



Department
for Business
Innovation & Skills

**SUMMARY OF CONSULTATION
RESPONSES**

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

MAY 2016

Contents

Introduction.....	3
Scope of the consultation.....	3
Consultation process.....	4
Linked documents.....	4
Analysis of responses.....	5
Responses by sector.....	5
Overarching summary.....	5
Public Sector Equality Duty.....	6
The Teaching Excellence Framework.....	8
Social mobility and widening participation.....	23
The Higher Education sector.....	29
Simplifying the Higher Education architecture.....	39
Research landscape.....	50
The Research Excellence Framework.....	55
Other comments on the consultation.....	59
Annex A: List of respondents to the consultation.....	60

Introduction

The Government's consultation '*Fulfilling our Potential: Teaching Excellence, Social Mobility and Student Choice*'¹ set out proposals to reshape the higher education landscape to have students at its heart. The core aims of the reforms are to raise teaching standards, provide greater focus on graduate employability, widen participation in higher education, and open up the sector to new high-quality entrants. It also set out proposals, following the Nurse Review, relating to research and innovation.

The consultation invited comments on:

- proposals on how a Teaching Excellence Framework (TEF) might be designed and developed;
- plans to drive social mobility by further increasing higher education participation by those from disadvantaged and under-represented groups;
- a new single gateway for entry to the sector, which would create a common system for all providers;
- proposals for new architecture for the higher education system, to reflect the way higher education is now funded by students, and to reduce the regulatory burden on the sector; and,
- establishing a more strategic approach to funding research and innovation

It also sought views and further evidence on the equality impacts of the proposals in the consultation document.

Scope of the consultation

The consultation summary is relevant to those with an interest in higher education, including statutory and quasi-statutory bodies, higher education providers, representative bodies, students and employers.

Higher education is a devolved matter in Scotland, Wales and Northern Ireland so most of the proposals covered by the consultation apply to England only. However, the funding delivered through the Research Councils and some broader elements of research policy are reserved matters, so the proposals on research have UK wide applicability. Some areas of policy (such as the TEF) could conceivably also be expanded, at the discretion of the Devolved Administrations, to encompass more than just English institutions.

The Government is working closely with the Devolved Administrations on our areas of shared interest.

¹ www.gov.uk/government/consultations/higher-education-teaching-excellence-social-mobility-and-student-choice

Consultation process

The consultation opened on 6 November 2015 and closed on 15 January 2016. A total of 618 responses were received. 200 responses were submitted through Citizen Space the online consultation platform, 415 responses were received by email and 3 by post.

Throughout this document where quotes are given they are not necessarily given in full due to limited space, although we have sought to reflect balanced input from respondents. For consistency, when quoting responses we have indicated the type of respondent rather than providing the respondent name.

In addition to the formal written consultation the Department held a number of consultation events and focus group discussions with a range of stakeholders during the consultation period.

Around 250 stakeholders attended the consultation events, with a range of organisations represented including: statutory and quasi statutory bodies, representative bodies and higher education providers. Representatives included: vice chancellors, assistant principals, public affairs/press officers, chief executive officers and policy officers. The two focus groups were aimed at employers and both focused mainly on the TEF but also provided an opportunity for attendees to feed in views on all aspects of the Green Paper. Around 30 industry representatives attended the focus groups including representative bodies such as the Association of Graduate Recruiters (AGR) and the National Council for Universities and Business (NCUB) as well as individual employers.

Views expressed in all of these stakeholder events were fed into the consultation process and have helped inform the Government response to the consultation. However as many of the people attending these events and discussions also responded online or via email we have not included detailed output of these events in this summary document.

Linked documents

This document is one of a suite of documents being published setting out the Government response to the higher education consultation '*Fulfilling our Potential: Teaching Excellence, Social Mobility and Student Choice*'. Other documents being published alongside this summary of responses can be found at:

www.gov.uk/government/publications/higher-education-success-as-a-knowledge-economy-white-paper

Analysis of responses

A total of 618 responses were received. 200 responses were submitted through Citizen Space the online consultation platform, 415 responses were received by email and 3 by post.

88 responses to the consultation were not in a format suitable to upload onto our online platform. Therefore, although these consultation responses have been considered in detail as part of our analysis they are not included in any numerical analysis included in this document.

Responses by sector

The 618 responses came from a range of organisations and individuals including higher education providers (comprising 136 higher education institutions (HEIs), 26 alternative providers and 22 further education colleges); 96 individuals including staff and academics working in the HE sector, students and parents; 78 students' unions; and other organisations including representative and professional bodies, businesses/employers, charities, trade unions and awarding organisations. We received two joint statements from institutions and their student union and several respondents submitted additional information or evidence along with their responses.

A list of all organisations that responded to the consultation is included at Annex A.

Overarching summary

On the whole there was broad support for the overall policy objectives set out in the Green Paper. The focus on teaching excellence, widening participation and putting students at the heart of the system were widely endorsed and there was near universal support for Government's continued commitment to the Haldane principle. There were mixed views on the increased focus on a market led approach and the increasing role of for-profit providers. However, increased student information and choice was welcomed.

In several areas, particularly TEF and research, further detail was called for, and ongoing consultation with stakeholders through the transition to new arrangements was considered important. The interdependence between research and teaching was highlighted and clarity was requested on how the strategic oversight of these will operate under the new structure.

There was a strong recurring message on the need to retain high standards and ensure the reforms protect the value of the UK degree and the world class reputation and quality of UK higher education and research.

Respondents recognised the policy divergence across the Devolved Administrations in the UK, but the importance of a coherent sector for students, employers and institutions themselves was emphasised. Ongoing discussion between the Devolved Administrations to consider UK wide implications of the proposed reforms was widely advocated.

Our Higher Education and Research White Paper '*Success as a Knowledge Economy: Teaching Excellence, Social Mobility and Student Choice*'² sets out how we will implement changes.

Public Sector Equality Duty

We set out our consideration of the potential equality impacts for our proposals and plans in Annex A of the Green Paper and sought views and additional evidence.

Question 1

- Responses to questions (1a) and (1b) were wide-ranging. Respondents tended to answer both parts in a similar manner, often leaving one blank in favour of the other. Given the overlap in responses they have been summarised together.

Question 1a) What are your views on the potential equality impacts of the proposals, and other plans, that are set out in this consultation?

Question 1b) Are there any equality impacts that we have not considered? If so, please provide any further relevant evidence.

- Around 66% of those who expressed a view said there were equality impacts that had not been considered. Around 13% said there were not and 21% were not sure.

Overall respondents were supportive of the focus on widening participation and its significance in driving social mobility and welcomed the opportunities for TEF and widening participation goals to work coherently together.

Many respondents felt the Green Paper put too much emphasis on young, full time undergraduates, whilst part-time and mature students were mentioned less. Additionally, many respondents referred to groups not featured in the analysis, in particular, young adult carers and care leavers entering higher education that face significant disadvantage.

On the TEF, the most frequent comments were on the link between TEF and tuition fees. Additionally, on the student satisfaction metric, respondents reflected some observed bias against certain characteristics (e.g. bias against women).

- There was some concern that changes to student support and reductions in funding through the Student Opportunity Funding (SOF) would impact on our widening participation goals and social mobility more generally. Some respondents recommended the Government should focus particularly on access and success of students from under-represented groups at the most selective providers.

² www.gov.uk/government/publications/higher-education-success-as-a-knowledge-economy-white-paper

It was recognised that new providers are likely to have a positive impact in attracting individuals from disadvantaged and/or protected groups. However some respondents were concerned that the proposals could lead to a more volatile sector and thought the impacts of volatility might also most affect students from these groups. For example, in the event of provider closure/exit, students from these groups are likely to find it difficult to relocate, this may be for financial reasons, or because they are less mobile (e.g. carers, disabled students, mature students). Some queried whether the proposed student protection could fully mitigate against the impacts of a provider exit.

There were very few comments on equality impacts in relation to the architecture/Office for Students (OfS) and research proposals.

The Teaching Excellence Framework

Respondents were supportive of the overall aims of the TEF and the focus on high quality teaching to drive up standards and improve student choice. Many respondents felt more detail was required to enable them to comment on some of the more technical aspects and the technical consultation was seen as the vehicle to enable them to do this. There were concerns about the implementation timetable being too ambitious and calls for testing and piloting approaches prior to full implementation. Another common theme across questions was the need to consider the UK-wide implications of introducing a TEF in England.

In the Green Paper, we proposed a quick timetable towards implementation, with four different TEF ratings and differential fee caps introduced from Year Two. Responses to the consultation and the recent report by the Business, Innovation and Skills Select Committee emphasised that such an important change must not be rushed. We have responded to the sector's concerns and are now proposing that Year Two will be a trial year with three levels instead of four and that we will pilot discipline level assessments in Year Three. Our Higher Education and Research White Paper sets out the detail on how we will implement the TEF. The technical consultation covers the operational detail proposed for Year Two of the TEF.

Questions 2-11

- There was a lot of duplication across questions 2-11, with respondents often repeating similar points in their answers to different questions. To avoid duplication, the following summary covers the points made under the most appropriate question heading and cross references other questions, where necessary.

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.

Respondents recognised the benefits of better information for both students and employers and felt it was important that information should be presented in a clear, useable and meaningful way, centrally located and accessible to all. The majority of respondents commenting on this agreed that students and employers would both need different information and some suggested that additional guidance would need to be provided to allow students to understand what the information is and how it has been collated.

A number of respondents highlighted the amount of data already available and suggested that TEF presented an opportunity to bring together information on access, retention, student satisfaction, teaching quality and employability. This would give prospective students a better picture of the learning, teaching and the student experience they could expect and would allow them to make better comparisons and decisions about where and what they study.

Respondents also commented that the data would need to be benchmarked for it to be most useful. There were several respondents, as detailed further in question 11 who were concerned about the use of proxies to measure teaching quality, however many also

welcomed the review by the Office for National Statistics to consider the robustness of data sources that will underpin these metrics.

Business groups were positive about the direction of travel of TEF as they felt it provides an opportunity to give employers greater transparency and to help address the current mismatch in the graduate labour market. They would like to see the TEF developed in a way that will allow employers to ascertain the employability or 'work-readiness' of graduates ideally taking into account the amount of industry experience and exposure of students to employers.

“The direction of the green paper is positive – the Teaching Excellence Framework (TEF) provides an opportunity to encourage high-quality teaching, as well as giving students and employers greater transparency – and can help address the current mismatch in the graduate labour market.” *Representative body*

Many also believe that the TEF could help to further encourage employers and higher education providers to work together on the curriculum and course design to match the needs of students and businesses.

