

It is also important that RUK ensures that in the new structure the individual research councils maintain separate funding streams.

(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?

We favour hypothecation for the reasons described in (a) above.

Q26: 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) We believe the REF creates a drive for research and for impact in our institution. The REF allows institutions to demonstrate excellence through a respected audit. The REF has enabled us to showcase our world-leading research as a post-1992 university. We believe that the REF has strengthened and reinforced our partnerships with other organisations. The REF has improved planning within the organisation and inspired staff to consider impact and improve their research.

- (b) For the sector, we believe that the REF has encouraged good practices in review and prioritisation. The REF process is envied internationally and has given UK institutions a competitive edge. It has also ensured that institutions can attract and retain high quality staff. The REF has been beneficial for Postgraduate Research students, as it has provided important and directly relevant information to enable them to make the right choices about their study. The REF has enabled these students to identify institutions across the country that excel in their area.

We believe that there is great value in the case studies and the peer review process and we would like to see both of these replicated in the TEF.

Q27: How would you suggest the burden of REF exercises is reduced?

We do not believe that there is much scope for reducing institutional burden in the REF without negatively impacting upon quality or reliability. We support the recommendations in the Metric Tide report that metrics are not yet sufficiently robust to replace peer review and believe that a two-stage REF would be just as burdensome and provide potentially misleading information which would result in significant volatility between exercises. We also believe that while the REF is burdensome, the work is valuable to the organisation and to the sector. For example, mock exercises are extremely helpful, we value the input of third parties and we particularly value the focus on impact. Much of the planning work should be done any way by organisations, and if it was not required by the REF would have to be replicated. Although costly, we believe that the REF represents good value for money.

Q28: How could the data infrastructure underpinning research information management be improved?

We believe that there could be improvements around the impact element, as the current data infrastructure does not capture impact. Data requirements should be clearly set out at the start of the REF process and not changed part way through, to improve the process and reduce the administrative burden. For example, we have to collect data concerning income, studentships and outputs but we do not know the Units of Assessment resulting in re-work which is extremely time consuming.