



## Department for Business, Innovation & Skills

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

You can reply to this consultation online at:

<https://bisgovuk.citizenspace.com/he/fulfilling-our-potential>

A copy of this response form is available at:

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

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

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

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

	Alternative higher education provider (with designated courses)
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	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?

We welcome the opportunity for consultation, with advice and inputs being sought on the proposals and how they might be taken forward. However, this makes it difficult to give views on potential equality impacts since the final form of many of the key proposals is not yet known. Therefore, the following are some areas for which the equality impacts may need further consideration in due course.

The impact of the TEF metrics and method of rating should be carefully assessed to ensure that less favourable ratings are not automatically assigned to types of provider, or subjects, that are more likely to be attended by students from widening participation backgrounds or who have protected characteristics. Examples include: attainment and employment outcomes, in relation to which it has been demonstrated that BME students are disadvantaged; retention and success rates if used in a way that disadvantages institutions that are more successful at widening participation; percentage of staff on permanent contracts if applied to subjects such as creative, performance and professional/vocational, or to small providers, where higher proportions of expert practitioner-teachers are used.

In the circumstance of differentiated TEF outcomes leading to higher fees, students who are financially disadvantaged, those with additional financial burdens such as disabled students and those with dependents, and those from social backgrounds that are more debt-averse, may feel compelled to choose cheaper providers whose teaching has been judged to be at lower TEF levels. This would be particularly disadvantageous to these students, in terms of their experience and the value of their qualifications, if such providers were drawn into a 'downward spiral' through having fewer financial resources and a poorer reputation. This would run counter to stated intentions to increase social mobility and improve higher education opportunities for disadvantaged groups.

TEF metrics and outcomes could result in perverse incentives which affect the choice and range of subjects that providers choose to offer; that is they may gravitate towards subjects that the metrics cause to be rated more highly and drop others which do not. This could lead to a reduction in choice and places making some subjects more selective and lead to more "cold spots" and reduction of choice for students who by their background or circumstances are less mobile.

Overall, we suggest that a full equality impact assessment for the Green Paper proposals will be needed as the final forms of intended implementation are decided.

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

Yes

No

Not sure

Please provide any further relevant evidence.

The needs of mature and part-time students and how to improve their participation do not appear to have been considered, particularly as participation from these groups has declined substantially in recent years. See also our response to 1 for a discussion of the potential impact and unintended consequences for disabled students and those from a disadvantaged background.

We suggest that it may be important to consider the equality impact of the proposals here alongside other changes arising from Government decisions such as higher education funding changes. For example, how might the intentions for social mobility and increased participation by disadvantaged groups, and the expectations on providers in that respect including any relationship to the TEF, be affected by changes to the Student Opportunity Fund and the Disabled Student Allowance?

We also suggest that the proposed Office for Students is given a remit for monitoring the equality impact over time of the changes that are introduced.

## 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.**

How, what, and to what extent, information drives student choice is still poorly understood and it is therefore unclear how information from the TEF can be used to better inform student decision making. Students appear to use much less of the currently available information than might be expected, and it is difficult to evaluate without further research how they might use more. We suggest it is also important to acknowledge that a student's circumstances and opportunities affect their decision making alongside the information available to them.

There are also questions to consider about how to ensure that TEF information is properly understood and how it is best communicated. It is proposed that the TEF metrics and outcomes are contextualised and the ways in which this might need to happen in order for outcomes to be fair, comparable and robust may make the information complex for others to understand and use, leading to people being confused rather than better informed. In this respect there may also be issues about the way in which any league tables constructed by third parties on the basis of TEF information are designed and portrayed.

The TEF should provide useful indications of a provider's strengths in teaching overall and by subject. A number of the proposed TEF metrics are proxies so care needs to be taken in their selection, use and how they are interpreted. A good example of this is contact time, which is not a suitable proxy for quality as, if it were taken as such, delivery in certain subjects and all distance learning would be deemed automatically to be of lower quality. A key issue will be to achieve clarity about what the TEF metrics and outcomes mean, including differentiation by level, which is a matter that responses to this consultation and the further technical consultation should be expected to influence.

In relation to both students and employers, it would be unfortunate if on the basis of TEF information, preference were to default automatically to provision at only the highest TEF ranking, given that this would be both unrealistic and would disregard strengths in the curriculum and in learning, knowledge and skills acquisition that will not be measured by the TEF as currently proposed.

A number of other developments that are already in progress are aimed at improving information for students and others with an interest in higher education provision. Changes being planned to the National Student Survey and the Key Information Set, both originally designed following extensive consultation with students (and students engaged in the recent reviews), as well as those proposed by HESA for the future data landscape are significant and should deliver improved access to and understanding of providers. This is in addition to work to provide better information to students in the context of consumer protection following the CMA's guidance to the sector, alongside the numerous commercial and other sources of information including league tables, comparison websites, PSRB data and quality reports. The TEF will make a significant addition to the information that is available. It may be that there is a need to understand fully and ensure coherence across the totality of information that will be produced and to do further work involving students and other potential users on how such information might help them to make good decisions.

**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.**

The challenges of ensuring the TEF is valid, fair, robust and transparent across all providers and all types and modes of provision, while also being manageable in terms of information burden and cost, are considerable. Incentives must be carefully designed and unintended consequences or perverse outcomes must be avoided. Given their financial and reputational implications, TEF outcomes must not only be methodologically sound but also legally defensible. Therefore we suggest that its development and implementation is both phased and evaluated. Overall, we feel it is better to get TEF right than to deliver it quickly.

We are concerned that rather than incentivising and rewarding excellence the TEF will become an elaborate and resource-intensive process in itself. This would run counter to the intentions elsewhere in the Green Paper to lighten the burden of regulation and the costs involved would divert resources that otherwise would be used for learning, teaching and the student experience. The value for money of the TEF itself needs to be carefully evaluated.