Responses to question 2 also commented on the proposals in the Green Paper on Grade Point Average (GPA). A significant number recognised that introducing the GPA system could provide more detailed information on a student's academic achievement, during their whole course; more granular information than a simple final degree classification; help to mitigate the 'cliff-edge' distinction of the 2:1/2:2 divide and motivate students through continual assessment.

However, many also questioned the value of moving to a GPA system, as it would not alone address the problems of the current system - including grade inflation and comparability across institutions and the associated cost and administrative burden. Some respondents said that enforcing a move to GPA would infringe institutional autonomy and some respondents highlighted the value of the Higher Education Achievement Report (HEAR) as another valuable tool.

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? Please give reasons for your answers.

- Around 67% of those who expressed a view agreed that the aim should be for TEF to apply to all higher education (HE) providers, all disciplines, all modes of delivery and all levels. Around 15% disagreed with around 17% not sure.

Many were clear that the TEF needed to be inclusive by including alternative providers and further education colleges, in order to create a level playing field across the sector, which they felt was an important objective. Respondents also noted that a widely inclusive TEF could fail to recognise the unique attributes of different types of providers. There was also some concern that creating such a broad framework risked standardising the sector and stifling innovation.

In terms of the types of provision within scope of TEF, many suggested that in addition to full time undergraduate provision consideration should be given to including part time courses, degree apprenticeships, combined degrees and blended delivery models.

“To allow for a fair and thorough comparison, the TEF must be used across all HE qualifications, attendance modes, levels, disciplines and providers. If not, any that were excluded would put providers specialising in those qualifications at a disadvantage as they would be unable to access the tuition fee uplift; and could lead to less diversity and possibly stifle innovation.” *Representative body*

“We agree with this principle – it should certainly include all disciplines and levels (i.e. both undergraduate and postgraduate), and where possible modes of delivery – but again we would emphasise the importance of benchmarking and contextualising key metrics and other TEF information.” *Higher education institution*

“Restricting access to the TEF would indicate that some students’ education is not deserving of the same scrutiny as others’. This presents the danger of creating a two-tiered system.” *Students’ union*

Many were also keen to include transnational education in TEF, to ensure it was not seen as lower quality. There were mixed views on whether TEF should aim to apply to postgraduate teaching (including taught doctoral and M Res levels), but most respondents agreed that this needed further consideration.

A few respondents asked questions about how remote campuses and franchised provision would be covered by TEF.

Several respondents were concerned that alternative providers, smaller institutions and non-selective providers would not have sufficient or comparable data to demonstrate teaching excellence, at least at the outset, and a parallel process for such providers during the early phases was suggested.

Many respondents both in England and the Devolved Administrations felt it important that TEF extended to the Devolved Administrations. This was for a range of reasons.

- Some were concerned that an England-only TEF would create an unfair additional burden on English institutions.
- Others were concerned that a lack of TEF rating for institutions in Devolved Administrations would be misinterpreted as evidence of poor quality teaching.
- Several stressed the importance of a UK wide TEF to maintain a reputation of excellence across the UK HE brand.
- Respondents located outside England also cautioned that the TEF needed to take account of different higher education systems.

“We also hope that you succeed in engaging the devolved administrations with the TEF. Prospective students should have the same information about all education institutions in the UK. Engagement may also reduce the risk of devolved nations becoming marginalised.” *Professional body*

Some respondents to this question also picked up points around definitions of teaching excellence (covered in question 10), metrics (covered in question 11) and phasing (covered in question 2).

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?

Most respondents agreed that an access agreement should be a pre-requisite for TEF. Many respondents argued that they should also be required for any type of provider in order to be designated for student funding; gaining degree awarding powers (DAPs), and achieving university title (UT) status.

Some noted that requiring an access agreement would help to support the Government’s aim to create a level playing field in higher education as it would require all institutions to make commitments on widening participation, including new entrants and alternative providers. Others felt there is a positive link between widening participation and teaching quality, which presents a case for better integration of the access and quality regimes.

A number of respondents argued that requiring an access agreement for TEF eligibility could discourage those providers who choose not to charge fees over £6,000 and that these were exactly the types of providers most likely to be reaching the most disadvantaged groups. Many have excellent teaching and by excluding them from participating in the TEF there was a risk that the proposals could undermine the aims of the Green Paper to widen access to higher education.

Others set out that widening participation covered more than simply access. They argued that the promotion of teaching quality and promotion of access are two very different policy challenges that require different types of responses and interventions and hence, the TEF should not look to measure or reward access as it would not be a measure of teaching quality. Some respondents argued that the TEF should support widening participation in other ways by focusing on recognising successful outcomes of teaching and by taking account of entry profiles.

“Small or alternative providers are already heavily burdened through their requirements for external accountability through Quality Assurance (e.g. QAA Reviews), validation and accreditation ([our college] has approximately eight external entities to report to already). The TEF award should not impose even more burdens.” *Alternative provider*

“There are risks to making the TEF conditional on other policy goals. Access Agreements could be a sensible condition of TEF awards to the extent that

these constitute part of what students value in HE. If this is not the case, and the government wants to mandate or incentivise a commitment from providers to widen participation that goes beyond the baseline regulation (and especially above TEF level 1), we would recommend that BIS consider a more direct approach that is less likely to undermine the power of TEF as a signal of quality to prospective students.” *Government body*

“If the government is committed to enabling new providers to enter the market to increase choice, then it would be correct to judge these new providers by the same standards applied to existing Universities”. *Higher education institution*

Several respondents recognised that under the current legislative framework some providers are not required to have an access agreement and in future this will also be the case for Approved providers. A range of alternative approaches were suggested including:

- Offering providers the opportunity to submit voluntary access agreements to the DFA or a widening participation commentary in their TEF application.
- Incorporating a widening participation aspect into the quality assurance assessment.
- Using the existing oversight in place through validation or accreditation of degrees by relevant professional bodies.
- For smaller providers to show that the proportion of students from disadvantaged backgrounds meets an agreed threshold level.

Some respondents were concerned about potential perverse incentives, for example by prioritising continuation as a measure of how well an institution supports its students, institutions may be likely to attempt to recruit students with other background characteristics that make continuation more likely.

Question 5a: Do you agree with the proposals on what would constitute a ‘successful’ QA review. Please give reasons for your answer.

- Around 56% of those who expressed a view agreed with the proposal on what would constitute a ‘successful’ quality assessment (QA) review. Around 24% disagreed and 20% were not sure.

Many respondents agreed that a successful QA report was a good starting point for Year One of the TEF, citing the Quality Assurance Agency for Higher Education’s (QAA) proven track record and the fact that using this would reduce administrative burden. Some respondents asked questions about how older or alternative reviews would be treated.

There were questions about how far a threshold QA check could be used to represent a mark of excellence. A theme was that this is simply reflecting “business as usual”.

“The definition of a successful review is based on a well-established nationally recognised and independent peer review process. There is no other alternative.” *Awarding organisation*

Question 5b: Do you agree with proposals on the incentives that should be open to alternative providers for the first year of the TEF?

- There was a mixed response to this question with slightly more of those that responded disagreeing (around 39%) than agreeing (around 33%). 28% were not sure.

Respondents disagreeing with incentives being open to alternative providers gave various reasons. These included: a lack of established track record; objecting to incentives for any providers (including alternative providers); and suggesting that this would risk the reputation of UK HE.

Some respondents thought rewarding alternative providers through the performance pool would be the best incentive. Those agreeing with incentives being offered to alternative providers believed this would be fair and that all providers should be treated the same, particularly as one of the Government’s aims is to level the playing the field. Several respondents suggested that there should be no distinction between incentives offered to alternative providers and other HE providers.

Additionally a few respondents suggested other incentives. Examples included incentives ‘more closely aligned with their needs’ or being able to choose fee uplift or increased student numbers if they do not have DAPs.

“Alternative providers with a good track record should be included in TEF 1 and we would suggest more than one successful QA review should be required to be eligible for TEF.” *Higher education institution*

“We cannot see the logic of some alternative providers being able to raise fees with inflation but others not, when both have a level 1 TEF award. Linking this with whether a provider has its own degree awarding powers or not seems spurious.” *Alternative provider*

Question 5c: Do you agree with the proposal to move to differentiated levels of TEF from year two? Please give reasons for your answers to question 5.

- Respondents most frequently disagreed with moving to differentiated levels from Year Two (around 48% of those who expressed a view). Around 23% agreed and 29% were not sure.

Many respondents argued that differentiated levels of the TEF and in particular fee differentiation could be complicated.

A number of respondents felt the timescale for differentiated levels of TEF was not practical and suggested:

- Allowing time to 'test' or 'pilot' the TEF before moving to differentiated levels giving the processes time to 'bed in'.
- Metrics should be tried, tested and broadly considered robust before moving further.
- Differentiated levels could lead to a reduction in the amount of provision at the lower levels of TEF.

"We would encourage a simple TEF model which has a pass/ fail threshold at institutional level to support raising of the fee cap. At this stage it is unclear what the potential cost / benefits are from moving to more differentiated levels without seeing the detail of the criteria and the bureaucracy involved in the application and assessment process. For example, if it is proposed that an inflation linked rise in fees is spread incrementally across four levels of TEF then when inflation is low as it is likely to be for the foreseeable future, then this would create a very complex fee system to administer but with relatively little real incentive between the interim TEF levels." *Higher education institution*

"There is a great deal of consultation and development needed for any form of TEF to be introduced and the preparation needed would be extensive. The involvement of universities, students and Students' Unions in the Technical Consultation is key and should not be rushed. Any haste would result in great damage to the sector and actually counteract the aims of the proposals. [Our] Students' Union proposes the delay of the introduction of any form of TEF or differentiation from year two." *Students' union*

Some responses suggested that differentiation could be achieved in a different way by identifying 'commendable' or 'outstanding' practice within institutions around key themes such as: retention, student personal development, graduate employability.

Question 6: Do you agree with the proposed approach to (a) timing of TEF assessments? (b) TEF assessments panels? (c) TEF assessments process?

- A number of respondents indicated that the type of detail alluded to in this question was difficult to answer without more information and there was an assumption that there would be further opportunities for more input, once the technical consultation has been published.
- On timing of TEF assessment around 41% of respondents who expressed a view disagreed, around 32% agreed and 27% were not sure.
- On assessment panels those that responded to the question were split almost equally between those who agreed (33%), did not agree (33%) or were not sure (34%).
- On the assessment process more respondents disagreed than agreed (around 38% disagreed and around 19% agreed)

There was broad consensus, amongst those who commented, that a rolling application window would be appropriate, albeit with some caution around the likely volume of applications for the first few years, whilst the system bedded in. This support was often caveated with the need to align the application windows with other review activity happening across government, such as the Research Excellence Framework (REF).

