



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

Name: **Dr. John Cater, Vice-Chancellor**

Organisation (if applicable): **Edge Hill University**

Address: St Helens Road, Ormskirk, Lancashire, L39 4QP

Email Address: Lana.Orr@edgehill.ac.uk

Please return completed forms to:

Alison Haines
Higher Education Directorate
Department for Business, Innovation and Skills
Level 1, 2 St Paul's Place
125 Norfolk Street
Sheffield
S1 2FJ

email: consultation.he@bis.gsi.gov.uk

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
	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?

Whilst we welcome the commitment to supporting excellence in teaching we believe that the proposal to link teaching excellence to fees is ill-advised.

- We are concerned that it could create a financial disincentive for students to pursue 'excellence' in teaching and potentially have a greater impact on those from disadvantaged backgrounds.

- The Government's aim to double the number of disadvantaged students in higher education would not be met if barriers to entry are perceived by applicants, especially those from under-represented groups.
- Decoupling fees from the TEF would be a symbolic move in showing the Government's commitment to ensuring widening participation targets are met.

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

☒ Yes

☐ No

☐ Not sure

Please provide any further relevant evidence.

More consideration of how proposals will affect all types of students including those with families, disabilities, part-time, mature and postgraduate students, is needed.

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.

This is a laudable aim, but there cannot be any one single definition of teaching excellence if students and employers need different things to support decision making.

- Work to further advance the already high quality teaching taking place in our universities is welcome.
- We would question whether there is currently a problem with a lack of information or whether the problem is that students and employers need assistance in interpreting the information already available.
- The ambition to enable students to make better comparisons about teaching excellence across the sector should be treated with caution. There is no one single definition of teaching excellence, making comparisons difficult. Excellence for one type of programme or cohort could be completely different to another; yet both can provide a high quality student experience. This must be given careful consideration. A homogeneous sector adhering to a single version of teaching excellence is beneficial for neither student nor employer.
- A greater emphasis on providing clear information for students and employers is welcomed but the Government must be careful to ensure the metrics chosen achieve this aim. Information for information's sake is not worthwhile and the metrics proposed may not have any real correlation to teaching excellence rendering them irrelevant.

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.

Yes to all HE providers but no to all disciplines, all modes of delivery and all levels.

- We believe all providers should be measured against the same high threshold. If the UK's reputation as a world class higher education sector is to be protected, it is vital that all providers are offering excellence for students. If some providers are not subject to the TEF it could lead to variation across the sector and the risk of destabilisation.
- We would like to see the TEF limited to institutional level. Broadening the scope too far would risk the framework becoming overly bureaucratic and burdensome. We acknowledge that for many applicants subject choice carries the most weight when deciding which university to attend. However, the NSS already provides comprehensive information on strengths at this level and, revised if necessary, should continue to do so.
- It is important to recognise that many of the things a university provides at an institutional level will have a significant bearing on a student's learning experience. For example: the commitment to continuing professional development of staff; providing top quality learning environments; and the overall academic vision of the institution will inevitably impact on a student's holistic university experience. It is the judgement on the institution as a whole which will resonate with the public most easily.
- Whilst it is important that all students have the best possible experience and receive excellent teaching, it is also important to remember that excellent teaching may not look the same across all modes of delivery. We think that application of the TEF across different forms of learning would be an unsafe proposition.
- It may be worth considering whether the TEF should initially focus solely on undergraduate provision. The HEPI response to the Green Paper highlighted that most available educational research on valid measures of educational quality has happened in the context of conventional full-time, 'face to face' higher education. Therefore, it may be wise to exclude other provision from the TEF for now in order to allow greater thought on how excellence across all provision can be best measured. We would concur with this viewpoint.

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 - An approved Access Agreement should be a pre-requisite for a TEF award however we would suggest that it moves away from an annual submission to a quinquennial review.

- It is important that in order to receive a TEF award an institution should be benchmarked against its record of working with students from disadvantaged backgrounds. An approved Access Agreement demonstrates an institution's credibility in providing fair access and support for students.
- Allowing institutions a greater period of time to work through their strategy on widening participation rather than sticking to an annual assessment would be advantageous. Increased access for students from disadvantaged backgrounds and under-represented groups alongside strong outcomes for these students is key and it is right that all institutions should be able to demonstrate their focus on widening participation through a medium-term strategy.