If TEF is to be kept minimally bureaucratic, and implemented on the timescales previously outlined, we suggest it should be applied at institutional level only and have no more than three levels. As soon as it goes to subject or course level, it will become difficult to administer, and the sector will understandably argue for subject panels to make the judgements. At that stage it could become a monumental exercise. It should be based on the smallest number of existing metrics possible, while ensuring validity, such as NSS (Q1-4 as these are about actual teaching quality), completion rates, and graduate-level employment.

Our view is that TEF phase 1 should be implemented as proposed, TEF phase 2 should be piloted and then there should be a pause while we learn from the results before wider and deeper metrics are commissioned.

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

We welcome the strong messages in the proposals in support of social mobility and widening participation and support the importance of arrangements to support access to higher education. As is currently the case, and in keeping with the original premise that charging fees above a certain level should not be detrimental to access, an Access Agreement approved by the successor to OFFA should be a requirement for any provider who wishes to charge a higher level of fee (currently above £6,000).

However, there is no logical or automatic connection between teaching quality and an Access Agreement and we suggest that while both agendas should be supported they should not be combined. We also note that the TEF as currently proposed is voluntary, so this means of ensuring that different types of providers have an Access Agreement could not be guaranteed.

If an Access Agreement is considered to be a fundamental and core priority for different types of (meaning all) providers, it may be more effective and simple to build the requirement into other aspects of the regulatory framework, for example into the criteria for entry and continuation as a higher education provider or to qualify for tuition fee loans for the providers' students. However, if an approved Access Agreement is to become a requirement for all providers, which implies this would be regardless of the level of fee charged, the expectations around financial support to students from the provider's fee income which are currently part of Access Agreement arrangements would need to be revisited.

**Question 5: Do you agree with the proposals on:**

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

Yes       No       Not sure

Given that not all providers who are under current QA review arrangements will have the opportunity to complete a QAA Higher Education Review (HER) by the relevant date, both successful Higher Education Reviews and Institutional Reviews should qualify for TEF 1.

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

Yes       No       Not sure

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

Yes       No       Not sure

**Please give reasons for your answer.**

We have identified a number of issues and questions to be considered in moving to differentiated levels of TEF from year two. These include:

1. We have commented earlier on the importance of ensuring that the TEF is right rather than moving quickly. The proposed timescales are very ambitious and we have concerns that they are too short to implement the TEF effectively. In particular, we have concerns that the timescales for the implementation of the TEF for Year 2 onwards are particularly ambitious and may not allow sufficient time for the appropriate metrics to be defined and robust data collected. We could learn from the development of the REF, which had a three-year experimentation period that allowed sophisticated and expert analysis of the metrics to be undertaken before it was implemented.
2. The financial incentives for engaging with a TEF differentiated into several levels may not be sufficient, in view of the additional costs involved and depending on the size of provider and whether they wish to increase fees at all. Realistically, therefore, the true incentives will need to come from the reputational advantages of engaging with the TEF and cost dis-incentives should be minimised. The Green Paper stresses that the TEF should be "light touch"; however the proposals indicate greater data collection and analysis costs, costs relating to provision of additional or contextual information, and the costs of TEF panels. The technical consultation will need to be open and honest about the possible institutional resource implications – and this cost should be seen in conjunction with the cost-benefit analysis which HESA is undertaking as part of plans to implement its Data Futures project. In this context, it will be important that there is as much commonality and integration as possible between the information requirements for TEF and the new quality assessment system. Similarly, to minimise the burden on providers, commonality between these information requirements and those of PSRBs would be desirable.
3. The more levels involved in the TEF, the more elaborate and costly it is likely to be. In our view it should not have more than three levels.
4. We also note that it has been suggested at consultation events that it may be that only providers attaining the highest TEF level will be able to raise fees in line with inflation. If this were the case there would be little incentive for many providers to seek a TEF assessment above the baseline or for there to be more than two levels (e.g. baseline and higher).
5. We have questions about how differentiated levels of TEF will be regarded internationally and about the overall impact on the reputation of UK HE of providers and subjects being identified as less than excellent. Similarly, employers may not appreciate the nuances of the different rankings, which may influence their decisions about partnership with providers, thus potentially destabilising and narrowing the amount and range of provider/employer

provision. Unintended consequences because PSRBs might choose to link their accreditation/recognition requirements to TEF levels are a possibility.

6. Another possible unintended behavioural consequence of the differentiation proposed for the TEF when related to higher fees is that by making an explicit and direct connection between quality and fees (price) providers who had not previously intended to raise their fees and who attain a higher level in TEF may choose to raise their fees to ensure that their price 'matches' their teaching quality.
7. We do not agree that the TEF should be linked to a rise in fees other than the inflationary element linked to TEF1. We are concerned that a link to fees beyond TEF1 increases the risk of perverse incentives, such as students returning poor NSS scores to keep fees lower, and providers 'gaming' the process in order to be able to increase their fees.
8. AHUA, as a UK-wide membership organisation, is concerned that increasingly different systems are being implemented in the different nations. Each national sector needs to reflect the needs and priorities of that nation's government. However, the international reputation of our higher education system is on a UK-wide basis and this may be damaged if the TEF operates in some UK nations and not in others. We suggest it is crucial that there is UK-wide discussion about participation in the TEF.

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

**Timing?**

Yes       No       Not sure

The proposed timeframes for assessments are sensible.

**Assessment panels?**

Yes       No       Not sure

The use of external assessment panels is vital to ensure credibility, moderation and fairness and to help ensure that outcomes are likely to be robust in the face of appeal or legal challenge. However, if the TEF is developed to subject level the burden of operating subject panels will be considered.

It should be clarified whether there will be an appeal process against TEF decisions. Given the proposed link to fee levels and the reputational impact of the decisions, outcomes are likely to be subject to test and challenge.