Many respondents said that five years was an appropriate length for an award to last. Some noted that more regular assessments would introduce unhelpful levels of volatility and that this timeframe would allow cohorts to complete programmes, learning to be applied and improvements be made to teaching delivery. Other providers noted that longer award lengths would also help to mitigate against some of the costs of TEF. Some respondents were more cautious – particularly about the comparability of awards if they are made on a rolling basis every 5 years. Students' unions also expressed concerns about a 5 year award, arguing that the average length of most courses was 3 years.

“In regard to timing, we support five years as the default period for a TEF award, noting that this will increase certainty for students, and enable more effective planning for institutions. We support the opt-in approach, and it will be important for universities to be able to submit for reassessment sooner should they feel there is a compelling case for an application to a higher level.” *Higher education institution*

“A three to five year cycle appears to be manageable whilst retaining a degree of currency. The use of independent panels to measure the TEF will ensure the validity of the process and offer reliability.” *Further education college*

There was broad agreement that the use of panels was an appropriate way to assess the TEF and on the need for peers from higher education to be panel members and for students to be included on the panels. Many respondents noted that the panels should be composed of experts who are deemed to have the skills, knowledge and experience to assess teaching excellence in a fair and impartial manner, and that the experts selected are suited to the individual subject and type of institution they are assessing. A substantial number of respondents were positive about student involvement in the panels. Some respondents noted that other experts may be needed to provide input. One respondent suggested that the DFA (or a nominee) should be included in the panel. Others noted the need for statistical expertise. There were also a small number of respondents who suggested more specific input, for example professional librarians.

The independence of the panels was widely acknowledged as a positive aspect of the process. A number of respondents also stressed the need for appropriate moderation and appeals processes being in place. Whilst some respondents saw the employers/professional, statutory and regulatory bodies' representatives on the panel as a positive, a number of others were more cautious until discipline level assessment started. One employer body expressed concerns about the amount of time that being involved in an assessment might take.

“The idea of independent assessment panels makes sense. It will be important that they contain relevant subject specialists and expertise in access/progression for disadvantaged students, so that the social mobility aspect is not downgraded. Such expertise need not require a separate individual but should be a clear criterion in selecting panellists.” *Charity*

“We agree with the suggestion that student representatives should be part of the judgement panels for the TEF..... We hope that the inclusion of a student panel member reflects a commitment to an expectation that higher education providers engage students in internal quality management processes and key decision making bodies and that students are empowered to provide leadership and help shape institutional thinking and practice.” *A sector body*

Many respondents commented on the timescales. Some recognised that whilst the timescales were tight, the Green Paper had attempted to mitigate some of the risk by developing a multi-level TEF on an incremental basis over the course of the Parliament. However, a number of the respondents wanted the timetable and phasing to introduce the TEF to go further and allow more time for piloting and testing. Some cited the need for more time for an experimentation period, followed by multiple iterations, which allowed for sophisticated and expert analysis of the metrics deployed.

Some respondents noted that the role of the student voice needed to be clarified and a specific opportunity provided for students to feed into the application process itself.

Many respondents considered the questions both in the context of TEF in Year Two (i.e. assessments at institutional level), but in a longer term context, considering how this process would work for discipline level assessments. Those who commented reflected that the real benefits to TEF would largely start to be felt once discipline level assessment had begun. However, there were concerns to minimise bureaucratic burden once discipline level assessments started.

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.

A large number of respondents welcomed the aim of the TEF to be light touch and keep burdens to a minimum, however many also questioned whether this would actually be the case when implemented. Some respondents also felt that the proposals were not detailed enough in the Green Paper to fully answer this question.

There were a number of responses from academics and institutions who felt that the TEF may increase administrative burden on academic staff. Small and specialist institutions raised concerns over the potential disproportionate cost and burdens which could be placed on them as a result of having to undergo the TEF assessment. Many respondents agreed with the need for the TEF assessment to be done at discipline level eventually, however they were also concerned about the need to minimise burdens.

Some respondents questioned whether the benefit of the fee uplift from achieving TEF level 1 would cover the additional costs incurred as a result of taking part in the TEF.

There was a view from a number of respondents that the proposals must dovetail into the QA system proposals as it would otherwise lead to running two costly parallel systems. Many respondents welcomed the indication in Green Paper that in order to minimise burdens on institutions, we would expect the QA process and higher levels of the TEF to use the same metrics and indicators wherever possible.

“Making the first stage of TEF linked to a quality review will reduce costs.”

Alternative provider

As in responses to question 6, quite a lot of respondents said that extending the TEF award to 5 years as proposed in the Green Paper would reduce the frequency of assessment and would therefore reduce the administrative burden. This, in addition to the proposed introduction of a risk based system of QA and the use of the same metrics for the QA process and TEF assessment, would substantially reduce the burden. Several respondents welcomed the proposal not to include visits to providers as part of the assessment.

“The proposal not to use routine visits will make a sizeable contribution to achieving this objective, as will the use of metrics that are already in place.”

Further education college

Several respondents suggested ways to minimise the administrative burden such as:

- Combining or aligning the TEF and QA processes into one single assessment, this was a suggestion by a large number of respondents.
- Some went further to suggest that the access agreement process should be combined with this as well, as far as possible to avoid an additional layer of regulation.
- Tying in requirements relating to the TEF with existing submissions to regulators and associated agencies.
- Basing the TEF metrics on data that is already available or that institutions can provide with relative ease.
- Incorporating findings from other work looking to harmonise data definitions and streamline data collection processes across HE.
- Ensuring that data is submitted to Higher Education Statistics Agency (HESA) so that institutions are providing data only once, which can re-used for different purposes.
- Limiting the amount of evidence that can be submitted by i) setting a limit; ii) providing clarity on what is exactly is required in the written submissions; and iii) templating and streamlining submission of common thematic and practical areas in any panel assessment process.

Question 8: Do you agree with the proposed approach to differentiation and award as TEF develops over time? Please give reasons for your answer.

- Around 53% of those who expressed a view disagreed with the approach proposed in the Green Paper. Around 21% agreed and 26% were not sure.

Overall, while there was support for the idea of differentiation between levels of award, there were strong views that this differentiation should not be tied to different levels of fee incentives.

There were concerns that the current metrics would not support four levels of differentiation and many suggested that differentiation should be reduced until such time as the metrics would support this.

There was broad support that TEF should eventually be extended to discipline level, given the time to develop the processes and metrics that would support this and, if it did not add significant bureaucratic burden to institutions. Many respondents were positive about the introduction of subject level assessment and recognised the importance of this for both students and employers. There was also concern around the impact of changes to the TEF level of courses post-graduation e.g. a student who has an outstanding experience in a discipline assessed at level 3, but post graduation the discipline is reassessed down to level 2 which could lead to reducing the enduring value of their degree, even though they benefitted from a 'level 3' experience.

Most of the respondents who raised concerns focused around potential for increased bureaucracy, the development of improved metrics to support this level and assessment and the need for testing before going ahead (see responses to questions 8 and 11 for further detail)

“... introducing four TEF levels will provide a strong reputational incentive for institutions to focus more strongly on excellent teaching, including on improving outcomes for under-represented and disadvantaged students.” *A sector body*

“any decision to expand the system to make judgements at disciplinary or departmental level should only be made once more is known about how much resource is required to deliver the TEF.” *Representative body*

Question 9: Do you agree with the proposed approach to incentives for the different types of provider? Please give reasons for your answers.

- Around 55% of those who expressed a view did not agree with the proposed approach to incentives for different types of provider. Around 15% agreed and around 30% were not sure.

Respondents identified possible risks to placing a premium on providing excellent teaching (e.g. deterring those from disadvantaged backgrounds from applying to those providers with the highest quality system) and potential gaming of the system. However, some respondents noted that there was a broader need to maintain the real value of fees, as,

without the ability to raise costs in line with inflation, providers were suffering ongoing financial losses.

“The suggestion that TEF in 2016-17 should be based on successful quality review and linked with an inflationary increase in fees from 2017 is welcome (as fees have been frozen since 2012, meaning a reduction in income in real terms).” *Representative body*

However, there were some who were in favour of financial incentives because they did not believe reputational ones were a sufficient motivator. Respondents said that if fee increases were to be introduced then they should sit at one place within the TEF architecture to reduce burden and bureaucracy. Those who opposed the financial incentives were of the opinion that reputational incentives were very important to providers, so much so that reputation alone is sufficient to achieve the aims of TEF.

As per the summary for question 5b, which asked about incentives for alternative providers – there was a similar theme that many in favour of incentives for all providers felt alternative providers delivering the same level of education at the same standard should have the same financial benefit.

“Whatever system is implemented, we agree that the incentives for alternative providers should be the same as for other providers and this is consistent with the spirit of the consultation paper as a whole i.e. to treat all providers equally.” *Awarding organisation*

Some respondents suggested potential risks such as:

- Students ranking their experience lower to avoid cohorts after them having to pay higher fees.
- Students making decisions purely on a financial basis rather than because they genuinely wished to study at an institution.
- Providers gaming the TEF metrics to achieve a higher score.
- Students from disadvantaged backgrounds being deterred.

“Incentives should apply to all providers, although reputational advantage may not in itself be sufficient. Any approach needs to avoid ‘gaming’ in that it becomes about delivering ‘good metrics’ rather than ‘good teaching’.” *Higher education institution*

Question 10: Do you agree with the focus on teaching quality, learning environment, student outcomes and learning gain? Please give reasons for your answer.

- There was a wide range of responses to this question, however around 58% of those who expressed a view agreed with focussing on teaching quality, learning

environment, student outcomes and learning gain. Around 21% disagreed and 21% were not sure.

Although most agreed with the focus on these aspects they also felt that more information is needed on how the different aspects will be measured as there was concern it may not be possible to measure these easily or reliably. Many recognised that a lot of this additional detail will follow in the technical consultation after which they will be better placed to comment fully. Many of the responses cross referenced or repeated comments provided in other questions – particularly commenting on metrics (see question 11).

Teaching quality: Respondents recognised the centrality of teaching quality as a key indicator for the TEF. However, some respondents expressed concern about using the National Student Survey (NSS) to measure teaching quality. Some respondents also raised the importance of a broad interpretation of “teaching” – reflecting that teaching involved more than just lectures, but should encompass the type of course, different types of activities (such as seminars or tutorials) and the feedback provided outside.

Learning environment: Some respondents felt that the scope of this aspect should be expanded to recognise the full environment, by considering support services. There was concern in many responses that this may put pressure on providers to spend money on buildings and facilities rather than on teaching. There was also concern that if this was taken into account only those providers who are well endowed with land, “flash buildings” or new campuses would do well in this element.

Student outcomes and learning gain: A number of respondents felt employment outcomes were a useful source of information to help students understand prospects and the type of career they could end up in however they felt it did little to inform about the quality of teaching. Some respondents indicated they were not convinced by the inclusion of employment outcomes as a proxy for teaching quality as it could mean some providers could do well at this regardless of their teaching quality e.g. medical schools would produce graduates likely to go onto high earning jobs.

