

15 January 2015

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

Response from the University of St Mark & St John to:

Department for Business, Innovation and Skills Consultation on the Green Paper

Fulfilling Our Potential: Teaching Excellence, Social Mobility and Student Choice

Thank you for the opportunity to comment on this important set of proposals. Having seen the submissions of a number of other organisations, including that of GuildHE of which this university is a member, the comments contained below are restricted to those areas where colleagues and I believe that particular points are required to be noted.

The comments are listed in response to each of the numbered questions in the Green Paper consultation document.

Yours sincerely,



Professor Cara Aitchison PhD MA MA(Hons) PgDRLP PgCert FHEA FAcSS

Vice-Chancellor and Chief Executive

Section and Question	Comment
Introduction	
1a (page 16)	What are your views on the potential equality impacts of the proposals, and other plans, that are set out in this consultation? Like a number of smaller institutions with a long and successful track record of widening participation and increasing social mobility, staff within the University of St Mark & St John welcome the focus of the proposals upon improving access and outcomes for students from disadvantaged backgrounds. There is, however, some concern that the current proposals do not acknowledge fully the complexity of the socio-economic or cultural conditions that result in educational disadvantage or the extent and complexity of the successful practices that have been developed and deployed by many institutions to achieve the added value and learning gain required to improve social mobility and enhance equality. As a member of the Board of the Equality Challenge Unit and Vice-Chancellor of a university located in an area with higher education participation levels in the lowest quintile in England I, together with my colleagues, have seen the positive impact that a relatively small amount of funding can make to the life chances of individuals and the subsequent economic prosperity of families and communities through such funding streams as the Student Opportunities Fund, the Disabled Students' Allowance and Maintenance Grants. The withdrawal of the Student Opportunity Fund alone will result in a 2.8% reduction in this University's total annual income and thus increase the distance to be travelled from the point of entry to higher education to graduate level employment. At present the University of St Mark and St John is the UK's number one university for social mobility as measured by the <i>Graduate Social Mobility Index</i> (Brown 2014) which provides a fuller picture of the impact of higher education than either the current Destination of Leavers of Higher Education (DLHE) survey or the 'basket of metrics' proposed for use in the Teaching Excellence Framework. It is therefore suggested here that consideration be given to the role that Brown's analysis of social mobility might play alongside other measures in determining the impact of higher education and the allocation of funding. It is important that the evidence base used to determine league tables and rates of fees is as robust as possible if existing good practice is to be extended and new models of good practice developed to enhance social mobility and increase equality and diversity, particularly in institutions and subject areas where the student body does not currently reflect local or national populations.
1b (page 16)	Are there any equality impacts that we have not considered? If so, please provide any further relevant evidence. While the focus on social mobility in relation to socio-economic indicators is understandable in the context of a strategy that seeks to improve educational

	opportunities and outcomes in line with the Government's priorities relating to the economy and employability, this focus overlooks the different participation levels and outcomes within Black and minority ethnic groups as well as between an aggregated BME population and their white counterparts. Here, a more rigorous analysis of the data and a more nuanced understanding of the issues would help to better inform the outcomes that both Government and the HE sector are looking for. In this regard some input from the Equality Challenge Unit could be helpful. There are also widening gender gaps in the take up of some subjects with a minority of subject areas taught within universities now having approximately equal numbers of male and female students (those with between 40% and 60% of male and female students). This increasing sex-segregation is counterproductive to many of the aims that the Green Paper and wider society seek to achieve and consideration could be given to incentivising greater gender equality within subject areas thus addressing broader concerns about the participation in higher education of young white men from disadvantaged backgrounds and the recruitment of women into STEM subjects. The analysis contained within the Green Paper could therefore be enhanced by giving consideration to the compound effect that intersectional disadvantage has, particularly the effects that the relationships between disability and socio-economic disadvantage and between ethnic background and socio-economic disadvantage, have on educational experience and attainment. Finally, the introduction of fees has had a profound impact in reducing the number of part-time students. In a rapidly changing economy, where life-long careers are no longer the norm, the opportunity to take a degree later in life and on a part-time basis, should be incentivised. Not only will this have a positive impact on the economy and skills but it will also assist the sustainability of higher education institutions, many of which will be challenged by the demographic downturn in the number of 18-21 year-olds over the next decade.
Section A: Teaching Excellence, Quality and Social Mobility	
2 (page 21)	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. While the greater availability of transparent comparative data is to be welcomed there is risk that the increasing use of metrics, and the type of competition that their use creates, will encourage homogeneity across the sector and render opaque those criteria that hold equal or more meaning for students in their decision making regarding choice of course or institution. For example, the University of St Mark & St John, like a number of other smaller universities, provides a supportive environment with small class sizes, high levels of class contact and outstanding student support which enables students from disadvantaged backgrounds to flourish. If students' attention is too focussed on those quantitative employment-related measures currently proposed within the TEF they could potentially opt for an institution or course that does not provide the most appropriate fit in terms of an environment or culture that will enable