**and process?**



Yes       No       Not sure

**Please give reasons for your answer.**

It is important to note that many disciplines are also subject to the monitoring, and quality assurance/assessment, of professional, statutory and regulatory bodies (PSRBs). We would welcome working with BIS, the PSRBs and colleagues in the sector to explore how the development of the TEF, together with the new quality assessment system, can be used to integrate elements of PSRB oversight and scrutiny.

We feel it is important to comment substantively on the issues raised by Chapter 2, paragraphs 3 of the Green Paper. Paragraph 3 proposes that compliance with the CMA's published guidance on how consumer protection law applies to Higher Education providers is set as a pre-condition of participation in the TEF. It is unclear how such a pre-condition could be applied and it raises a number of fundamental questions. Firstly we query whether the basic premise, that legislation designed for one purpose should be applied for another, is valid and legitimate. In addition, it should be noted that there is no single, defined and legally robust test of compliance with the guidance that can be applied or which it would be practicable to apply within the TEF process. The questions involved include:

- a. Who is going to decide whether a given University has or has not complied with the guidance (and consumer law more generally)? Ultimately, this would be a decision for the CMA (subject to judicial review). However, the CMA may not issue a decision but rather work with the institution to ensure compliance – at what point would the pre-condition not be satisfied?
- b. How would any sense of proportionality be applied? Suppose, for example, a particular University is held, after due process, to be in breach of an aspect of consumer law but the breach is minor and immaterial. Who decides whether this would have any bearing on TEF, and with what impact on fee levels? The CMA may raise concerns in relation to a potential failure to follow the guidance (which may or may not also equate to a breach of consumer law) which could result in the provider agreeing to remedy any such failure. We would argue that in these circumstances, where the institution has agreed publically to remedy any shortcomings that it should not then be penalised by not being able to fully access the TEF.
- c. How would timing work? Suppose a breach is determined half-way through an academic year, when fees based on TEF outcomes have already been set or paid. How would any sanction apply and from when and to what degree? If a provider had progressed to TEF level 4, would it drop back to zero?
- d. How would an institution satisfy the pre-condition – would this be by there being no evidence to the contrary or adverse findings by the CMA or the courts. When and how would such a determination lapse? Is the condition to

be an on-going requirement? If so, how would this be monitored?

- e. How in practice would the precondition between consumer protection law and the TEF be handled? What process would apply? Who would have the ultimate decision? Would there be any appeal? How long would any sanctions apply for? Would there be any element of discretion available to the body responsible for overseeing the TEF?

So, we suggest that compliance with the CMA Guidance as a pre-condition for eligibility for the TEF is not practicable should not be applied. Alternative approaches might include:

- a. inviting providers to submit evidence of their approach to compliance with the guidance as contextual information to their TEF application, which might contribute positively to their TEF outcomes. However, it is debatable as a matter of principle whether evidence of legal compliance is relevant and appropriate context for sound and credible judgements about teaching quality;
- b. seeking assurances of compliance in this area as part of regulatory assurances that will be required from providers in order to maintain their standing as an HE provider. This seems preferable provided it does not add an unnecessary additional burden to regulatory assurances.

**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.**

We suggest building the following into the approach to TEF information:

- using existing, standardised and simple data and existing data return systems as far as possible;
- ensuring that the QA and TEF processes are aligned or fully integrated as one process;
- ensuring that the amount of contextual information requested or permitted is proportionate and that institutions are encouraged to draw on existing information used for other purposes including for the provider's own management information purposes;
- alignment over time between the TEF themes and those used for other quality purposes;
- keeping the frequency of changes to the information used/required to a minimum. This is another argument for a period of experimentation and thorough testing of the TEF so that changes in the light of experience can be minimised.

As details of the TEF information and data processes have not yet been determined, it is not possible to provide evidence of potential administrative costs.

Most institutions use large databases of some description to retain and report on their student data. These require considerable configuration and every change, or

new report, requires substantial work in systems development, resulting in both direct and indirect costs to the institution. So modifying these systems for the TEF will be costly.

**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.**

Please see our response to question 5 for points to be taken into consideration in the approach to differentiation as the TEF develops.

The current proposals are not yet clear enough in terms of the differentiation between the four levels proposed and we would be concerned if this differentiation adds unnecessary complexity to the information that is designed to support prospective students in their decision-making.

Careful attention should be paid to how messaging around the TEF is delivered to ensure it makes clear that higher levels represent real excellence rather than that failure to achieve them suggests poor quality. This is particularly important for ensuring the international reputation of the quality of UK degrees.

**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.**

Please see our response to question 5 for points to be taken into consideration in the approach to incentives.

We believe there is a real risk that a provider will get caught in a spiral of decline under the proposed model, which would have a detrimental impact on the experience of students at that provider and the long-term value of their award where reputational decline is involved. This may be of particular concern where students' choice about where to study is restricted because they can only realistically go to a provider near their home or are studying a specific subject.

**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.**

We are assuming that the technical consultation will be the primary vehicle for exploring whether these are the right themes and what metrics and contextual information would constitute proportionate, robust and credible evidence of excellence within and across them. However, these seem appropriate. We note that as yet there is no established method of assessing learning gain, but HEFCE is undertaking work on this.

**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.**

The metrics explored in the Green Paper include examples of proxies for teaching excellence. In line with our earlier comments, we believe it is important to: have a thorough technical consultation on the TEF metrics and methodology; to acknowledge the complexity of assessing teaching excellence while ensuring proportionality; to ensure that the evidence used is robust; to benchmark metrics against the characteristics of the student intake, subject mix and location; to ensure metrics show performance over time. We suggest it would be preferable for implementation timescales beyond TEF level 1 to allow scope to evaluate the effectiveness of the evidence base.