It was also suggested the Higher Education Funding Council in England (HEFCE) funded learning gain pilots will inform a lot of the thinking around learning gain and respondents felt this should eventually be taken into account in the development of the TEF.

“Yes, we agree that the proposed themes are correct and that institutions should be able to provide information on these aspects.” *Higher education institution* “we agree with this focus. Given our organisational mission (careers), we are particularly interested in student outcomes in terms of readiness for (“employability”) and progression to employment, i.e. career outcomes.”
Charity

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? Please give reasons for your answer.

- Around 47% of those who expressed a view disagreed with the approach proposed in the Green Paper while around 25% agreed and 27% were not sure. .

There was a wide range of responses to this question ranging from those which were opposed to the whole concept of TEF, through those which were broadly supportive of the TEF but had concerns about the detailed approach, to those which broadly agreed with the overall approach and choice of metrics.

Most responses recognised, as acknowledged in the Green Paper, that there were no established measures of teaching quality and recognised that all of the proposed metrics were proxies. Respondents generally acknowledged that the proposed metrics were the best available, of the current metrics available and widely used throughout the sector. Some also recognised the advantage of using existing data as a way to reduce the administrative burden involved in TEF.

Most recognised, as acknowledged in the Green Paper, that there were no established measures of teaching quality and recognised that all of the proposed metrics were proxies. Some acknowledged that to introduce the TEF, existing metrics were a reasonable and sensible starting point and they were certainly very supportive of using existing national sources – both to reduce burdens and since they were already understood and used by the sector.

Overall there was a strong indication that metrics did need to be considered alongside qualitative evidence and that perhaps greater weight should be attached to the qualitative evidence. There was consensus that the data should be benchmarked and contextualised wherever possible.

“Quantitative metrics alone will not give a full picture of excellence, so we propose that institutions be enabled to supplement them with additional qualitative information. The balance between qualitative and quantitative data should lie in favour of the qualitative, bearing in mind the extra paperwork requirements and bureaucracy this would involve.” *Professional body*

Other respondents were more reserved, agreeing that the metrics should be used but with caveats, for instance to ensure that smaller institutions were not disadvantaged.

“We do agree with this approach. We think, however, there must be caveats relating to data sets from smaller institutions. In a small institution very small numbers of students can make a substantial difference to the perceived performance.” *Alternative provider*

Others suggested that the technical consultation would give them additional information on which to form a clear opinion. There was a generally positive response to the proposal that metrics should be reported for particular groups of students.

Many respondents who disagreed were mainly concerned that the metrics were influenced by factors such as the qualifications of the student intake and the subject mix. The greatest concern was expressed about the employment metric. Some of these objections were ideological based on the view that HE is not primarily about people getting jobs. But a range of methodological concerns were raised – in particular that the 6 month Destination of Leavers from Higher Education survey (DLHE) was too soon to get a fair view and the lack of robust evidence about any causal links between teaching quality and employment outcomes, with other factors being cited as being more important. A number of respondents stressed that earnings should not be used – though the Green Paper did not suggest this – because they are too strongly influenced by other factors and also implied that some jobs were more important than others.

Many felt that the TEF should be delayed until more robust metrics were identified. A substantial number referred positively to the HEFCE pilots developing and testing measures of learning gain. There were very few suggestions for other metrics which should be used. Some responses suggested that some ‘input’ measures such as qualifications to teach, continuing professional development accreditation and National Teaching Fellowships, though the use of input measures was opposed by others. However, several respondents agreed that measures of student engagement should be considered as a proxy for excellent teaching, though acknowledged that a nationally available robust measure did not currently exist.

Others simply disagreed with using any form of proxy for excellence. They suggested that the only valid approach to measuring teaching quality was to have some form of “Ofsted style” inspection and peer review or other broadly specified approaches. A number of respondents simply disagreed with any metrics because they did not agree with the introduction of the TEF although agreed with many of its aims

Social mobility and widening participation

There was a clear consensus in support of Government's intention to further widen access to higher education including through the better use of data to help target efforts. At the same time, a large number of respondents stated that the DFA should not begin to set access targets for institutions on a unilateral basis. Specific groups of students, including postgraduate, part-time and mature, were highlighted by respondents as meriting specific attention.

We did not ask a specific question on the alternative student finance product in the consultation, however, a number of respondents voiced support for the Government's approach, as part of the emphasis on widening participation in higher education

Questions 12-13

Question 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.

- There was near universal support for the intention to widen access to higher education. The majority of respondents answering this question were supportive of the proposed measures and where there was disagreement it was generally linked to groups not included in the proposals or a lack of clarity around how disadvantage or BME would be defined. In a minority of instances the issue was with the metrics or actions proposed.
- Around 72% of those who expressed a view agreed with the proposals set out in the Green Paper while around 9% disagreed and the 19% were not sure.

“We welcome the Government's explicit commitment to improving access to higher education and the Prime Minister's target to double the rate of young people from disadvantaged backgrounds entering higher education by 2020, from 2009 levels. This target is in line with targets set in OFFA's own strategic plan. However, meeting the Prime Minister's ambitions will require a significant acceleration of recent progress – progress that has already led to greater rates and numbers of students from disadvantaged backgrounds in higher education than ever before.” *A sector body*

“We welcome the significant degree of emphasis on social mobility running through the Green Paper and are supportive of the Government's ambitious 2020 targets in relation to [widening participation] and BME student access at undergraduate level. We also particularly welcome the creation, in conjunction with Universities UK, of a Ministerial Advisory Group on Social Mobility in the context of higher education to help shape policy in relation to the next ambitious phase of the [widening participation] and student success agendas.” *Higher education institution*

There was some debate in responses about how disadvantage is defined. Many respondents would have liked disadvantage to be defined more clearly in the Green Paper, with some suggesting subgroups not specifically mentioned such as deaf students.

Some felt that the participation of local areas (POLAR) data alone is too broad a measure of disadvantage and it should be supplemented with other data such as free school meals triangulating different measures to better define access targets and also to target schools more effectively for outreach activity. Several respondents cautioned against the increasing blanket use of the term “BME” and called for differentiation, as the performance of the various individual BME groups differs widely.

Many respondents supported measures to improve success in addition to widening access. They also noted that there are issues in attainment and retention for BME students across the sector, which will not be solved by new access targets. Some wanted TEF to include metrics on retention, attainment and employment outcomes, specifically for BME students.

A large number of respondents highlighted the importance of prior attainment in access to HE, and the role schools can play in this. There was also a view among HE providers that they needed schools to engage better with their outreach work. Many respondents called for improvement to information, advice and guidance in schools.

“[We] would support a closer dialogue between the Department of Education and BIS to assist in positioning widening access work higher up the strategic agenda of schools.” *Representative body*

Responses to this question also repeated some of the themes from question 1, regarding reductions in funding through the Student Opportunity Fund (SOF).

“Spending decisions on SOF mean institutions will be under pressure to meet the cost of widening participation in greater proportion from tuition fee income. This means they have less money to spend on other activities that enhance the student experience. In a competitive market a university that invests more in widening participation and less in student experience may fare worse in the metrics used to assess quality, which may in turn have a detrimental impact on their league table ranking – a powerful driver of university action.”
Representative body

Question 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.

- Responses to this question provided a wide range of views.
- The largest group of respondents did not agree that the OfS should have the power to set targets (around 38% of those who expressed a view) with around 30%

agreeing. That said, most respondents were content for there to be targets, but would rather institutions set them themselves.

Many respondents felt that the DFA should remain independent and retain existing powers. However, if the OfS were to be responsible for access agreements respondents suggested that the current style of target setting should be retained, with institutions setting their own targets and agreeing them in dialogue with the OfS. There was a general view that contextualisation based on the institution, rather than top-down targets based on national priorities, would avoid the risks of homogenising institutional activity, missing groups who were not specifically targeted, and undermining existing activity. There was widespread recognition that the DFA currently does this well, with a number of institutions labelling the system “effective”, noting that it “works well”.

“The current system has supported strong progress in social mobility in a majority of the HE sector and thus there is little basis to support OFFA setting performance targets and, indeed, it could challenge institutional autonomy.”
Representative body

“During the period since access agreements were introduced significant improvements in access for the most disadvantaged students have been made and there is no reason to doubt that this system can continue to shape and drive the improvement needed across the sector”. *Higher education institution*

Some respondents called for penalties or sanctions for providers failing to meet their targets; for targets to be made public and transparent; and, for students’ unions to be involved in target setting. Many respondents discussed the need for early intervention, and alongside the targets for providers, would welcome targets for schools in terms of engagement with universities and application rates to HE.

“The ability to impose sanctions will ensure that institutions address issues which hinder progress in relation to social mobility and therefore will assist in raising standards across the board.” Professional body “[Our institution] supports the proposal for the Office for Students to be given powers to set targets where providers are failing to make progress on widening participation. It is important that providers are incentivised to fully contribute to the widening participation agenda and should not be able to access benefits such as tuition fee uplifts if they fail to do so.” *Alternative provider*

Some respondents highlighted potential unintended consequences such as providers focusing on institution specific outreach activity rather than broader activities to encourage students to attend HE rather than their own institution. There was also some concern about potential perverse incentives: discouraging sharing of best practice; discouraging stretching targets in favour of easily achievable ones; disincentivising a positive and open culture – and ultimately undermining the intended aims of the targets.

A number of respondents raised concerns about infringement of institutional autonomy, particularly around admitting students.

Question 12c: What other groups or measures should the Government consider?

The groups that respondents suggested that Government should consider were: part time, mature, disabled (disaggregated by type of disability), postgraduate, care leavers and estranged young people, carers, mental health, international, refugees, work place learners and rural areas. It was also noted by many respondents that students often fall into more than one of these categories.

“More must be done to encourage part-time students to apply to university and support them during their studies, as a high proportion come from under-represented groups, they have different needs to full-time students and they are more likely to drop out. Similarly, although the extension of postgraduate loans also announced in the spending review is a solid step towards removing the financial barriers some students face in postgraduate study, the current low postgraduate participation rates for students from disadvantaged backgrounds suggests more must be done to engage and support these students.” *Charity*

In terms of measures for the Government to consider, respondents recognised that this is complex endeavour and a wide variety of suggestions were put forward, ranging from additional financial support to restructuring delivery modes for undergraduate degrees.