	them to flourish. There is a danger that employers will only take account of the final measure and not the measure of distance travelled through learning gain. Thus those institutions that play a vital role in widening participation and contributing to social mobility may be deemed to be less successful than those that recruit students from multiply advantaged backgrounds but who travel less distance while at university. The increasingly unhelpful discourse of ‘the good university’, where teaching quality may be less good than at other universities, could be exaggerated further by the TEF.
3 (page 22)	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. It seems appropriate to open the TEF to all recognised providers of higher education and to all types of provision offered by those providers. However, given the increasing complexity and diversity of the sector it may be practical to phase in the TEF by introducing it in incremental phases according to subject area, mode of study or level of study.
4 (page 23)	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? Here there could be some lessons to be learned from the REF where the introduction of consideration of equality and diversity issues has enhanced the exercise. The inclusion of an Access Agreement could therefore enhance the efficacy of the TEF in improving social mobility although a suitable alternative avenue would need to be open for those providers currently unable to develop an Access Agreement.
5a (page 25)	What would constitute a ‘successful’ QA review Here consideration will need to be given to the timing and phasing of the introduction of the TEF in relation to the introduction and roll out of the most recent QA review process which has yet to be employed in the majority of institutions.
5b (page 25)	The incentives that should be open to alternative providers for the first year of the TEF There does not appear to be a clear rationale for incentives for alternative providers and if they wish to be considered alongside the rest of the sector then they should, presumably, be accepting of engagement in the process in a similar way and without inducements to do so.

5c (page 25)	The proposal to move to differentiated levels of TEF from year two? Please give reasons for your answer The proposal is reasonable in principle, and reflective of the REF model of grading according to the four stars and which has worked well. In practice, however, there may be a limited evidence base with which to differentiate in a meaningful way as this is not like the Ofsted inspection's four grades informed by much more evidence than will be available for the TEF.
6 (page 29)	Do you agree with the proposed approach, including timing, assessment panels and process? Please give reasons for your answer. The timing of the introduction appears ambitious given that student applicants will wish to use the information relating to fees to inform their decisions and the setting of fees can be a lengthy process as discussion at various levels and committees is required before fees are finalised and publicised. There is much to be learned from the REF relating to panel composition. While the inclusion of employers has the potential to add value in the way that 'research users' did in the REF, these people are not equipped to judge the quality of teaching and not are familiar with the requirements of higher education. A balance therefore needs to be achieved.
7 (page 29)	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. The sector is undoubtedly keen to avoid any significant additional administrative burden with the introduction of the TEF. The burden will most likely be felt disproportionately by small universities like St Mark & St John which already devote significant resource to the administrative demands required by other assessments for in relation to teacher education and health-related programmes. Thus using existing documentation and metrics wherever possible will assist. The exercise is currently framed as a combination of assessing student outcomes such as learning gain and outputs such as employability record. This assessment of learning and teaching may be seen as akin to the 'environment' section of the REF and the assessment of employment more akin to the REF's assessment of 'impact'. This dual focus took some time to develop in the REF and is likely to require a number of iterations in the TEF before it is fully fit for purpose. The REF has taken three decades to hone and we are still learning. The introduction of different aspects that look along the continuum from environment and inputs to outputs and impacts works well and this kind of model could be adapted for the TEF.
8 (page 29)	Do you agree with the proposed approach to differentiation and award as TEF develops over time? Please give reasons for your answer. The rationale for linking fee increase only to TEF requires further justification and, given the current economic climate of low inflation, may not work as intended for