We have reservations about the suitability of graduate earnings data as a proxy for teaching quality as it has been demonstrated that the level of graduate earnings is influenced by a multiplicity of factors other than the impact on graduates of the quality of the teaching they have received. These include: geography and local economic factors; professional/employment sectors and how earnings for those sectors and professions are set and controlled (e.g. public sector pay constraint); socio-economic background and social capital; direct and indirect discrimination on the basis of protected characteristics.

We also advise caution about using contact time (see also our response to question 2) and types of staff employment contracts. We refer to the response to this consultation submitted by UCEA for a more extensive discussion of the issues in relation to the use of staff contract types as a metric.

Given the Green Paper's aspiration that all levels and modes of teaching should be included in the TEF over time, we make the observation that there is a relative lack of readily available comparative performance data available for postgraduate and part-time teaching compared to that available for full-time undergraduates.

## 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.

AHUA members reflect the full range of diversity of providers and the contribution that different providers make to social mobility and widening participation. We welcome the emphasis the Green Paper puts on the importance of higher education in supporting social mobility. We support the Government's commitment to increasing access for students from under-represented groups and ensuring good outcomes for these students. The institutions that AHUA members represent are already presented with a range of challenges in delivering against these aims, such as attracting students from a relatively small pool of well-qualified disadvantaged students to the most selective institutions and ensuring student retention and success in those institutions that are most successful in widening participation. These challenges will be increased by reductions in the supporting funding. If outcomes remain such a strong focus in the TEF and the balancing effect of contextualisation is insufficient, then we have some concerns that the proposals in the Green Paper as they stand may incentivise providers to favour and focus on students from well-represented groups

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

Yes       No       Not sure

Please give reasons for your answer.

We agree that targets are useful to help focus the sector on this important issue but feel strongly that providers should set their own targets for access and widening participation in order to ensure commitment and buy-in to the targets and their relevance to the circumstances and individual challenges of the provider.

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

We have commented earlier on the need to consider the issues in relation to the participation of mature and part-time students.

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

Additional data may provide opportunities to identify what interventions and approaches are most effective in improving access and student outcomes in terms of student retention and success. Longitudinal tracking of the key decision and progression points at an individual level supports robust evaluation of interventions (especially the differential impact of interventions on different groups) and assessment of value for money. In turn this will inform investment decisions and WP policy more broadly. With an increased focus on retention and success, longitudinal data becomes more important. Currently, missing data around UCAS applications make this difficult and burdensome with lots of duplication of effort across the sector.

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

HESA is currently consulting on a major data landscape project that will have significant implications for institutions in terms of increased burden. There is an opportunity to bring together agendas around timeliness, quality and relevance of student data (HESA) with the proposals around data in the Green Paper. There is a significant risk that each different policy agenda requires slightly different data, significantly increasing the data burden. A careful and consultative approach to identifying additional data needs, and collection and verification processes, is needed.

**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.**

We agree that there is unnecessary complication and duplication in current arrangements for entry to the sector and streamlining into a single route under one regulator is welcome. The proposed arrangements should offer opportunities for efficiencies for providers and regulators compared to current arrangements.

We also support the intentions of the Green Paper to support innovation and opportunity in the sector by encouraging entry by new providers and diversity in types of providers.

However, careful consideration needs to be given to ensuring that the proposed changes are consistent with the aim of placing students at the heart of the system and ensuring that all aspects of the HE system operate in the best long term interests of students collectively, and that adequate safeguards are in place. Specifically, we do not believe it is in the best interests of students for entry to the system to be made significantly faster or easier.

There is a recognised relationship between entry thresholds and the level of risk in the sector, which is that high thresholds for entry are likely to reduce risk and vice versa. AHUA has previously contributed to discussions about the future regulation of the higher education sector that have been influenced by this relationship. The Green Paper's commitment to lower barriers to entry is explicit, but we question whether the balance of what is proposed is right from the perspective of protecting students, and in relation to safeguarding the quality and reputation of the UK HE sector as a whole.

We argue that high thresholds for entry are important to ensure that:

1. students receive a high quality education with limited risks that recognise their vulnerable status as consumers;
2. the collective reputation of UK HE is not undermined by the entry of low quality or unsustainable providers who may not be committed to the long term;
3. there is confidence that a risk-based approach to regulation can be applied which allows a lighter touch to be applied for providers who have demonstrated established track records;
4. students can rely on the long term value of their qualification because there is a high level of confidence in the quality and longevity of providers.

We are not convinced that the arrangements proposed in the White Paper demonstrate these characteristics.

In particular we are concerned at the toleration of provider exit that the proposals convey, which we feel strongly is inappropriate and potentially dangerous. It underplays the significant impact of provider failure/exit on students, in terms of the time and opportunity cost of disruption to or discontinuation of their studies and the devaluing of their qualification, the impacts of which cannot be sufficiently and satisfactorily mitigated by financial compensation. The vast majority of students will only get one opportunity to study for a particular higher education qualification, so this choice is arguably more significant than any other purchase they will make. As a consequence it is vitally important that students have confidence in the soundness of their choice of provider and the provider's sustainability, not just at the point of decision but for many years into the future.

As well as the student interest, there is also a duty to the taxpayer to ensure value for money in HE provision and to avoid provider failures. Failures are likely to result in additional costs within the regulatory system and potentially on the part of providers who 'rescue' the students of failed providers. Taxpayers would also be funding the RAB charge for any unpaid student loans that may arise from students of failed providers.

It is important that the Office for Students is appropriately resourced to fulfil its role as gatekeeper and regulator for the sector and that the cost of the regulator is fairly apportioned on the basis not simply of provider size but also according to provider risk.