Question 5: Do you agree with the proposals on:

a) what would constitute a 'successful' QA review

☒ Yes ☐ No ☐ Not sure

A judgement of "meets UK expectations" should be the minimum requirement for all UK HE providers.

- The current Quality Assurance regime is considered to be world-class and one which many other countries admire.
- The TEF's consideration of a successful QA review gives reassurance that the quality of an institution's offer is of an expected standard and also acknowledges that the sector is starting from a high threshold, building on strengths, enhancing current practice and using existing data.
- It would also give an element of consistency during a period of change. Many commentators have remarked that the current Quality Assurance regime is not broken, making a successful QA review as part of this process essential.

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

☐ Yes ☒ No ☐ Not sure

No single type of provider should be 'incentivised'; to do so creates market distortion.

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

☐ Yes ☒ No ☐ Not sure

Please give reasons for your answer.

Instead there should be a single (suitably demanding) threshold for the TEF.

Differentiation may be achieved by identifying 'commendable' or 'outstanding' practice within institutions around key themes such as; retention, student personal development, graduate employability etc.

- The threshold should rightly be robust and measure excellence. A "meets UK expectations" judgement in a recent QA review should allow entry into the sector but an institution should be expected to perform **higher** than 'satisfactory' in the process if they are to pass the threshold.
- We believe that the language of 'commendable' or 'outstanding' would be more descriptive of a university's specific strengths and more accessible to students and employers than TEF 1,2,3,4.

- Adopting a more thematic approach would enable providers to accumulate 'commendations' or 'distinctions' allowing recognition in a number of areas, making differentiation and comparison possible, and in a positive manner.
- This approach to differentiation recognises strengths and avoids institutions being stigmatised – the proposal for the TEF in its current form risks damaging the reputation of the UK Higher Education sector.
- We have concerns that if institutions fail to reach higher levels of TEF they, and therefore elements of UK Higher Education, will be viewed as sub-standard, hindering both in recruiting students and threatening viability.
- It seems counter-productive and counter educational that if the TEF is linked to fees, an institution with a lower TEF level would receive less funding, meaning they have less to invest in improving teaching quality.

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

☒ Yes ☐ No ☐ Not sure

Yes, broadly. Five-yearly assessments, unless there are significant causes for concern, are sufficient.

- We agree that an annual TEF assessment would be too burdensome and could risk distracting providers from their core business of providing an excellent student experience. It is also counter to the basic principles of better regulation to which the Government has committed.
- We agree with the preference towards a quinquennial award which would assist in minimising the administrative burden of the exercise. The process should be light-touch and risk-based, yet robust enough to alert the body responsible for the TEF to any serious major concerns about teaching quality.
- We believe that there would be advantages in working towards a more streamlined risk based Quality Assurance system, including targeted external review, rather than the current cyclical system. This would enable an appropriate balance between creating a worthwhile, credible exercise and the overall time and cost of facilitating a large-scale assessment process.
- We do have concerns that the proposed timescale for TEF implementation may be rushed; we are conscious that the REF had a three year experimentation period before implementation and believe that the same would be beneficial to ensure sector engagement and confidence in the TEF. Therefore, we would welcome a pilot period.

Assessment panels?

☐ Yes ☒ No ☐ Not sure

Peer judgement, independent of the State, is an essential characteristic of mature HE systems (and is the basis of the REF). It is equally vital here.

- We consider that an independent panel consisting of those with expert knowledge and significant experience of higher education would be essential to the process, in order to ensure public and sector-wide confidence in the exercise.
- We would also welcome independent experts on the assessment panels to ensure objective, qualitative judgements not solely based on metrics. Judgements should be nuanced and genuinely appreciative of the qualitative evidence supplied.
- If HEIs are expected to bear the cost of the TEF assessment process we feel that it is imperative that they feel represented on assessment panels. We noted with interest the idea advocated by the Chief Executive of HEFCE for the sector to propose a nominee for the expert independent panel.
- The CEO of HEA recently stated that the constitution, and therefore credibility, of panels will in part come from engagement with Pro Vice-Chancellors, and other senior staff, who would have responsibility for the delivery of the TEF. We would endorse this viewpoint.
- If outcomes from assessment panels were to be published we strongly believe that an appeals process should be integrated within the TEF to allow HEIs some protection and recourse. The Green Paper only indicates Government's consideration of developing an appeals process; we think this is something that should be firmly incorporated into plans at an early stage in order to instil confidence across the sector.
- It is crucial that the assessment frameworks to be used by the panel are designed to ensure objectivity of judgements. Convening panels to cover the range of disciplines will help with this but a proper process for moderation is needed in order to ensure comparability of judgements across disciplines.
- We agree that a routine visit should not be part of the TEF assessment. The assessment should not become like an Ofsted inspection, and a framework should be developed that allows panels to feel assured that the evidence with which they are provided is comprehensive and sufficiently demonstrative of good practice at the university in question.

and Process?