“In terms of measures, a more robust approach is a basket of proxy measures to identify disadvantage (e.g. POLAR; IMD; FSM; Parental HE experience - although the latter has evidentiary challenges). Any measure used should be measurable.” *Higher education institution*

“A large part of this work is around aspiration and motivation which involves several agencies and bodies working together, alongside families from an early age.” *Higher education institution*

Some respondents asserted that there is a lack of publicly available data comparing retention and achievement of students from widening participation groups and this is hampering progress in the sector. Many felt it would be beneficial to use a range or basket of data as institutions do when targeting widening participation activity or applying contextual admissions. There were also calls for specific measures of progression and employment outcomes for access students benchmarked with similarly profiled universities.

Many respondents recognised the importance of working with families and schools to encourage aspiration, raise achievement and support widening participation from a young age. Some felt that universities should be developing close partnerships with schools while others felt that Government or sector bodies should be addressing the attainment gap by raising standards in schools and tackling broader societal issues. HEIs noted that the impact of widening participation interventions takes years to come to fruition and that these timescales (of 5-10 years) need to be taken into consideration when assessing an institution’s effectiveness in widening participation.

A number of respondents called for consultation with academics and professional services staff, as well as students, in order to better understand what might be effective.

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

Question 13b: What additional administrative burdens might this place on organisations? If additional costs are expected to be associated with this, please quantify them.

Respondents generally agreed that access to additional data would enable more effective widening participation activity. They recognised that more comprehensive data would enable them to provide better targeted interventions, with more nuanced analysis of students' learning journeys. It would also enable more sophisticated data analysis and evaluation of targeted outreach which would support the development of more effective strategies, both for outreach and teaching and learning. The disaggregation of data by target groups (for example young carers) was seen as a particular advantage.

There was considerable support for better longitudinal data to be made available through the Unique Learner Number (ULN) and Administrative Data Research Network (ADRN), with many saying that this would help to fill in the gaps in existing data which comes from various sources.

HEIs noted the complexity and expense of gaining access to different datasets currently. They suggested that full access to the National Pupil Database, Individualised Learner Record data on post-16 students, and Universities and Colleges Admissions Service (UCAS), HESA and DLHE data at individualised level (acknowledging consent issues) would be beneficial in streamlining their activity. They also said this could lead to more standardised use of contextual data for admissions across the sector.

Other additional data benefits cited by respondents included supporting evidence-based policy making by Government and other agencies, as well as institutions and improving information, advice and guidance for prospective students, and increasing the transparency and accountability of institutions.

“Accurate, robust and comparable data are key to improving institutional performance in many areas, including access for disadvantaged groups. At a national level, relevant holistic data will support effective research and policymaking. At provider level, reliable data will provide an evidence base to support ongoing evaluation, benchmarking and improvement of access strategies across diverse student populations.” *A sector body*

There were some concerns particularly from students' unions about privacy and the consent of those whose data would be made available. A small number of respondents were concerned that commercially sensitive data might be released, and commented that a time lag of 2-3 years could be helpful before data was made public.

“It is important that the trust and confidence of students providing the data is maintained. Research by UCAS and the NUS suggest that explicit consent from students to share their data is an important component of maintaining this trust”
Representative body

Respondents found it difficult to predict what additional administrative burdens organisations might face based on the information provided in the Green Paper.

Alternative providers and further education colleges were concerned that the burden would fall disproportionately to them, partly because substantial upfront costs have to be shared over a smaller student body. Given the lack of financial incentive for many HE in FE providers, some said that the overall cost impact of proposals could impact on the diversity of the sector. Some respondents were concerned about the additional resource (both staff and cost) to provide the additional data. Most respondents were of the view that the burden would be worthwhile – it was justified, and the benefits for widening participation and social mobility would far outweigh the costs.

Many respondents said that the data needed was already held by (for example) UCAS, the Department for Education, HESA, and the Student Loans Company (SLC), and it simply needed to be linked up more effectively. Some suggested that it should be the role of an agency to collect and analyse the data, perhaps as a subscription service. There was support for the Higher Education Access Tracker (HEAT) to take on this role, although one respondent noted that the flat-rate subscription model disadvantages smaller institutions.

“The additional costs depend on the level of information HE providers are expected to provide. Many Institutions already subscribe to the HEAT (Higher Education Access Tracker) service to demonstrate the long term impact of outreach, and this requires a significant annual subscription plus a large administrative burden to collate and record this information.” *Higher education institution*

“In terms of data provision, institutions already provide a full student record to HESA which is used to determine [widening participation] status. However, the creation of robust linked datasets which provide data on the students’ educational journey throughout their life would be of great benefit. However, as this dataset would be most sensibly created centrally the burden would fall on HESA and HEFCE (or the OfS) rather than institutions *Higher education institution*

The Higher Education sector

There was broad support for a single route of entry to the higher education sector and recognition that an evidence based system of regulation was preferable to one based on historic approaches. Other key themes running across all responses in this section were the need to protect the ‘world class’ reputation and quality of UK HE, the importance of retaining high standards and not reducing checks on provider quality.

Questions 14-17

- Many answers to these questions and the themes raised within them were wide ranging and relevant to more than one question. To avoid duplication, the following summary covers the points made under the most appropriate question heading and cross refers to other questions, where necessary.

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

- Around 39% of those who expressed a view agreed with the proposed single route, around 33% disagreed with 28% not sure.

There was broad support for a single route of entry to the higher education sector. Respondents generally welcomed an evidence based system, rather than one based on historic approaches. A clear register of providers and the possibility of more alternative providers engaging with regulators attracted some support. However some respondents questioned the need for new providers at all with a few suggesting that existing providers should be encouraged to diversify, rather than encouraging new entrants to the system.

A consistent theme running across responses was that the single route of entry should protect the reputation of UK HE nationally or internationally. Several respondents made the point that quality, standards and financial sustainability criteria for market entry must be robust, high, consistent and rigorously assessed in order safeguard the sector. Some raised concerns about students’ interests if institutions failed financially.

A number of respondents made reference to the need for providers to have a sound track record of achievement particularly in relation to quality and ethics.

“There is a benefit in having a single entry route for new providers, and for judging all providers according to the same criteria. However, this should not be achieved by lowering the current standards and thresholds applied to new entrants.” *Representative body*

“YES, it is welcome to reform the entry route into higher education. However it is crucial that there continues to be a rigorous and robust scrutiny process in place to ensure that any provider who wishes to enter the HE sector meets a threshold standard. It is not in the interests of students or employers if we open up the system to weaker providers.” *Charity*

There were mixed views on enabling more for-profit providers to enter the HE sector. Some were concerned that such providers will prioritise profit over teaching and others questioned the ability of profit making institutions to maintain academic quality, retain financial stability, and improve student experience. Others were supportive and said that opening up the market would offer students more choice, encourage competition and innovation among providers.

Some respondents were explicitly against what they claimed to be the privatisation of HE and some felt that higher education should attract even greater support through taxation and Government spending.

Some noted that as students are likely to be spread across a greater number of providers it may impact on provider sustainability as provider funding may be reduced especially if a providers market share of classroom based provision impacted its ability to deliver Science, Technology, Engineering, & Mathematics (STEM) subjects. Others expressed concerns over the financial sustainability of the funding system if student numbers controls (SNC) at alternative providers were removed.

“Allowing public money, such as that through the student loans, to go into profit making institutions is leading us further down the path of the marketisation of higher education which we feel fails to recognise the value of education as a public good.” *Students’ union*

Several respondents thought that the proposed system would be more streamlined and efficient although there were some calls for even greater parity and consistency across the models.

Simplification was considered by some as giving increased clarity for providers, students and employers. Conversely, there were some comments that three separate models with different requirements and experiences for students and providers, does not actually represent a single system. Others were positive about the flexibility for providers to move between models.

“A single route would be the best and easiest for the HE landscape to cater for. Students could easily understand one system that applies to all of their choices.” *Students’ union*

“We support the consolidation of the current regulatory requirements into a single gateway into the higher education sector. We also support the principle that different providers should be able to choose between models of participation within the higher education sector. We are supportive of the idea that all providers would have to meet common requirements on quality assurance, provision of information, arrangements for student complaints and disputes and good governance, including financial sustainability.”
Representative body

In terms of the models proposed in the Green Paper the following comments were made:

- **Model 1:** A small number of respondents specifically made reference to the merits of model 1. One respondent proposed going further to include information and complaints/dispute arrangement requirements. Another said additional assurances would be required for Tier 4 visa purposes.
- **Model 2a:** Comments specifically in relation to model 2a generally focussed on widening participation. Some respondents emphasised the importance of fair access especially when providers have access to public funds. A small number of respondents focussed on the proposed requirement in model 2b that providers add a minimum level of value to English HE, saying this should also apply to model 2a.
- **Model 2b:** Responses specifically on model 2b focussed on the ability for providers to move between models 2a and 2b. One respondent was concerned that this may mean existing public providers move to a private model (2a). Another highlighted the possibility that existing alternative providers could more simply move to model 2b, thereby benefitting certain groups through the fair access requirements attached to model 2b.

Few respondents commented definitively on the changes to costs as a result of the proposals, some that did felt that existing providers should not bear the costs of market entry for new providers through the OfS.

A small number of respondents to this question referred to validation in the context of the single route. The subject of who should validate was commented on more widely in response to question 15b.

Other ideas and points raised in responses included:

- An incentive for universities to mentor new providers into the sector.
- An additional model for institutions that want to access public research grant funding. This model would recognise the wider role of institutions, and the limited additional requirements (for example, around research integrity and open access publishing) that providers entering the sector under model 2a or model 2b may not wish or need to meet.
- A robust probationary period for those entering the sector.

Question 15a: Do you agree with the proposed risk based approach to eligibility for DAPs and university title? Please give reasons for your answer.

- There was a wide range of responses to this question and opinion varied depending on the individual issues.
- Around 41% of those who expressed a view did not agree with the proposals whilst around 30% agreed and 29% were not sure.

There was some support for introducing greater diversity in to the university sector provided there are safeguards against i) damaging the brand and reputation of English HE both nationally and internationally; ii) diluting the term ‘university’ and what this stands for;

and iii) a proliferation of small universities which could create confusion for the public and specific stakeholders who have a perception as to what a university is in England. The overarching message was concern for the protection of the reputation and integrity of the English HE system.

Several respondents commented on DAPs and UT in relation to the single route. Many of those that did, were concerned that shortening timescales or necessary track record and reducing requirements for market entry would make it harder to accurately judge applications for DAPs and UT and could therefore lessen the value of these awards.

Most stated that entry criteria must remain high and were unsupportive of the proposals for shortening timescales and lowering criteria. They felt the title of 'university' in the UK sector and DAPs are highly valued and should continue to be hard earned.

Respondents widely supported the perception that a university should demonstrate essential qualities within the wider HE system that differentiate it from other HE providers and make it recognisable as a university.

There was a widespread view that universities require a 'critical mass' of students in order to develop and maintain an HE culture, community and experience commensurate with the university brand.