Paragraph 3 of part B, chapter 1 rightly highlights the excellent global reputation that HE in England (and the whole of the UK) has earned. This reputation has been built up over many decades, in some cases over centuries. If controls on entry are insufficient to prevent providers who fail, either academically or financially, from entering the system, then these failures risk tarnishing the reputation of the whole sector at a time when competition from overseas, in particular Australia and the U.S., is becoming ever fiercer. Since higher education is a major UK export industry for the UK, any threat to this global reputation must be a matter of concern.

### Question 15:

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

Yes       No       Not sure

Please give reasons for your answer

We are not clear that the proposed criteria and process for the award of degree awarding powers and University title are sufficiently rigorous, and in particular we feel that the proposed timescales for demonstrating track record have been reduced too far. Probationary arrangements must be both long and robust enough to test ability to sustain the characteristics of a sound, good quality provider. This evidence of sustainable quality provision provides protection for students.

We are not convinced that removing DAPs from a provider is likely to be an effective or in many cases feasible sanction. The consequences for that provider's current and previous students would be so severe that it could act as a disincentive to any regulator to do so. The potential consequence is that a poor quality provider could be allowed to continue, in order to avoid these negative impacts. We believe that it is therefore better if the right is not given to providers that do not have a strong track record in the first place.

The proposals are likely to lead to a proliferation of providers with a University title, which increases the potential for confusion on the part of prospective students and employers and even opens up the possibility of what might be regarded as mis-selling in the context of expectations of what is a university. It also raises the prospect of the UK sector being out of step with most international comparators and expectations, with consequent damage to the sector's reputation and standing.

The proposals do not appear to take account of available evidence about new provider performance and risk. Recent QAA reviews have identified a trend of poor provision and learning opportunities in a significant number of new or alternative



providers, which raises concerns that any reduction in requirements will have a negative impact on students and on the reputation of the sector.

We believe that the proposals must ensure regular monitoring is robust and the frequency of review should initially err on the side of caution. It should involve regular dialogue between providers and the Office for Students and involve a great deal of rigour.

Overall, the approach seems to be one which significantly increases the risk of unprepared and uncommitted providers entering the market and attaining further powers and status against less rigorous tests than currently. We would argue that a risk based approach should be much more concerned with balancing risks and benefits.

The benefit that students derive from university goes beyond solely what they learn on their course, through directed or individual study. They gain socially and intellectually from the interactions with other students from a range of different disciplines and the wider social, cultural and sporting opportunities offered by university, including through their Students' Unions. Such experiences help to increase students' confidence and social capital, which is as important to their future success as qualifications. This is particularly important for students from disadvantaged or under-represented backgrounds, whose previous experience may not have given them the opportunities afforded to those, for example, from higher socio-economic groups. So offering University title to institutions with very limited numbers of students, where there are minimal opportunities beyond the study of one specific course, could undermine the widely understood concept of a university. This risks confusion in the marketplace.

It would be interesting if the meaning of being a university in the context of the Green Paper's proposals were to be clarified. The proposed changes around University title seem to lead to it being synonymous simply with being a higher education provider. Most universities have much broader responsibilities (and incurred costs), some of which are enshrined in their charters or charitable objectives, notwithstanding core activities around research and scholarship. The civic role of universities, including sometimes considerable contributions and subsidies to public and societal engagement and culture, seems in danger of being lost. We note that these wider characteristics and responsibilities of universities are an internationally accepted and recognised norm and consideration should be given to the question of the impact on the UK HE's international reputation of significant departure from that norm.

Students rely heavily on the reputation of their university in their future careers. If the University title is devalued by being too liberally allowed, it will devalue the currency for graduates from all universities, and hence is not in the student interest. We oppose the proposal to remove the distinction between a University and a University College.

In the light of proposed changes to the criteria on size and location, we would welcome clarification of whether it is intended that a provider with no track record of delivering higher education provision and awards in the UK could be awarded

DAPs and University title in the UK. We would argue that this would not be consistent with maintaining the high reputation of UK HE.

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

We acknowledge the concerns that have been expressed by new providers that the system of seeking validation from an established provider can be seen as an anti-competitive practice. It would be interesting to make transparent the evidence base for this view. It is also important to weigh up against this view the benefits of the current arrangements. In addition to providing experienced and verified quality assurance, the validation arrangements currently in place can bring supportive and developmental benefits to new entrants to the market. Validating institutions support their partner institutions to develop and be successful, transfer knowledge and experience and provide training and staff development opportunities and the possibility of becoming part of a wider academic community. The new provider has the opportunity and support to gain confidence and understanding before acquiring their own degree awarding powers. There is a risk from different arrangements that this support and mentoring element would be lost.

We note that many established providers already offer a commercial validation service.

Of the three options, we believe that the Government approving, endorsing or contracting existing bodies with DAPs to operate as central validating bodies is the most feasible. These organisations would already have the experience and expertise necessary to ensure the degrees they validate are of a high standard and safeguard students' interests.

We would recommend strongly against the Office for Students becoming a validation body as this could lead to a conflict of responsibility with its other proposed roles - promoting student interests, ensuring quality, possibly some funding, possibly institutional assurance / sector health assurance, and regulating providers.

We would not recommend a solution where non-teaching bodies be granted DAPs. These bodies have no prior experience in validation and as such would be required to build up this expertise. More importantly, experience in teaching is important to make sound judgements in assessment and appeals processes.

**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.**

As our previous comments would indicate, we would advocate that any action to improve the rate of entry to the HE sector should ensure that the sector's overall world-class reputation and students' best interests are protected. We believe that it is right to remove any unnecessary delays in the entry process. Removing the specific windows in the HER (AP) process seems a sensible step to achieving this. However, speeding up entry should not mean lowering the level or rigour of quality checks or reducing evidence of track record. Overall, we would argue that the risks of significantly speeding up entry outweigh the potential benefits.