☐ Yes ☐ No ☒ Not sure

Please give reasons for your answer.

Agree to the overall aim that The TEF needs to be simple in its processes, but robust in its judgements in order to maintain the confidence of students, the sector and other stakeholders.

- Simplicity is paramount if it is to have currency with students and employers whilst not being administratively burdensome.
- We agree that all institutions should comply with the CMA guidance (it is the law) and have an Access Agreement in place to support widening participation but it is important not to allow the concept of 'teaching excellence' to be conflated with these as it detracts from the main aim to promote excellence in teaching.
- The metrics selected for assessment are crucial as they will drive behaviours, but we caution against using proxies for this such as employment outcomes, as these are impacted by multiple factors, most of which do not relate to the excellence of teaching.
- Use of existing measures will prevent duplication and there is good evidence from the NSS about the value and quality of teaching excellence which should be used.

- Institutional context must be a consideration in the assessment and this can be achieved both through robust benchmarking of any metrics and by institutional commentary.
- The process of assessment should be undertaken by individuals who are independent of Government to avoid any implication of bias.
- The process of assessment must involve some element of peer review, involving sector experts, to ensure the rigour and credibility of the process.

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.

By using (and, if necessary, refining) extant data whenever possible.

- We would be very keen to keep the administrative burden to a sensible level hence our support for a light touch and risk-based regulatory model. The TEF needs to be focused and allow for diversity. The body responsible for the TEF must be conscious that the data and evidence institutions need to provide in order to be considered for a TEF award should not become an unnecessary regulatory burden that diverts staff from delivering excellent teaching and providing a positive overall student experience.
- The aim should be to use data sets which are already collected in order to minimise the need for universities to create new ones.
- Integrate the TEF and QA into a single system in order to avoid two parallel processes. Similarly, certain qualitative information provided for the TEF could be used as evidence for monitoring of the Access Agreement.

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.

We believe that a ‘tiered’ TEF system would be damaging to the interests and standing of UK higher education globally and to the interests of students.

- We do not agree with the proposal to have a system based on differing tiers. Students should be able to expect teaching excellence as standard.
- We may wish to allow for differentiation in order to meet students’ individual needs and wants. Any form of differentiation needs to be student and employer friendly and we do not think the language of TEF 1, 2, 3 and 4 is necessarily one that resonates most easily with the public.
- Instead there should be a threshold which institutions must pass in order to achieve a teaching excellence award; this should rightly be robust and measure high quality. A “meets UK expectations” judgement in a recent QA review should allow entry into the sector but an institution should be expected to perform **higher** than satisfactory in the process if they are to pass the threshold.
- Once an institution has passed the threshold they could be differentiated by demonstrating excellence in a number of areas rather than being differentiated by

TEF tiers i.e. institutions could be 'commended' or 'outstanding' in areas such as widening participation or retention.

- This would be a system of differentiation that recognises the strengths of the sector rather than a tiered approach which risks portraying the UK HEI sector as highly variable.
- Students could actively navigate the sector with meaningful information about a university's strengths rather than being faced with core metrics bearing no relation to teaching quality.

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.

There should be no differentiation.

- The reputational impact of the TEF for institutions should be the main driver rather than a focus on financial incentives which will create market distortion. The financial benefits are marginal whereas the reputational risks associated with a lower TEF level are significant for both institutions and the sector as a whole.

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.

Possibly – it is interesting to reflect on the extent to which these are measures of teaching excellence.

- Before deciding the foci we must define teaching excellence otherwise we are conflating issues. For example, we must be conscious not to equate higher levels of contact hours with teaching quality. Quantity does not always mean quality and contact hours could be an imperfect proxy for measuring teaching excellence, especially when considering the desirability of developing independent and autonomous learners.
- Similar pitfalls could arise by measuring learning gain as part of the TEF. We realise the value of learning gain but recognise that its measurement is a long-term activity, and it is widely noted that measuring the 'value added' is a challenge when considering the differing range of student inputs and the variations in outcomes. HEFCE is undertaking work in 70 universities and further education colleges to pilot and evaluate measures of learning gain. It is important that there is time to analyse the learning from these pilots and assess how we can best measure learning gain rather than making it a focus area for the TEF too early on.
- A keen focus on students' employability skills rather than employment outcomes is key - at Edge Hill we are sharply focused on developing students' soft skills throughout their course of study to prepare them for the world of work. The

employability approach and employability skills attained by students should be assessed rather than the initial outcome which may be determined by a whole range of contextual and locational factors.