Some thought that providers would require more time to build capacity and structures necessary for DAPs, which should only be awarded to more mature providers. Some respondents supported the approach on opening up access to DAPs provided the Government could assure that the risk based approach proposed was robust and would safeguard the academic standards of UK higher education awards. If this was the case, then speeding up entry to the market for high quality providers would improve the current system which currently provides an "all or nothing" outcome. There was a general consensus that the "regular monitoring" should remain regular and that the frequency of review should initially err on the side of caution.

"An important principle in this area is that any changes should make it easier for new institutions to achieve the currently high standards required for DAP and the title of university, rather than lower the standards themselves. Lowering standards would not be to the benefit of students or the HE sector, who are supposed to be the main beneficiaries of opening up the market." *Higher education institution*

"We do agree with this approach. Focusing on those institutions deemed riskier is an intelligent way of reducing burdens on well managed or well established institutions. This is smart way of both controlling and managing low quality incumbents and newer institutions while encouraging the successful players." *Alternative provider*

There was less consensus among respondents on the appropriate length for **track record**. Some respondents felt there was scope for review. However, many respondents did not agree with the proposal to reduce track record, believing that the current system which

allows for one cohort of students to complete a typical degree course and another year for evaluation is the most appropriate.

“The title of ‘university’ in the UK sector and DAPs are highly valued and should continue to be hard earned. This could be undermined by this accelerated approach.” *Higher education institution*

Most respondents had reservations about the issue of **probationary DAPs**. In particular, they raised concerns around HE reputation and the currency of degrees awarded in the event of institutional failure. Again many respondents thought that the key was the extent to which monitoring took place for new entrants with restricted powers.

“We support the suggestion that a provider with a “limited evidence base” meeting model 2 expectations might be able to secure DAPs on a rolling time limited basis with regular monitoring and restrictions as appropriate” *A sector body*

Comments were mixed focusing on the reputational implications for the sector of **suspension or loss of DAPs/UT**. Some were sceptical about effectiveness as the sanctions are so severe the regulator would be reluctant to deploy them.

“After a satisfactory initial period (possibly 6 years following being granted DAP), all providers should hold DAPs in the same way, and be subject to the same criteria for removal or special measures.” *Awarding organisation*

There were a limited number of responses on **the role of the Privy Council** and some references to the fact that it adds to the length of the process, but support for the Privy Council’s politically neutral role and independence.

Question 15b: What are your views on the options identified for validation of courses delivered by providers who do not hold DAPs?

Many respondents expressed a view on the validating body suggestions although there was no clear preferred option. Some felt that the existing system poses barriers and cost to providers. There were also suggestions that it should be easier for providers to choose and move between validators and that they should have multiple options available to them. A few felt that streamlining the process through a single organisation should reduce costs.

“There is a clear need for an alternative, streamlined route to validation. This could also be achieved by enabling consortium working led by FDAP holders, the creation of a national body to undertake validation processes or perhaps by a nationally- designated HEI.” *Representative body*

A number of responses, particularly from existing DAPs holders recognised that the existing validation system can be mutually beneficial. They also felt that validation

enabled providers to build up a track record and the existing review system maintained quality with new providers working with those with greater experience.

“There are established processes for new entrants to have courses validated by existing HEIs. This performs the dual function of both ensuring quality for students and employers but also providing training and support for these new entrants. Replicating this with a central body has no benefit.” *Higher education institution*

Views on the number of validating partners a provider can have were mixed. Some suggested the need for a limit whilst others said there should be incentives to encourage providers to validate. Some felt that costs of validation were preventing some small providers from launching; others felt the time and money would be better spent on improving the student experience.

Option 1 - Central validating body: Views on this option were mixed. The concept of a central validator was accepted and developed by some respondents, in the context of replicating the former Council for National Academic Awards (CNAA) as a central validation model. Those in favour flagged a range of caveats, relating to maintaining quality, independence, high levels of scrutiny, independence, and costs involved. Other respondents had reservations about the OfS taking on the validation role alongside any regulatory responsibilities – they felt this would conflict with its role as an independent regulator. There were also some concerns that a centrally provided validation service could be perceived as “low quality”.

“The former CNAA provided a good validation service which safeguarded standards in the interests of students. Investing this in a central body will protect this interest.” *Higher education institution*

Option 2 – Give DAPs to non-teaching bodies to validate: Of those that commented on this option the majority of respondents were not in favour. Several respondents raised concerns that non-teaching bodies would lack the academic expertise to maintain academic standards or make judgements on teaching excellence. Others commented that there would be significant risks if validators lacked experience of validating, teaching or existing DAPs.

Option 3 - Existing bodies with their own DAPs to operate as central validating bodies: Over half of those that commented on option 3 were clearly in support or made positive comments. A small number of these sought assurances that there would still be an option to refuse providers on the grounds of quality of provision. There was no clear preferred option to facilitate the validation of courses, each attracting support as well as concern. Several respondents clearly expressed concerns that a new system could have a negative effect on the quality of provision and that high standards should remain in the system regardless.

“We would not be comfortable with either the Office for Students or other non-teaching bodies being given DAP and thus being the validating body for HE providers who themselves do not have DAP. To go down this route would then start to raise issues about who would oversee the quality of the service provided by these organisations” *A sector body*

“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 rolesWe 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..... 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.” *Representative body*

Question 16: Do you agree with the proposed immediate actions intended to speed up entry? Please give reasons for your answer.

- Responses covered the variety of proposals to speed up entry.
- Around 51% of those who expressed a view indicated that they did not agree with the proposed immediate actions to speed up entry whilst around 22% agreed and 27% were not sure. However views differed across the range of proposals made in the section with some welcomed and others generally rejected.

Proposals on probationary designation, multiyear designation and ongoing designation were all cautiously welcomed. However, as in other questions respondents emphasised the importance of maintaining the quality and integrity of UK HE and of individual providers.

Proposals on reducing financial sustainability, management and governance (FSMG) track record requirements and allowing providers to apply for HER after having applied for course designation were generally rejected. Respondents were keen to ensure the quality and stability of providers to protect their students from the impacts of institutional failure.

“We are concerned about the possible impact of an increased number of HE providers on the reputation of UK Higher Education. However we agree that those alternative providers with a strong track record should be enabled to expand in terms of student numbers and the re-designation process should be longer than for one year....the ‘speeding up entry’ agenda should focus on risk assessment and use of metrics and must compromise neither academic standards nor the student experience.” *Higher education institution*

Some respondents were concerned about the pace of introducing immediate actions to speed entry, with summer 2016 seen by some as optimistic. Using test cases or doing additional research into the impacts of the proposals were suggested as a way to reduce

risk. Other respondents suggested waiting for previous changes (e.g. with regards SNCs) to work through the system and produce results before making further changes.

“The longer it takes to enter the market and be awarded Specific Course Designation or DAPs, the greater the barrier to entering the market. There will be significant benefits in the proposed actions to speed up entry into the HE sector.” *Government body*

The proposal to **allow designation applications from new providers throughout the year** received general support. For instance, there was a suggestion that the time it currently takes to secure validation agreements can cause delay that means application windows are missed, causing further delay.

Probationary designation was generally welcomed. However some noted potential risk, both for students who may be part way through a course when provisional designation is withdrawn and for validating partners who may be required to take a more involved, burdensome and costly role.

“...we are less convinced by the proposed probationary designation; in our view, designation should only be awarded once it is clear that the applicant is of the requisite standard – it should not be awarded on a conditional or qualified basis.” *Higher education institution*

Many respondents supported **multi-year designation** as a means to reduce burden and provide more certainty for providers. Some went further to say the designation process should be removed completely because of the inconsistency with the HEFCE-funded sector that can therefore plan more easily. Suggestions for length of designation ranged from 2 to 5 years, given to all providers or those with a strong quality and FSMG track record.

Others urged caution and saw the Higher Education Review (HER) and the designation processes as important safeguards that Government should strengthen, not relax. One respondent suggested that the current system that requires providers to actively plan ahead, as itself a useful indication of good governance.

“The annual re-designation process leaves prospective students in limbo, uncertain of their funding status, and puts APs with specific course designation at an impossible competitive disadvantage against providers with automatic designation of all their courses.” *Representative body*

“The green paper refers to the possibility of introducing a multiyear approval process, but this problem could be resolved immediately, simply by having designation agreements (even if still annual) that are set one year ahead.” *Other organisation*

Many respondents that commented on the proposal to **allow providers to apply for HER after designation** did not agree. Concerns included the need for an adequate academic track record to ensure providers are of the necessary quality to be designated and the potential exposure of students to provision that may not survive. Rigorous quality checks were repeatedly cited as important to the market entry process.

“Successful completion of an HE Review should continue to be a prerequisite for course designation but proposals to make the process more flexible are reasonable particularly where the validating partner has a strong track record.”
Higher education institution

Many respondents that commented on the proposals **to reduce the FSMG track record** did not agree as this increased the risk of provider failure. Some respondents highlighted that a two year requirement would in many cases be less than providers’ academic cycles, therefore showing sustainability with a reduced FSMG track record would be difficult.

“The financial health, management and governance of an institution should be heavily monitored, and even though the time delay this may cause will inconvenience providers, the risk of providers failing within their first few years is too high to consider relaxing controls. So while we welcome the loosening of excessive bureaucracy, we urge caution in terms of loosening the actual controls.” *Students’ union*

Question 17: Do you agree with the proposal to introduce a requirement for all providers to have contingency arrangements to support students in the event that their course cannot be completed?

Please give reasons for your answer, including evidence on the costs and benefits associated with having a contingency plan in place. Please quantify these costs where possible.

- There was a range of responses to this question.
- Around 68% of those who expressed a view agreed with the proposal to have a student protection requirement. Around 18% were not supportive and 14% were not sure. .

There was widespread acceptance of the policy objective of ensuring students are protected if a provider is not able to fully deliver the student’s course. Most respondents were supportive of the proposal, so long as:

- All providers are obliged to sign up to the requirement;
- There is a risk based approach to meeting the requirement, to ensure costs and burdens are proportionate and do not endanger innovation.

Most respondents were concerned that provider exits from the sector may have an adverse impact of the reputation of UK HE. Some felt that increased student protection

and orderly exit requirements were only required because of the shift to having a more market based sector where “exits” could become commonplace. Others took the view that it would be better to operate a system where there is confidence in the resilience of providers (through high entry thresholds and financial checks and approved plans for exit routes); this was the best way to ensure student protection and minimise provider exit/failure.

Many respondents also suggested that better use of the credit framework would have an important role to play in terms of enabling students that face a course closure and need to transfer to receive recognition for their learning and build on the credit already earned. This could increase choices for students affected by closure and enable them to continue their studies.