## 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.

The consequences for students of course closure, campus closure or provider closure can be very different. Course closures across the sector are relatively common and established providers have reputable processes for dealing with this. The sector has recently signed up to the statement of good practice on higher education course changes and closures. It is right that these arrangements should be in place, but requirements do not need to go beyond the formalisation of current good practice.

Campus closure is far less common and it would be right to expect arrangements in these instances to be spelled out and assured within the regulatory framework.

We note that consumer protection legislation requires providers to establish in terms and conditions how they will protect students by ensuring reasonable provisions for the continuity of provision. The law also requires financial compensation in appropriate circumstances. As we have commented earlier, the proposal for a bond or insurance scheme in the event of course or institutional closure is insufficient to address all the consequences for students of closing provision.

We suggest a risk-based approach to provider exit. Although it is clearly important that the sector is able to cope with the exit of a provider, we do not believe that the solution is for established providers to have contingency plans in place to cover the unlikely eventuality that all of their students need to be moved elsewhere. The complexities and costs of setting up agreements in advance of such a rare adverse circumstance would be prohibitive and would constrain providers' ability to operate in a competitive environment. We believe that the Office for Students should be given responsibility for developing a scheme for ensuring and incentivising collaboration between providers in the case of provider exit. This collaborative

sector-wide approach has been demonstrated to be successful in the past. There will be costs for the Office for Students in managing provider exit. It would be appropriate (as now) for the Exchequer to bear these costs rather than them falling on other HE providers who have been successful and remained committed to the long term sustainability of their provision.

We also make the observation that the credit-worthiness of the sector and individual institutions relies on the assumption that there is currently sector-wide mitigation by government and the funding councils of the likelihood and impact of provider failure. Therefore, we question whether it is advisable and in the collective interest of the sector to signal in the Green Paper what appears to be much more explicit Government acceptance of provider failure and exit, as it could lead to loss of confidence by lenders, poorer credit ratings and higher borrowing costs for all.

The response to the Green Paper from UCEA sets out fully and authoritatively issues with respect to sector pension arrangements in the circumstances of provider exit or fundamental change of corporate form. These issues relate to both to the covenant behind sector-funded schemes and the continuity of pension responsibilities to employees and liabilities. Rather than rehearse the details here, we recommend that the UCEA response on these issues is acknowledged and taken into consideration.

## 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.**

We support the move to a single regulator in the Office for Students (OfS) and the integration of OFFA is a welcome step. We have concerns around the very singular focus on the student interest implied by its title. There is a risk that its primary purpose is seen as that of a consumer protection agency, although that does not seem to be the Green Paper's intention as the totality of the remit of the remit proposed, including for example the TEF and the quality assessment system, is much wider than that.

HEI financial sustainability depends upon numerous income streams, some predominantly teaching or research-related, others through commercial activities, enterprise or provision of local services. HEIs also undertake valuable work beyond teaching and research, including supporting community engagement and social cohesion, enterprise and innovation, employment and local business growth. The sector regulator should be able to understand and oversee all aspects of the sustainability of providers and be able to safeguard and co-ordinate the national policy, stakeholder, economic, societal and charitable interests in higher education.

It is squarely in the student interest that research and teaching should be considered together and regulated together as they are mutually interconnected. We are concerned that the porosity and relationship between teaching and research is not reflected in the description of the proposed regulator as being a body concerned only with the oversight of teaching in higher education. Many institutions have an anchor role in their communities, with important links with employers, business, NHS, cultural and sporting life; they connect their localities to the world through their global reach. This brings benefit to students via employment, placement, enrichment, international and volunteering opportunities. This breadth of activities is what universities are about. The regulator needs to take a 'whole institution' view, and be responsible for REF and QR as well as TEF and the remnants of T funding. This is not about institutional sustainability, it is about the capabilities of staff at the regulator to be knowledgeable about and empathetic with the complexity and subtleties of what HE does. We would also argue for senior HE staff to be on the board, especially if the sector is paying for the regulator.

It is an important matter of principle for a sector made up of autonomous organisations that there should be an independent, arms-length body capable of advising on and formulating suitable approaches to HE development and implementation in the light of government priorities and policies, based on sustained understanding of and expertise about the sector.

This broad and well-informed oversight is also important in view of the increased risk and complexity inherent in the increasing diversity of providers.

Overall, we feel it to be crucial that the full purposes of higher education should be explicitly reflected in the regulator's remit and oversight and the body should have responsibility for the overall health of the sector. We suggest that the regulator is named the "**Office for Students and Higher Education**".

We support the principle that all providers should be regulated in the same way, and subject to the same regulatory and statutory requirements (Chapter 2, paragraph 22). We assume that this should mean that either all providers who receive income from public sources are subject to requirements on public bodies such as the Freedom of Information Act and the public sector Equality Duty or that it is decided that these requirements apply to none. The current differences between providers constrain operating competitively on an equal basis, incur additional cost and are inconsistent with the objective of reducing bureaucracy.

Much of the current regulatory burden on HEIs comes from the accountability requirements of bodies other than HEFCE, including Ofsted, the NHS, PSRBs and various parts of government. Moves to streamline and reduce the burden created by detailed and bespoke data provision requirements by these different bodies are to be welcomed.

We would be interested to see further detail on a subscription model for funding the regulator including whether there will be additional payments to other bodies discharging sector roles including on the regulator's behalf. We suggest that providers' subscriptions should in some way reflect their risk as well as their size.

We do not support the proposal for the Secretary of State to have a power which enables BIS or a specified partner organisation to enter and inspect education providers. This would undermine the commitment to institutional autonomy and protections against political interference.

**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?**

The OfS should have the power to contract out functions where it makes sense, for example for reasons of efficiency, effectiveness, specialist expertise or where a degree of independence is desirable. We believe that the OfS should be responsible for deciding on the most appropriate models to use.