- There are a number of reasons why student outcomes differ and we must be cognisant of this. Geographical location, labour market conditions, gender, personal motivation and access to networks to name but a few, will all impact upon student outcomes and it is important that any assessment panel takes context into account and benchmarks appropriately. It does not directly follow that if outcomes are less successful this is because of poor teaching quality.

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.

Whilst using extant national databases is logical, it is debatable whether any set of 'core metrics' is an appropriate or feasible way to measure teaching excellence.

- We do not believe that the proposed core metrics are relevant in assessing teaching excellence. Metrics can give a sense of student outcomes but they need to be contextualised and viewed alongside qualitative evidence supplied by a university.
- The qualitative evidence expected by Government should not merely be seen as 'additional information' but should be acknowledged as an integral part of the process. Without it, meaningful judgements about what teaching excellence looks like cannot be made.
- Any use of a core set of metrics should be appropriately benchmarked for each institution, taking into account their intake of students, subjects on offer and geographical location. They should be used to identify any areas for improvement *over time* rather than signalling an instant indicator of 'success' or 'failure.'
- It is important that metrics are broken down and reported by disadvantaged backgrounds and under-represented groups. This will ensure universities aren't penalised by the publication of raw metric outcomes and will encourage the sector to continue to work towards the Government's widening participation agenda.

Employment/destination data

- The Green Paper states that from early 2017 the results of the HMRC data match could be utilised. If this relates to measuring graduate salaries then it is likely to skew outcomes. There are many factors that have an impact on earning potential including; gender, geographical location, subject discipline, labour market conditions, social capital and personal motivations. It does not follow that if a student received excellent teaching at university they will have an impressive salary, nor does it mean that if a graduate's first job is low paid that this is due to poor quality teaching.

Retention/continuation data

- It is right that HEIs keep continuation and retention high on their agenda; however a student's personal circumstances could be the greatest factor in deciding to leave university rather than teaching quality.

CMA & GPA

- Whilst compliance with CMA guidance is critical and the introduction of a GPA system may be a worthwhile move, the desire to associate them with teaching excellence does not make sense and once again conflates issues. It is right that students receive accurate information, and debates around a fit for purpose grading system are necessary, but these do not relate to teaching quality.

NSS

- Student satisfaction indicators are useful and necessary if the Government is serious about putting students at the heart of the system. The metric on student satisfaction is a good proposal as it assesses the views of students who have recently graduated and the questions are relevant. Scores pertaining to teaching, assessment, personal development and learning resources should be prioritised in the context of measuring teaching excellence.
- There is also the potential to strengthen the student voice in enhancing teaching and open up a wider discussion about student engagement rather than student satisfaction only.

Further potential metrics

- Teaching qualifications of staff – Whilst the number of staff who have teaching qualifications may be easy to determine, a more worthwhile exercise would be to assess the levels of staff engagement with Continuing Professional Development. A commitment to CPD and measuring its impact will give a more accurate reflection of teaching quality within an institution.

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.

The principle is one we strongly concur with, though it is difficult to reconcile with cuts in the Student Opportunity Fund, the support for disabled students and the removal of the Access to Learning Fund.

- We would argue that there does need to be wider discussion about how schools raise aspiration levels and subsequent attainment of students from disadvantaged groups. Schools and universities need to be on the same page if applicants are to leave school with the suitable skills and qualifications required for university study.
- A holistic analysis of social mobility across the education landscape from early years onwards needs to take place if true social mobility is to be achieved.

- We agree with the principle of making higher education more accessible to people from all backgrounds and we support the creation of a UUK social mobility advisory group to advise on developing innovative approaches to some of the long standing issues relating to social mobility.
- However, an institution's geographical location does have an impact on whether students from BME backgrounds are accessing courses in large numbers. In these areas the primary focus should be on ensuring resources are focused on enabling the **success** of these students rather than diverting all attention onto increasing access rates. It is also important that the Government does not present the BME community as a homogeneous whole; the picture is far more complex.
- The right balance between positive discrimination and promoting high expectations of students must be met. As previously mentioned, access is only one aspect. We must also be mindful of the need to adopt a whole lifecycle approach, and develop practices across the sector that ensure the right support is in place for students once they are at university in order to boost retention rates.