	any institution. The lifting of the cap and the growth of HE in FE provision has resulted in many of the smaller universities being 'squeezed' from above and below. There is merit in further discussion about enabling institutions to set their own fees for home students as they do for international to both iron out anomalies between home and international and undergraduate and postgraduate fees and to enable the differentiation through price that the introduction of fees was intended to generate. Clearly, such a development would need to be accompanied by the provision of bursaries to enable students from disadvantaged backgrounds to continue to have the choice of applying to a university on merit rather than ability to pay.
9 (page 30)	Do you agree with the proposed approach to incentives for the different types of provider? Please give reasons for your answers. There is a view from colleagues here at the University that all institutions should be aiming for level 4 as all institutions should be aiming to provide excellent teaching and, as such, there should be no specific incentives.
10 (page 33)	Do you agree with the focus on teaching quality, learning environment, student outcomes and learning gain? Please give reasons for your answer. The proposal is a reasonable one although there are multiple contributing and contextual factors to student employment outcomes over and above those resulting from the quality of learning and teaching. For example, the University of St Mark & St John recruits the majority of its home students from Devon and Cornwall where employment opportunities and average salaries are significantly lower than in other parts of the country. Many of these students are the first in their family to go to university and a significantly higher than average number have declared disabilities and are less likely to be geographically mobile. Recognition needs to be given to the diversity of higher education providers, economic geography and the variation between sectors of employment and the varying employment opportunities within them.
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? Please give reasons for your answer. A combination of metrics and qualitative data is required to offer triangulation and to address the weaknesses of relying solely on metrics as pointed to in James Wilsden's critique in relation to the next REF. The Academy generally responds well to peer review in the form of panels and academics are also used to the production of self assessment documents which, in themselves, provide useful learning processes to inform continuous improvement.
12a	Do you agree with the proposals to further improve access and success for students from disadvantaged backgrounds and black and minority ethnic (BME) backgrounds? Please give reasons for your answer. The focus on widening participation for students from disadvantaged groups is welcomed wholeheartedly. However, this proposal runs counter to recent funding

	changes where institutions with the strongest track records of widening participation, such as the University of St Mark & St John, have been hit disproportionately hard by the cut in Student Opportunity Fund (almost 3% of this university's funding), and where their students will be affected disproportionately by cuts to the Disabled Students' Allowance and Maintenance Grants. Ensuring that funding is provided to those institutions that are best placed to widen participation is likely to have the most impact in increasing social mobility.
12b	Do you agree that the Office for Students should have the power to set targets where providers are failing to make progress? Please give reasons for your answer. It may prove more effective to incentive those institutions that are willing, able and successful at widening participation than enforcing targets on institutions that are less able or less willing to make progress in this regard.
12c	What other groups or measures should the Government consider? Part-time learning provides an important and responsive mechanism to both economic priorities and social mobility. As stated above, an increase in part-time students will mitigate some of the negative impact of the reduction in the number of 18-21 year-olds over the next decade and greater consideration should be given to part-time students.
13a	What potential benefits for decision and policy making in relation to improving access might arise from additional data being available? It is vital that in the reconstruction of the 'architecture' of higher education the excellent data and analysis provided by HEFCE is not lost. The mapping of recruitment patterns, participation levels, student mobility etc. are all vital sources of data required for universities to plan strategic responses to local and regional populations and student demand as well as national and LEP economic growth priorities. This function must not be lost in the reconfiguration of the HE bodies and if additional data sources could be made available then the response from universities would be even better informed.
13b	What additional administrative burdens might this place on organisations? If additional costs are expected to be associated with this, please quantify them. With the REF many institutions have invested heavily in databases specifically to capture and analyse REF data. This investment is felt disproportionately by small institutions and the need for every institution to develop or invest in a new infrastructure to support the TEF should be avoided if possible.
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. Agreed so long as it is determined by fair and objective assessment.