**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 likely that government funding for higher education will need to become more targeted rather than be allocated by formula in order to derive the greatest value and impact from more limited resources. Allocations will benefit from the independence, long term perspective and expertise about the sector that can reside in the OfS; this is currently the universally acknowledged value of HEFCE. The proposal set out in paragraph 16 for an independent advisory committee adds an unnecessary layer of bureaucracy and cost; it should be feasible to accommodate an appropriate range of advisory perspectives in the make-up of the regulator's board.

There appears to be no reference in the Green Paper to HEIF or funding for museums or other support that facilitates the broader roles of universities.

**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.**

We largely agree with this proposal, provided the framework is designed to cope with diversity in the sector in terms of providers, provision, and students. However, elements of the framework are proposed to be risk-based and it follows therefore that a light touch should be applied where provider risk is low, and this affords opportunities to reduce burdens on providers, but in circumstances where there are higher risks associated with a provider greater regulation and scrutiny will be appropriate.

We have commented earlier on the additional burdens that seem likely to arise from the TEF information requirements which will come alongside other developments and demands in the information agenda. Providers are already feeling the effects of additional regulatory and compliance requirements, such as the CMA's guidance. Overall, it is not clear that the totality of regulatory burden for higher education is reducing and it may be increasing. We would be interested to understand better where and how commitments to better regulation, proportionate regulation and reducing regulatory burden will in effect be felt.

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

In our view the current arrangements work well as they stand. Students' unions are accountable to their membership, most are also accountable to the Charity Commission and universities have statutory responsibilities for their oversight which include protection of students' interests in their students' union.

It is worth noting that not all providers have a students' union or guild and perhaps this issue specifically requires consideration.

**Question 21:**

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

Yes       No       Not sure

Please also refer to our response to Question 18.

We generally believe that the powers and duties suggested in the Green Paper are appropriate but we have commented that the title should reflect the regulator's full remit for higher education matters. As stated in our response to question 15 (b), we do not believe the OfS to be the appropriate body to validate courses.

We would urge caution and careful wording of powers around course closure so that it is clear that providers have the right to determine which courses they continue. Provider failure is a very different matter.

We believe that baseline quality and teaching excellence are very different issues so it would be appropriate to separate out these duties.

Specific points within the remit should be read as relating to a collective and sector-wide rather than individual perspective.

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

Yes       No       Not sure

**Please give reasons for your answer.**

Please see our earlier responses on this point. In addition we would like to make the following points:

- it is important that the basis of any funding model for the Office for Students allows it to perform a UK-wide role;
- a subscription model would have to be demonstrably and predominantly in the student interest as the funding would be derived from students' tuition fees;
- it may be appropriate for providers who seek entry to the system to pay a non-refundable application fee, which covers the full cost of the required scrutiny otherwise established providers will be meeting the costs of such scrutiny.

**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.**

Broadly, yes but we do not support the power which would enable BIS or a specified partner organisation to enter and inspect higher education providers. We do not feel it would be appropriate to give such powers to BIS or any part of central government as, although they would no doubt be used only in extremis, the symbolic power for a government minister, through his or her officials, to make forced entry into higher education institutions, is both unnecessary and would send the wrong message internationally

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



If such a provision were introduced, then the limits would need to be both specific and unequivocal and relate to only the most extreme circumstances. Given that it would override the autonomy of providers who have a variety of legal forms, which is likely to raise complex and contentious issues in that regard, we presume that it would require primary legislation.

**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.**

Please see our earlier response on the issue of reducing regulatory burdens.

In addition, we agree with the proposals to allow HECs more freedom to review their constitutional documents, and to remove the obligation to seek approval from the Privy Council for even minor changes to governing documents.

We request clarification of whether the powers for HECs to dissolve themselves and transfer their assets would facilitate their transfer into private ownership. If so, in view of the public and Exchequer interest involved, there should be arrangements to safeguard those interests.

There are a number of pensions consequences which could result from a change in status of the employer - please refer to UCEA's response for the issues involved.

## **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?**

The proposal in the Nurse Review to form RUK to represent the collective interests of the seven UK Research Councils to BIS, and for RUK to lead mapping of the UK research (and innovation) landscape, has merit. Closer coupling of research funded by the UK Research Councils to global challenges and national priorities should lead to greater public benefit (impact) from public-funded research and improved coupling of research to national and global priorities.

Improved synergy between research funded by the UK Research Councils and business-led innovation programmes funded by Innovate UK could significantly improve the transfer of new knowledge from research to research-users, to assist with economic recovery. This could herald a return to the previous DTI co-funding mechanisms for collaborative research, where the UK Research Councils

(predominantly EPSRC) funded the academic partners and DTI funded the business partners, and this could be positive for Universities that place emphasis on business-collaborative research.

However, caution should be expressed about the potential negative consequences of this approach on research funding for academic disciplines that are not necessarily focussed on providing solutions to drive economic recovery. A greater emphasis on alignment of research council funding priorities with Innovate UK priorities could be detrimental to disciplines outside the STEM groupings - particularly to the Arts, Humanities and Social Sciences - where the public good or impact is less easily demonstrated by direct economic impact on UK GDP. Only 381 of the 6,637 Impact case studies submitted to REF2014 cited economic impact as the primary form, with 2,822 citing Societal or Cultural impact as the primary form.

It is therefore essential that in the new landscape, RUK (informed by the individual research councils) is able to understand the health of all academic disciplines and the wider contributions that these make to society. The individual research councils will need sufficient resource autonomy to protect and enhance subjects at risk in order to ensure the wider academic health of UK universities, independent of Innovate UK priorities.

The funding of PhD students through Doctoral Training Grants from UK Research Councils is critical to ensuring the supply of highly skilled people. It is therefore important that the funding available for PhD studentships, which will come increasingly through collaborative Doctoral Training Partnerships (DTP) should at minimum be protected in cash terms or ideally increased.