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.

The Director of OFFA has already indicated that targets are an inappropriate mechanism. Given the progress made over the past five years, we should accept his expert judgement.

- Access Agreements are already challenging and can be amended if necessary; adding further targets will not lead to improved access opportunities for students.
- The autonomy of institutions should not be undermined; they should be trusted to set targets for Access Agreements which they know are challenging but achievable.
- It would be better to work with universities to facilitate a supportive model for widening access, whereby best practice is disseminated across the sector e.g. findings from the HEAT collaborative project. A model of 'all challenge without support' is unlikely to produce positive results.

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

- Government should give more consideration to supporting part time and mature students - we must ensure that university is not viewed solely as the destination for school leavers. Adults with jobs and families should also be encouraged to benefit from higher education.
- More thought about how to address the gap in progression by white men from disadvantaged backgrounds is needed.
- In light of cuts to DSA, consideration needs to be given to how we protect access and provide support for students with disabilities.

Question 13:

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

- We are unconvinced that any increase in the number of data sets available would necessarily have proportionate benefits for decision and policy making.
- We agree that access information could be of benefit to providers, but are concerned that the in-year timing of this information would preclude it from informing decisions for that year, and would be redundant in its usefulness for the following year.
- We would also question the utility of providing additional data to young people and their parents, to inform their choice of subjects at GCSE and A Level (or equivalent vocational qualifications). We believe a young person's personal aptitude and academic interests should be the key influencers at this stage and, although this decision can be supported by the data already available, should not be swayed by it. We believe that students could be forced into academic areas which are not of interest, thus reducing their likelihood of retention and success at each level. More widely, we believe that this could have a negative impact on creative or humanities-based disciplines.
- Instead, we would call for the data which is currently available to be disseminated more widely, and in a more user friendly format. We believe that data could be used much more effectively than currently, and that a review into streamlining and simplifying this would be more useful than adding more.

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

- We anticipate that the additional administrative burden would be significant, with staff needing to be released from the essential core business of providing excellent support to applicants, students and stakeholders, to compile and analyse data.
- We also note that costly improvements to the infrastructure around student record systems would be required in order to ensure that appropriate data was available.
- We see that a more efficient method would be to allocate unique learner identification numbers at primary school which would stay with an individual throughout their academic career. This would enable data to be tracked more easily, and would preclude duplication of records across processes and organisations. This would also comply more easily with the Government's push towards 'name blind' applications.

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.

A single gateway to higher education is essential, as are a single set of uniform threshold standards.

- An effort to simplify and streamline processes will lead to a more simple and transparent system and will avoid duplication and reduce cost.
- A consolidation of what is available now would ensure greater clarity for students, their families and other stakeholders and it would also ensure that providers are meeting common requirements in order to progress into the sector.
- The focus on a level playing field for all providers in which they must adhere to requirements around student protection is a necessary safeguard.
- We endorse the view proposed by Universities UK that entry to the sector should be governed by a single register as set out in '*Quality, equity, sustainability: the future of higher education regulation*' and agree that high thresholds for entry are essential to protect the reputation of the UK's higher education 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.

A focus on standards, with an appropriately challenging threshold, would obviate the need for Government to take unnecessary risks.

- The barriers into the higher education sector must remain high in order to preserve the UK's global reputation.
- Whilst the Government is advocating a risk-based approach there is insufficient detail at this stage about what may constitute risk. Therefore it would be better to focus on maintaining high standards for entry into the HEI sector.
- Reducing barriers too far would be a real risk. The proposal to reduce the track record, including that demonstrating financial sustainability, is worrisome and at odds with a requirement to provide greater student protection. Similarly, care must be taken to ensure that a provider is able to point to a strong track record in providing a quality student experience from application to graduation for at least one cohort of students.
- Whilst the intention is to reduce timescales for entry and at the same time increase central oversight, it is questionable whether central oversight can guarantee student protection. A remaining emphasis on strong track records rather than a weakened one, would give students a greater sense of reassurance.
- It is also worrying that the flexibility proposed around track records could include the track records of (mobile) individuals within the organisation as well as the institution's own.
- This notion could be problematic if the reputation of a single person was the basis upon which to grant DAPs.
- The safeguarding standards in the Green Paper are thin and do not give enough reassurance that the checks and balances put in place to protect students would be stringent enough.
- The Government's ambition to grant university title by relaxing current stipulations around student population and track record has the potential to undermine the integrity of university title. Students have an idea of what a university does or should provide, and if the market is opened too far and fast, students could be led to expect

one experience but receive something that does not resemble anything like a university experience as currently understood.