“In order for this mobility to be maximised, it might be appropriate to encourage institutions to review their regulations relating to recognised prior learning and the maximum number of credits permissible from other institutions” *Higher education institution*

As highlighted in responses to question 1 many respondents felt that some types of students might be particularly affected in closure / exit situations. For example disadvantaged students may not be inclined to move institutions or travel further afield if faced with a course closure. International students would also be particularly affected as they will need to reapply for a visa to continue at a different provider.

“[We] strongly support the introduction of requirements for all higher education providers to have robust contingency arrangements in place.” *Representative body*

“It is right the new architecture for regulating the HE sector should include measures to protect students in the event of institutional failure or closure of courses. However, a risk-based and proportionate approach is required and universities should be able to make their own appropriate arrangements as they do already” *Representative body*

Most respondents took the view that continuing public support for failing providers is undesirable. Many were of the view that the OfS could usefully play a role in supporting providers to ensure they are able to close provision in a structured and well planned way rather than provide exit support. However, if there were to be any exit support, it should be in rare circumstances and primarily to help smooth transition for students; this should be decided solely by the OfS so as to minimise any moral hazard of provider behaviour.

Many respondents were also of the view that the reputational impact on graduates who gained qualifications from providers which have exited, should not be underestimated.

Simplifying the Higher Education architecture

There was general support for all providers being regulated in the same way, and subject to the same risk based regulatory and statutory requirements. The importance of co-regulation between Government and sector-led / independent bodies that underpin the quality of UK higher education internationally was a common theme running across all responses. HEFCE's expertise was also frequently praised and many stressed that this should not be lost when new bodies are established.

Questions 18-23

- There was some duplication particularly between questions 18-21 with responses often repeating similar points in their answers to different questions. To avoid duplication, the following summary covers the points made under the most appropriate question heading and cross refers to other questions, where necessary. There was also considerable read across with responses to questions in other parts of the consultation document and we have cross referred to other parts of this document where appropriate.

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

- Responses to this question provided a wide range of views and generally covered the same broad areas as responses to question 21.
- Those that responded to this question were almost evenly split between those supporting the change (around 31%), those opposed to the changes (around 33%) and those not sure (around 36%).

Many respondents were in agreement that the higher education system architecture (and the underpinning primary legislation) was in need of reform. There was also support for a regulator that would consider the interests of students. Some respondents commented that it was important to ensure that the OfS really did promote the student interest and represent their interests.

Many respondents commented about positive aspects of the current system that it was important to maintain. There was a concern that a student-focussed regulator may not have effective oversight of universities and other providers in the way that HEFCE has. Respondents felt that the OfS should take a "whole institution" view of universities, including research, business, institutional sustainability, local growth, charity regulation and Prevent. To emphasise this point, some respondents suggested renaming the OfS to reflect its regulatory oversight of higher education providers e.g. Office for Students and Higher Education.

The proposals to move HEFCE's research funding functions to a new research body rather than the OfS attracted comments, with some respondents expressing concerns about a perceived split of teaching funding and research funding between two different bodies. Respondents also commented on the importance of co-regulation between Government and sector-led / independent bodies that underpin the quality of UK higher education internationally (this was the subject of question 18b so is covered in more detail below).

Respondents were keen that the organisational reform did not undermine the existing autonomy of higher education institutions. Many said that the OfS should operate at arm's length from Government e.g. as a non-departmental public body as is the case for HEFCE.

Many respondents reflected on HEFCE's current expertise and understanding of the sector. They stressed that this should not be lost when new bodies are established. The importance of close collaboration between HEFCE, or its successor body, and the Skills Funding Agency was highlighted especially given ongoing changes in the skills landscape and funding for skills at level 4 and 5.

Similarly given the ongoing development of higher and degree apprenticeships it was suggested that a function of OfS should be to support this work.

There was support for the incorporation of the DFA and the Office for Fair Access (OFFA) within the OfS, but respondents stressed the need for the DFA role to maintain a level of autonomy.

“We welcome the focus on the central importance of a high quality student experience that is implied by the proposed establishment of the Office for Students (OfS). In the Universities UK report on the future of higher education regulation we have similarly called for a new approach that recognises the changes in the funding environment and which provides greater focus on students.” *Representative body*“

Broadly, we support the proposed changes. It is becoming increasingly necessary for the higher education sector to have a reformed regulatory regime that can better cope with increased dynamism within the sector, increased risks for students, and increased pressures on institutions and providers. To that end, the OFS should be given explicit duties to monitor the overall health and sustainability of the sector.” *Representative body*

Question 18b: To what extent should the OfS have the power to contract out its functions to separate bodies?

Question 18c: If you agree, which functions should the OfS be able to contract out?

- On whether the OfS should have the power to contract out its functions to other bodies this seemed to be interpreted by most respondents to mean the quality and information functions as highlighted in the Green Paper.
- A hybrid approach where the OfS had overall responsibility but where the function was largely carried out more independently of Government was the most favoured amongst those expressing a view (around 53%). Around 19% supported fully separate functions for quality and information and around 28% preferred not contracting any functions.

Most respondents favoured a co-regulatory approach, similar to the status quo, where quality assurance and data collections were contracted out by the regulator to independent

bodies. Reasons given for the importance of these functions being carried out independently of Government were: to avoid conflicts of interest with regulatory and funding functions; and because the international reputation of UK higher education is founded on the basis of quality assurance that is independent of Government.

On data specifically, respondents stressed that independent data is critically important for the future, as data becomes more integrated and fundamental to driving public policy, student choice, and value for money.

Some respondents also highlighted that quality assurance and data collection are currently provided on a UK wide basis, and one benefit of these functions continuing to be contracted out or delivered independent of Government would be maintaining this UK wide approach, which would save significant disruption and cost.

An alternative suggestion to the contracting out model was to put the QAA and HESA on a statutory basis by designating these independent bodies, like the Office of the Independent Adjudicator (OIA).

“We believe that it is hugely positive for the sector to have an independent quality assurance process run by an expert body, one which values peer review and involves students directly in the process.” *Representative body*

“We believe that regulatory reform by government should explicitly embrace co-regulation with the higher education sector.” *Representative body*

Question 18d: What are your views on the proposed options for allocating teaching grant? Please give reasons for your answer.

- On the two options for allocating teaching grant the response to the consultation was overwhelmingly in favour of option 2 – that ministers should set strategic priorities and allocation responsibilities should be divested to the OfS.
- On option 1: Around 12% of those expressing a view agreed, around 70% disagreed and 18% were not sure.
- On option 2: Around 58% of those expressing a view agreed, around 21% disagreed and 21% were not sure.

Respondents gave several reasons for preferring the allocation of teaching grant to be done by the OfS. The strongest views were the importance of protecting the arms’ length nature of the allocations, and that another body would not have sufficient expertise. The point was made that since the creation of the University Grants Committee, funding allocations to universities have been taken at arm’s length from ministers. Respondents also commented that HEFCE has a depth of knowledge, not just in devising formulas but in understanding the impact those formulas have, and this should not be lost.

Other points made included the suggestion that an alternative approach, where ministers make allocation decisions and payments are made by the SLC would not be feasible, as

SLC does not have the capacity to deliver effectively the additional service and processes that would be required.

Question 19: Do you agree with the proposal for a single, transparent and light touch regulatory framework for every higher education provider? Please give reasons for your answer, including how the proposed framework would change the burden on providers.

- On the introduction of a single transparent and light touch regulatory framework for every provider respondents were most frequently in favour.
- Around 56% of those expressing a view agreed with the proposal, around 16% were opposed and 28% were not sure.
- A number of responses here overlapped with questions 14-16 on the higher education sector, and relevant issues have been addressed there.

Most respondents felt that all providers should be regulated in the same way, and subject to the same risk based regulatory and statutory requirements. There was general support for a risk based approach, with a lighter touch applied if provider risk is low to reduce burdens, but agreeing that where there are higher risks, greater regulation and scrutiny is appropriate.

Several respondents commented that baseline regulatory requirements should cover all providers, including those not currently covered by higher education regulation or not receiving student loan funding.

Respondents tended to use this question to talk about the regulatory burden of other proposals or requirements, rather than how a single regulatory framework would change the burden. Some respondents felt that the introduction of the TEF and additional information requirements would be likely to increase regulatory burdens. Others felt that much of the current regulatory burden comes from bodies outside the core regulatory system, including the accountability requirements of Ofsted, the NHS and professional and statutory regulatory bodies.

“We agree that a diverse sector needs to be underpinned by a fair and equitable regulatory framework for all types of higher education providers. As such a framework can only be fully implemented through changes to primary legislation, we urge the government to introduce a higher education Bill at the earliest opportunity.” *Representative body*

“We see significant benefits in the proposed powers of the OfS to manage risk in the HE sector. As detailed elsewhere, we support a risk-based approach to the regulation of the HE sector and it is important that the OfS has the necessary powers and the sanctions to implement this in order to protect the interests of students.” *Government body*

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

Many respondents commented that students' unions are transparent and accountable to their membership, the Charity Commission and to their higher education institution. A number of respondents also asked what problem we are trying to solve with regards the transparency of students' unions; others pointed to difference between students' unions and trade unions.

Many respondents also emphasised the contribution students' unions make in ensuring a positive student experience, for example, by engaging with their institution in the development of teaching and learning, providing student services independently and in partnership with their institution, developing employability, widening participation and in handling student complaints.

A number of responses from students' unions suggested, however, that there is always room for improvement and said that there are examples of good practice in existence that could be spread more widely. Some respondents suggested possible action in this area including publishing annual accounts (already required by the Charity Commission), and having independent trustees. For example:

“Publication of a clear strategic plan, annual report of achievements and annual accounts plus a clear and understandable statement showing their income, sources of income and expenditure.” *Higher education institution*

However, many of these respondents also said that they don't think there is a pressing need to increase transparency in the sector.

The NUS response is referred to and supported by many students' unions. This sets out the wide ranging roles students' unions now play in terms of advice and support in areas such as drinking on campuses, support on mental health issues and student voter registration. Specific areas where NUS suggested improvements could be made are:

- Giving greater encouragement/endorsement of the Quality Students' Unions framework.
- Promoting data sharing.
- Continuing to include questions about a students' satisfaction in the NSS.