15a	Do you agree with the proposed risk-based approach to eligibility for DAPs and university title? Please give reasons for your answer. The proposal to relax the requirement from a four-year to a three-year track record seems sensible but caution is urged over any further reduction in the threshold of student numbers required for university title. It is extremely difficult to resource and sustain a university with small student numbers and a turnover of less than £24m and this issue should be given further consideration so as to ensure the internationally recognised brand of UK universities is not weakened or made so different from that in Scotland that there is no longer an identifiable UK brand. In any Parliamentary debate or vote relating to the proposals that emerge from the Green Paper it is essential that all UK MPs are afforded voting rights. Although the proposals here relate only to English universities the outcomes will have a direct impact on the 'brand' and reputation of UK higher education which must be protected for of all four home nations.
15b	What are your views on the options identified for validation of courses delivered by providers who do not hold DAPs? The evidence base relating to the need to change the current system and processes is not yet clear and creating a new bureaucracy for validation of courses could be unnecessarily costly and time-consuming.
16	Do you agree with the proposed immediate actions intended to speed up entry? Please give reasons for your answer. Here it is important to strike a balance between creating the conditions for growth and improvement while simultaneously protecting and enhancing the reputation of UK higher education. Reducing the student number threshold further for new entrants while lifting the cap on some subject areas in some existing providers does create a number of the conditions required to increase responsiveness to employers and raise quality more generally. However, these same conditions also contribute to the challenging circumstances which small universities have found themselves in since the granting of University title to the 10 established and one new alternative provider with fewer than 4,000 FTE students in 2012. Issues of financial sustainability, reputation and the ability to develop critical mass, need to be considered carefully before a further reduction in the threshold is made. In the current economic and policy climate it is likely to be difficult to develop or sustain an institution of high quality with fewer than 1,000 FTE students (and 2,000 is a more realistic absolute minimum).
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? The principle or intent that underpins this proposal is welcomed as it will provide protection for students although further thought needs to be given to how this would be implemented in practice. Given the increasingly diversified,

	commercialised and competitive nature of the higher education sector in England there may be cases of particular courses or even whole institutions where such arrangements are difficult to secure until closure becomes unavoidable.
18a	Do you agree with the proposed changes to the higher education architecture? Please give reasons for your answer. Any restructuring of the HE architecture has to have the dual focus of assuring and enhancing quality from the level of the individual student experience through to the international reputation and sustainability of UK higher education. The current architecture is complex and, at times, overly bureaucratic and thus a review is welcome. There is, however, a need for balance between the current functions of the QAA and the proposed new Office for Students. While protecting the student interest is welcomed we must not lose sight of the need to maintain all aspects of quality and standards across the sector. Further work may be necessary to ensure that all necessary components of the HE architecture are considered in the development of the White Paper. Recent changes to funding arrangements relating to the Higher Education Academy (HEA), the Leadership Foundation for Higher Education (LFHE) and the Equality Challenge Unit (ECU) have had a notable effect on the sector and due consideration should be given to ensuring the work of these bodies, all of which is instrumental to improving the quality of teaching and leadership and to enhancing equality, diversity and social mobility, is supported.
18b	To what extent should the OfS have the power to contract out its functions to separate bodies? The University has no objection in principle to the contracting out of OfS functions where it can be demonstrated that those functions can be better provided by an alternative body. For example, the ECU may be best placed to undertake research or analysis in relation to equality and diversity.
18c	If you agree, which functions should the OfS be able to contract out? In addition to E&D research as mentioned above, the issue of data analysis referred to earlier in this response is one that deserves investment if the sector is to increase its responsiveness to student need, employer demand and economic opportunities.
18d	What are your views on the proposed options for allocating Teaching Grant? Please give reasons for your answer There is a strong view expressed by staff and by our representative bodies across the sector that the system of ensuring that grant allocation takes place at arm's length from Government be maintained. This system has operated for almost a century and has been one of the features of UK HE that has contributed to the global reputation of our universities as autonomous institutions where freedom of speech is valued highly. To reduce or restrict this arms length approach would