The future commitment of Innovate UK to co-funding PhD studentships through both doctoral training grants (DTG) and collaborative doctoral programmes such as Industrial CASE awards must be assured, to align the supply of PhD graduates in specific disciplines with economic and societal need, in full partnership with RUK and the Research Councils.

#### **Question 25:**

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

We suggest that responsibility for distributing QR is retained in the remit of the regulator, which removes the necessity for such safeguards and any complexity inherent in operating such safeguards. Maintaining the commitment to fund excellence wherever it is found through mainstream QR funding is the primary mechanism for rewarding historic excellence, based on measurements of research excellence (RAE / REF outcomes). This gives full autonomy to UK HEIs to invest strategically in growing their excellence and the continuation of QR funding is essential to the research health of the UK universities.

In addition to supporting autonomous universities, as QR supports research scholarship and innovation (often used as seed funding for a new idea, to work

through early stages pre-grant application etc.) it supports the national resource of scientific expertise and builds future capacity. QR is also vital to ensuring that charities can commission research as without the QR charitable support funding much such research could not be undertaken.

Research is supported by the UK Research Councils, charities and Innovate UK through two main modes. Responsive mode grants from Research Councils, Leverhulme, etc support curiosity-led research and must be maintained to ensure that investigator-led exploratory research can flourish. More directed research is supported through managed calls, both from UK Research Councils and for HEIs to act as ROs inside business-led Innovate UK R&D projects.

It is essential that both funding modes are maintained and that there is no move to eliminate or reduce significantly the proportion of funding available for responsive mode grants, to the detriment of the wider academic health of the UK.

A useful reference point is that the UK Research Councils have a primary responsibility to fund excellence and in partnership with Innovate UK have a shared responsibility for fund research more directed on the global challenges and economic regeneration. This could be seen as mirroring of the relationship between the European Research Council (ERC) and the Societal Challenge R&I programmes under Horizon2020. ERC encourages excellent, investigator-led research through competitive funding for individual researchers (responsive mode). The H2020 Societal Challenge programmes have managed calls for collaborative research and innovation activities aligned to the 7 global challenges.

**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**

Protecting research excellence funding in the institutional block grant is essential to give HEIs the autonomy necessary to balance investment in maintaining historic excellence and to growing future excellence aligned to the core mission of the university. Any attempt to reduce the total budget for block grant funding and switch this to increasing the supply of funding for competitive responsive mode grants or managed call grants could have a detrimental impact on university autonomy to define institutional priorities and build future excellence.

**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?**

Because of their contribution to testing, contextualising and comparing evidence, we believe that qualitative peer review panels should be retained in the REF. They also contribute to the dissemination of good practice.

Periodic measurement of institutional excellence against national and international benchmarks of research quality and impact is important for HEIs to inform understanding of their research performance and the relative strengths of their cognate disciplines. REF provides a useful focus for longitudinal measurement of research progress at an institutional and national level.

The introduction of Impact for REF2014 is seen as a positive development which allows the wider application of and benefits derived from research rated 2\* or better to be assessed by research users and is an important complement to output quality measures assessed by academic peers rather than research users. Impact in all its forms is an important measure of potential value of research to the society, the economy, public policy, culture, etc.

REF has been very important in driving up the quality of research in the UK and thus contributes to our standing and competitiveness internationally – the report from the last REF panels made clear the improvement since the previous REF.

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

The burden of REF falls on submitting institutions to prepare the REF submission; on the central HEFCE REF administration teams and on a large number of academic and research users in the UoA review panels for outputs and impact.

A reduction in the complexity and uncertainty in research funding (as per p.71 of the Green Paper) should not compromise the core role of peer review as underpinning both grant research funding and future REFs; while metrics can provide a helpful role in some subjects, they are less helpful in other subjects, particularly in the arts and humanities, and also in the social sciences, and it would be problematic to replace (as opposed to potentially supplement) peer review with metrics.

One way in which the overall burden could be spread is to build elements of the overall institutional REF return from a sub-set of annual returns made by each HEI, particularly those associated with quantitative data. Doctoral awards (RA4a), research income (RA4b), and PGR and Cat-A staff numbers are already returned annually through the HESA returns FSR5A, FSR5B, Student and Staff returns, although these are not UoA based. As this data is already returned via HESA, it would be possible to use these returns to replace REF4a and REF4b, as long as there are no additional requirements introduced into this process (which would increase the burden rather than reduce it). Such an approach would be consistent with the HEDIIP Data Futures proposals.

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

Given the move to open access publishing and the link between REF output eligibility and OA, consideration should be given to HEFCE or RUK establishing a shared Research Output Registry to which all HEIs would return research outputs on an annual basis. This would accumulate the total research outputs for each HEI by UoA together with the required bibliographic data. The ability of each submitting HEI to tag an output as open-access would also discharge the OA obligations.

The final REF return might then simply involve selection of which UoAs, which staff and which outputs should be assessed by the REF UoA panels, pulling on data already returned in the annual HESA returns mapped onto UoAs and from the OA repository.

**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.

**GPA**

We welcome any measure that facilitates student achievement and encourages consistent effort. GPA as a measure may assist this process but it is unclear what it would add to the current interim assessment processes within universities which are already modular and granular in nature. As a final measure of outcomes GPA might assist employers in differentiation but care would be needed to make the outcome comparable across institutions and to ensure that social mobility is not lost to a single point differentiation. The decision to make adoption voluntary is also welcomed as the GPA will require institutions to change systems and assessment approach which will require different investment and time. Providers must decide how, when, and if they implement GPA. National groups may facilitate this process but ultimately this is a decision for each institution alone. GPA does not in itself ensure that the way that students' achievement is recorded will be comparable between different providers. To achieve that would require a standard approach which is inconsistent with institutional autonomy and each provider's individual responsibility for its academic quality and standards.

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**