- UK universities have academic legitimacy and this should not be jeopardised by relaxing the barriers already in place too far. The criteria is high for a reason and should not be watered down so that it leads to wide variations in the definition of a university.

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

Validation should only be undertaken by either an existing accredited provider or an independent sector body.

- The Office for Students should not be able to validate degree programmes or perform an underwriting role for validating programmes. If it is necessary to have a 'CNAA-type' body it should be genuinely arm's length and have a strong and secure sector input.
- **DAPs to non-teaching bodies** - This appears incredibly risky. The presence of an academic community in degree awarding regulations provides academic legitimacy and assurance that a degree is of a high quality. If the role of non-teaching bodies is expanded even further it is questionable as to whether this would be beneficial and in the students' and public interest. We must be sure to maintain standards and not over-experiment; students are paying for their university experience and their qualifications should have long-term validity.

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.

The failure to require a full cycle (or more), from initial marketing (prospectus) through to post-graduation (DLHE) is mistaken. A five-year timeframe is the minimum if standards are not to be threatened and/or unnecessary risks are not to be taken.

- The reduction of track records regarding continuous teaching of courses at degree level from four years to three and financial sustainability from three years to two is problematic. In regards to the latter the Green Paper itself acknowledges that this may not give a full enough view of sustainability over time and would not instil a great deal of confidence.
- We have concerns about providers being given the opportunity to increase student numbers so rapidly. Can we be certain that the students in question would receive the highest quality teaching and experience? Would there be enough capacity at OfS to ensure that the impact of this immediate action is properly monitored for risk?
- As we have stated before, there should be high entry barriers into the sector and these should not be jeopardised by immediate actions that could have a lasting reputational effect for the sector.

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.

This currently operates voluntarily and effectively. If unnecessary risks are not taken with accreditation, the extant approach should suffice.

- We would hope that if there is a commitment to maintain high thresholds into the sector and keep track records broadly as they are now, then this will reduce the risk of market exit.
- We believe that a more robust way of protecting students would be to concede that a dilution of track records and lowering of thresholds too far would be bad for the reputation of the sector. If this were accepted, it would remove the requirement for contingency arrangements to be made. We should approach this from a position of strengthening an already reputable sector rather than taking time to design systems which intend to let students down in the gentlest way possible.

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.

Though we recognise the Government's intent we have real concerns about the loss of expertise and experience. Any body replacing HEFCE et al will have a wider remit than implied by the suggested title, hence our support for something more broadly based such as the Office for Students and Higher Education or the Higher Education Council.

- We recognise the rationale for a lead regulator, as per UUK's '*Quality, equity, sustainability: the future of higher education regulation*' report; however, we do have concerns about the proposed OfS model in its current form.
- If the lead regulator is to both protect students' interests and provide a strategic direction for the sector in its entirety then this should be reflected in the name, highlighting its all-encompassing role.
- It is essential that the new regulator is genuinely arm's length. We see great value in having a regulator that is both independent of the sector and the State.

- The Government has not been clear enough about what it sees as the problems inherent in the current higher education landscape; therefore it is difficult for institutions to reflect on whether the proposed OfS model will resolve any such issues, and whether such a radical overhaul of HE architecture to this degree is necessary.

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?

- Quality Assurance should be carried out by an independent body and driven by a peer review process. A quality assurance process that is co-regulated by the sector is an important principle that produces positive outcomes and enhances quality.
- In an increasingly marketised sector it is important to maintain this focus in order to prevent the system from fragmenting and producing variable quality.

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,

- It is important that the lead regulator retains the responsibility for allocating teaching funding.
- If OfS is working on key strategy areas then it is important that they also retain responsibility for teaching funding as this will give OfS the necessary policy levers to achieve its set objectives.

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.

If risks are taken with permitting entry to the sector, it is vital that the regulatory and quality assurance frameworks are also risk-based.