	seem unnecessary and potentially damaging and arrangements should be made to ensure that the transition from HEFCE to OfS, if that is what comes about, maintains the arm's-length approach. Similarly, it is difficult to see the evidence in support of the proposal to transfer research quality funding to Research UK as the current system has worked well and has been refined in relation to the refinement of the RAE/REF.
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. It is agreed that there should be one single transparent and risk-based framework where institutions previously assessed as low risk should be subject to less monitoring than those where there are deemed to be risks to the student experience and/or the reputation of UK higher education.
20	What steps could be taken to increase the transparency of student unions and strengthen unions' accountability to their student members? More discussion appears to be required here to inform the next iteration of the proposal. There is a danger that the wide range and fast pace of HE policy change, at a time of increasing national economic pressure and global political uncertainty, could destabilise relations within the sector. It is important that the NUS, and the trades unions that support staff members, are fully engaged in the development of the White Paper and, in the case of the NUS, the new architecture. It is likely that some investment may be required here, particularly in relation to small institutions where there may be only one or two sabbatical officers and a more limited support network.
21a	Do you agree with the proposed duties and powers of the Office for Students? Please give reasons for your answer. The actual duties of ensuring student interests, teaching quality, institutional autonomy and academic freedom and working to increase social mobility are agreed. Where there is a need for more consideration is in relation to the possibility of any unintended consequences that might unfold over time as institutions make sense of how to illicit a particular response by focussing or not focussing on particular areas of activity or investment.
21b	Do you agree with the proposed subscription funding model? Please give reasons for your answer. The use of subscription funding models is becoming increasingly common across the sector and has resulted in an additional cost to institutions that has been borne disproportionately by small institutions. This model does not seem appropriate to apply to not-for-profit organisations on the scale that it is being introduced across the sector at present. If such a model is to be introduced then it should comprise a sliding scale with an algorithm developed to take account of

	institutional turnover and FTE.
22a	Do you agree with the proposed powers for OfS and the Secretary of State to manage risk? Please give reasons for your answer. All roles, powers and statutory duties must be transparent at all times and the arm's-length approach that safeguards the autonomy of institutions should be maintained. Thus it would be inappropriate for the Secretary of State to become involved in matters relating to an individual institution, for example.
22b	What safeguards for providers should be considered to limit the use of such powers? Both the situations where such powers would be used and the safeguards to limit the use of such powers will need further discussion with providers to narrow down the list provided in response to this consultation to ensure the confidence of the sector.
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. The proposed changes to the role of the Privy Council could usefully reduce the burden on HECs.
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? The proposal to continue the commitment to the dual funding system for research is welcomed and is vital to sustain the diversity of the sector and the research it produces. From my experience as a Panel Chair in REF 2014 (Sport and Exercise Sciences, Leisure and Tourism), and noting the final ranking of institutional research success in this panel, it was evident that world leading research is taking place across all types of institution; to assume that such research only takes place in so-called 'good universities' is simply wrong. The small and specialist institutions have developed and demonstrated high levels of skill in using relatively small amounts of QR funding to great effect in relation to research projects and outputs and with significant impact. It is important that the complexity and diversity of the UK research landscape is acknowledged and that the impact of the small and specialist institutions in areas of research and innovation such as digital technologies, creative arts, education and sport science is fully supported as the leverage effected from these institutions and sectors is key to economic growth. More needs to be done within a reconfigured architecture to involve international and world leading researchers from small and specialist universities to play a role in national peer review and the development of inter-disciplinary research.

25a	What safeguards would you want to see in place in the event that dual funding was operated within a single organisation? A single organisation would require an extremely transparent framework and robust methodology for the allocation of funding and with no possibility of funding or mission creeping from one to the other over time. The expertise that already exists within HEFCE, and which has been built over the last three decades in relation to the RAE and REF, should be utilised in full to ensure that the role of QR funding is maintained.
25b	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? Agreed as outlined above.
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, as a system of peer review that has been honed over three decades, is undoubtedly burdensome in terms of administration but has been instrumental in enhancing the strategic focus of institutional and individual research efforts, in increasing collaboration with research commissioners and end users, in raising the quality and volume of research outputs and in delivering and demonstrating impact through the translation of research into policy, practice and products. It has also helped to attract international academics to UK institutions across the sector including the small and specialist institutions and thus increasing the pool of talent in UK higher education. While there are criticisms that the REF has led to greater divergence between teaching and research this is not the case in small and specialist institutions where the increased research effort has made a very positive contribution to learning, teaching, the student experience and graduate employability. These benefits can be maintained by maintaining the REF in its current form.
27	How would you suggest the burden of REF exercises is reduced? A great deal of time and effort was put into developing the systems and processes for REF 2014 and, in general, they worked well. There will be economies of scale in using the same or a very similar approach in the next REF and this university therefore recommends that limited change takes place given the timescale for implementation.

28	How could the data infrastructure underpinning research information management be improved? There is a concern that the requirements of the REF present a burden that is experienced unevenly across the sector and small universities such as St Mark & St John have limited resource to invest in new data management systems. The opportunity to share services is therefore something that should be explored.