- It is important that all providers meet minimum baseline conditions on quality, information and student protection. Baseline conditions for all providers are necessary in order to preserve the reputation of the sector.
- It is a sensible approach to work on a risk based regulatory framework which limits monitoring for low risk providers. This would mean that institutions posing low risk could spend more time focusing on the core business of providing a top quality student experience rather than constant monitoring. Limiting regulation to what is necessary will reduce bureaucracy and administrative burdens for institutions.

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

We have very little evidence that Students' Unions lack transparency or accountability.

- Edge Hill Students Union (EHSU) is a registered charity and is already regulated by the Charities Commission. Procedures and practices are in place to ensure charitable objectives are achieved, they are legally compliant and financially sustainable.
- Democratic structures are in place to ensure transparency, accountability, scrutiny and engagement with Sabbatical Officers who are elected annually.
- EHSU run the Course Representative System – electing and training hundreds of reps across the University.
- There is a strong Board of Trustees, including external trustees, offering challenge and support.
- The SU provides a support network for students, aiding efforts on retention.
- EHSU develop and provide leadership on a number of initiatives including the Consent campaign whereby students attended compulsory consent workshops. The feedback from sessions was extremely positive and highlighted the wider benefits of Students' Unions and their positive relationships with members. This piece of work has contributed to a research project into the effectiveness of consent workshops in higher education highlighting the valuable contribution Students' Unions make to the wider sector.

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.

If the OfS is to exist, its duties and responsibilities extend beyond 'the student interest'. This should be reflected in the title.

- Whilst we think it is an extremely positive step for students' interests to be promoted we also feel that the interests of the sector need to be represented. If a regulator

wants to ensure the best provision for students then HEIs need to have input and be at the heart of the debate too. A new name of The Office for Students and Higher Education would enable higher education establishments to be promoted as well as students. If Government wants students to achieve then the institutions they are attending should be sustainable too. The regulator could have a role to ensure the sustainability of institutions and the sector.

- We are pleased that there is a commitment to respect institutional autonomy and academic freedom of staff and we are supportive of the promotion of excellent teaching. We disagree with the proposals on how differentiation may be achieved through a tiered system.
- We are supportive of a single gateway model into the sector to facilitate a level playing field but must reiterate the necessity for high thresholds. Weakening restrictions and barriers especially around track records and the criteria for university title would be detrimental to the sector.

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

☒ Yes ☐ No ☐ Not sure

Please give reasons for your answer.

The OfS should be a subscription/membership body, with the appropriate representation that such a model implies.

- However as some of the proposed OfS functions are statutory then not all funding should come from the sector directly.
- In light of subscriptions from the sector there should be strong HEI presence on the OfS board and HEIs should be given a say in direction.
- In a subscription based model care needs to be taken to ensure that institutions which require low levels of oversight do not subsidise providers who are seen as greater risk.

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.

The responsibility for assessing and managing risk is best handled by an arm's length body, not a Government department.

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

As mentioned above this function should not be undertaken by Government, instead it should be managed by an arm's length body. If an arm's length body were to take on this

function perhaps a period of notification could be considered as well as a chance to work through an agreed action plan before an inspection is triggered.

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.

We agree that establishing a level playing field across all providers is appropriate so would support the principle of a single regulatory framework applicable to all. We have serious concerns however about the potential reputational impacts on UK HE of substantially lowering barriers to entry or significantly reducing the clear expectations placed on HE providers.

- We do not agree that there is evidence of a lack of innovation and growth within the sector, nor that the sector is slow to change.
- There is substantial evidence of new entrants into the sector under the existing entry requirements and these requirements have, to some extent, ensured the sustained quality of the sector. There is a high risk of damage to the reputation of UK HE if the entry requirements are significantly relaxed.
- The protections suggested in relation to the proposed voluntary dissolution of HECs (requiring publication of the proposal) are inadequate to ensure the reputation of the sector or the experience of individual students who may be impacted.
- We support the role the Privy Council plays in protecting the standing of the HE sector. If there was to be any dilution of this, it would be critical to ensure appropriate separation of those powers from Government.

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?

Whilst we can understand the logic for an overarching body (Nurse), it is important that each Research Council has its own identifiable funding stream and essential that the dual support system is sustained.

- Although this consultation refers to the Green Paper, we are aware that the publication of the Nurse Review, and subsequent approval of the Review in the Comprehensive Spending Review, has further changed or clarified the proposals. We will, therefore, be considering both the Green Paper and Nurse Review in our answers to the questions relating to research.
- We believe that UK research is highly valued on an international stage, and recognise that it is important for all institutions to maintain this reputation. We also value the impact of high-quality research on informing and underpinning excellent

teaching for our students, supporting enterprise and innovation in the community, and generating business for the UK economy.

- In principle, we would generally support moves to simplify the research landscape, and limit the administrative burden of exercises such as the REF, but not by the prioritisation of metric-based assessment. We were pleased to see that the hugely important Haldane Principle was upheld in both the Green Paper and the Nurse Review, and would consider this to be fundamental to any future developments.
- We believe that it is imperative that each Research Council has its own identifiable funding stream, and that the dual support system is sustained indefinitely. We have serious concerns that any close relationship with Innovate UK could unconsciously bias the award of funding towards business-related ventures, and are keen that niche areas of research continue to be recognised as being as worthy of funding and support as high-profile researchers and topics.

Question 25:

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

This should not be allowed to happen

- We strongly oppose the idea that dual support funding should be operated within a single organisation.
- We believe that dual support funding is an essential part of the UK research environment; it supports and maintains equity (if not equality) between disciplines and ensures that interdisciplinary collaboration is promoted. It underpins fundamental research, and enables universities to plan, and to devise research strategies with some element of certainty over a 5-6 year period. We believe that the current system of subject specialists making decisions about funding, and peer review as a distinct aspect of the REF, should be maintained, thus enabling less quantifiable/profitable disciplines to continue to develop research which contributes to the international reputation of the UK without the fear of funding being diverted to high-profile, high-profit ventures.
- In the event that the Funding Councils were abolished then the public interest might best be served by preservation of the dual support system and Haldane Principle by means of a specific statutory instrument, which would ensure the strategic continuation of undergirding support for fundamental research.

- 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

As stated above, we strongly oppose any change to the dual funding model.

- Hypothecation sounds attractive, *prima facie*, but rather than simplifying arrangements, it can be guaranteed to complicate them still further. We are

concerned that any move towards a single body could cause a move to merge the dual support funding streams in the future, leading to significant disadvantage for some institutions. We also envisage that niche subjects, which would develop to the UK's benefit if nurtured, would lose out if the dual funding model was not protected.

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?

The REF is accepted and held in high regard globally. We are not convinced any alternative would be less burdensome – and certainly not more appropriate.

- a) We recognise that the REF clearly provides both recognition within the sector and reputational benefits more widely. REF advances have enabled Edge Hill University to promote itself as a credible centre of world class and internationally leading research.

Most important to Edge Hill University are the benefits which the REF have given to our student body. Excellent research is fundamental to excellent teaching. Our students can be certain that they are taught by lecturers who are active in development and research in their field, and students are appreciative of this, as demonstrated by the comments made in their National Student Survey feedback.

- b) The REF is a known, recognised and, most importantly, internationally trusted measure of research quality, and we believe that it demonstrates the global reach and quality of UK Research, as well as reflecting well on individual institutions. The REF allows universities to reflect on their recent research progress, and enables self-awareness of the positive work being done by higher education institutions.
- c) We are unsure that any alternative arrangement would be less burdensome, and would certainly not be more appropriate than the REF.

If alternative arrangements were put in place, we would wish to see a thorough impact assessment beforehand to mitigate the risk of any unintended consequences. We believe that it is essential to the UK global brand that our Higher Education and Research Institutions collaborate and are encouraged to do so. However, we can also see the risk in critical mass being advantaged above the work of individual institutions, and would like to see a system where both models were valued equally.

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

- We are conscious of Lord Stern's review of the REF and await, with interest, the review's recommendations in summer 2016.
- One simple change could be to regulate the cycle and have certainty about when each research exercise would take place. This would allow providers to plan in sufficient time and reduce any excess burden.
- Standard metrics could help to reduce some of the burden if clearly communicated and moderated, but we see peer review as being essential to any qualitative assessment process. We would also seek reassurance that any system would not reward providers who adapt their research behaviour to fit any system, and would be wary of a 'tick box' exercise which would lead to any consequence of this type.

- We are certain that it is essential to engage all providers in any proposed changes to the REF exercise in order to maintain the confidence which underpins REF outcomes currently.

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

- We would suggest that any change to the data infrastructure would need to be publically funded, potentially through JISC.
- We believe that the HEFCE system for the 2014 REF Exercise was very good, and a huge improvement on previous exercises and would welcome any further improvements in the same vein.

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.

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