“We have some concerns about the idea that students' unions should be treated in the same way as trade unions. Students are not employees and SUs are not primarily involved in negotiating terms and conditions. They have clear accountability to HE providers under the 1994 Education Act and as registered charities have accountability to the Charity Commission. We see the NUS' proposals to further increase transparency and accountability, for example, by developing the Quality Students' Unions framework, as a positive step”. *Other body*

“In terms of accountability, through elections, referenda, general meetings, councils, forums etc., Students’ Unions are already significantly accountable to their student members – more so than any other charity of a similar nature. When this is combined with the accountability provided by both the Charity Commission and HEI, we do not see any problem that needs fixing.” We believe the Education Act 1994 and the Charities Act 2006 together provide sufficient legal protection for the transparency of students’ unions.” *Students’ union*

“Unless compelling evidence is provided that students themselves are demanding more transparency and accountability from their unions, then no changes are necessary, and even if changes were warranted then as far as possible it would be best left to students to retain autonomy and manage themselves – the government should not intervene.” *Individual student*

Question 21a: Do you agree with the proposed duties and powers of the Office for Students? Please give reasons for your answer.

- More respondents that answered this question were supportive than not with around 40% agreeing and around 27% disagreeing. 33% were not sure.

The issues raised in responses to this question were disparate but broadly based around two areas, both of which overlap substantially with responses to other questions. Many related to OfS’ wider remit or position within the overall architecture, and largely duplicated or restated the points raised under question 18a above.

Most of the other points raised picked up on particular functions within OfS’ remit that relate to specific areas of policy covered in more detail elsewhere in the Green Paper. For example, issues around TEF, safeguarding the remit of DFA within OfS structures and not giving the OfS direct powers to validate. These have been covered under other questions so have not been repeated here.

It was also indicated that in the eyes of the investment community HEFCE currently provides “a Government guarantee” of quality and sustainability. It was noted that the OfS should ensure this positive branding for UK higher education institutions is maintained.

Question 21b: Do you agree with the proposed subscription funding model? Please give reasons for your answer.

- Respondents were mostly divided between disagreement in principle and tentative agreement subject to assurance on various areas of concern.
- Around 18% of those expressing a view agreed, around 42% disagreed with 40% not sure.

Respondents gave a range of views about the proposal to charge a subscription fee. The most commonly raised concerns were around cost burdens, barriers to entry, and fairness. Several respondents noted that this would be an additional cost burden on providers.

Several respondents called for charges to individual providers to be set in proportion to the size of the provider. There were views that actual cost is the fairest basis for a charge and concern about cross subsidy between different groups (e.g. 'traditional' sector subsidising smaller, commercial alternative providers, or stronger performing institutions paying for more costly regulation of weaker parts of the sector under a risk based regulatory system).

Broader points raised were suggesting that some type of sector representation, influence or ability to challenge the cost is built in to protect fairness, comparing the charge to a membership subscription. A number of alternative models were suggested including: a co-funding model with Government providing some of the cost of regulation rather than passing all costs to the sector; a proposal for an 'entry fee' for new providers to avoid cross subsidy of higher initial costs.

"For simplicity and in terms of equity, we would expect subscription levels to be based in part on student numbers. However, student numbers alone are unlikely to be sufficient to determine the level of regulatory oversight as different institutions will require different services and varying levels of support. One option could be to offer different subscription levels according to the level of regulation required by different institutions. We would welcome the opportunity to work with the Department of Business, Innovation and Skills to explore this further." *A sector body*

"There is too little information on rates of subscription and the roles and responsibilities of OfS and other institutions are not yet finalised e.g. HEA and QAA. Subscription rates should reflect the burden on the OfS and not simply be based upon student and or staff multipliers" *Higher education institution*

Question 22a: Do you agree with the proposed powers for OfS and the Secretary of State to manage risk? Please give reasons for your answer.

Question 22b: What safeguards for providers should be considered to limit the use of such powers?

- Around 37% of those expressing a view agreed with the proposed powers to manage risk for serious breaches of public funding conditions. Around 31% did not agree, and 32% were not sure.

Respondents in favour of the proposed powers said it was, vital to intervene quickly and effectively where institutions fail to reach the standards set by the regulator. These respondents said that the powers were reasonable and proportionate and essential to protect the interests of students and that they should apply all providers equally. Some respondents said that the powers would protect the reputation of the UK HE sector, while others thought that they could be detrimental.

Many respondents said that clear guidance and transparency would be needed regarding the circumstances in which intervention would take place and that appropriate safeguards needed to be in place. It was suggested that such guidance should be developed in consultation with the sector and there should be clear rules governing the escalation of

issues and concerns. It was also recognised that these powers would only be used when serious breaches of conditions are suspected.

Those opposed to the powers were primarily concerned about infringement of institutional autonomy. Several respondents said that they could not provide a view until the Government produced more details on how we would legislate for the powers.

Some said that emphasis would be better placed on developing a robust system of on-going monitoring and early intervention. Others suggested that risk could be better managed by maintaining a high threshold for entry into the sector.

Several respondents stated that the power of entry and inspection was important to guard against fraud and protect the public purse. Some respondents said that the powers should reside with the OfS as the lead regulator, rather than with the Department or the Secretary of State. It was felt that this would ensure that institutions are safeguarded and that investigations are monitored by an arms-length regulator.

“A power to enter and inspect is needed to allow serious breaches of conditions to be tackled as swiftly and effectively as possible, safeguarding the interests of students and the taxpayer, and protecting the reputation of the sector.”

Representative body

“In respect of autonomy, it is important to ensure that the position of the buffer body is protected – our position is that we believe that OfS should have powers to enter or inspect HE providers and it is not therefore necessary to give those powers to the Secretary of State.” *Representative body*

A small number of respondents said that existing mechanisms such as those in the Memorandum of Assurance and Accountability between HEFCE and HEIs should continue to be used.

Respondents suggested safeguards should include, for example the OfS and the Secretary of State being required to have robust and evidenced reasons for exercising such powers.

“The Higher Education Regulator in the form of OfS ... should be prepared to intervene and act promptly where problems are identified to protect the students involved and to limit reputational damage to the English HE sector. *Higher education institution*

“The OfS and the Secretary of State must have robust and evidenced reasons for exercising such powers and must be held to account for their decisions to exercise the powers, particularly where such decisions impact upon the reputation and standing of the provider.” *Higher education institution*

Question 23: Do you agree with the proposed deregulatory measures? Please give reasons for your answer, including how the proposals would change the burden on providers. Please quantify the benefits and/or costs where possible.

- Question 23 included proposals on the role of the Privy Council in approving governing documents, deregulation of HECs and Freedom of Information (Fol).
- Overall the respondents who responded ‘yes’ or ‘no’ were almost evenly split between those supporting the proposals (around 39%), those opposed (around 37%)
- However respondents were in the main more negative about the Fol proposal. A further analysis of responses showed respondents were much more positive about the other issues in the question.

Removing HEFCE-funded providers from Fol: There were a wide range of comments in response to the reference to removing HEFCE-funded providers from Fol.

The majority of those that commented on Fol argued that publicly funded institutions should be accountable through complying with the Freedom of Information Act as they access considerable direct public funding through grants for teaching, research and capital. Some respondents made the point that the overall trajectory of the Green Paper is to increase transparency and accountability for students in particular and that removing institutions from Fol would not sit well with this direction of travel.

A small number of respondents pointed to specific examples of where the Fol duty has uncovered information around such things as senior pay and expenses which otherwise would not have been available to students or the wider public via the media. They argue that this information should be available to the public in the interests of accountability and transparency.

There were mixed views on the cost and burden of compliance with Fol. Some commented that the costs and burdens of Fol have been exaggerated and pointed to conflicting sources of data on those costs. Some stated that even the upper estimates of costs represent a very small proportion of most publicly funded institutions income. Others suggested that the costs of Fol are a significant burden on institutions particularly once senior staff time and legal costs are factored in.

In general most respondents wished to see publicly funded providers continue to be covered by the duties placed on ‘public bodies’. There was some support for reducing the burdens on publicly funded providers deemed to be ‘public bodies’. However, there were few examples given or the benefits quantified.

“The College welcomes the Government’s consideration of deregulation in relation to the obligations placed upon HEFCE-funded providers arising from the Freedom of Information Act (FOIA). As recognised in the Green Paper, the current situation, where HEFCE-funded providers are treated as “public bodies” but alternative providers are not, has resulted in an uneven playing field where alternative providers are at a significant advantage.” *Higher education institution*

We believe strongly that Freedom of Information requests are of huge importance of students' ability to gauge transparency in their educational experience. When the Government is proposing the need for more transparency in Students' Union accountability and in how tuition fees are spent, it should not also be seeking to strip away a mechanism which currently gives a level of transparency" *Students' union*

"The Freedom of Information Act is based on the unarguable principle that taxpayers have the right to know how their money is being spent. In addition to receiving substantial public funding, universities are powerful institutions that exercise important public functions, such as controlling access to the professions, awarding degrees and the ability to discipline members." *Other body*

Simplifying the role of the Privy Council in approving HEIs' governing documents:

The majority of respondents who commented on this welcomed the proposals to simplify the approval process for amendments to the governing documents of publicly funded HE providers and remove the Privy Council from the process on the basis that:

- the current process is expensive (often requiring specialist legal advice) and time-consuming, whereas, the proposals would speed things up, remove the administrative burden and be more efficient;
- the proposals would encourage providers to update, modernise and streamline their constitutions rather than working round existing out-dated provisions;
- the proposals would help institutions to operate in a more flexible, agile, responsive and innovative manner in a more competitive sector that required faster and more commercially oriented decision making.

Many respondents welcomed the proposal that the simplified process would include a requirement for institutions to comply with a published list of public interest principles. Some respondents also commented on the need to review the current list (some saying it was out-of-date and too long) and welcomed the proposal to consult in due course.

Very few respondents disagreed with the proposals. A couple of respondents felt that the current system ensured that HEIs consulted all concerned when proposing changes to their governing documents thus ensuring that changes were properly thought through.

Reforming the constitutional arrangements of HECs: Many respondents were supportive of proposals to deregulate HECs. Respondents recognised that the constitutional arrangements were outdated and restrictive and did not recognise the autonomy or maturity of HECs. There was widespread support that the proposals will allow HECs greater freedom and flexibility to innovate and respond to business opportunities. Some respondents also commented that reform was important and overdue.

Proposal to allow HECs to dissolve themselves and transfer their assets: Whilst there was some support for the proposal in terms of it being a positive step to remove the

inequitable treatment of HECs compared to other differently constituted institutions and allow them the same commercial flexibilities in respect of their legal form, many respondents had concerns and cautioned that any such proposal required detailed consideration.

Concerns were focussed around HECs transferring to private ownership and the need to ensure adequate public interest protections are in place.

“We welcome the proposal to remove the requirement for changes to the governing documents of HEFCE-funded providers to be approved by the Privy Council. This will help universities to modernise and streamline governance processes.” *Representative body*“

[We agree...] that reforms to the constitutional arrangements for higher education corporations (HECs) are required. These are out-dated and restrictive and do not recognise the autonomy and maturity of HECs. It will also be helpful to simplify the role of the Privy Council in approving higher education institutions’ governing documents, in ways that allow compliance with public interest principles to be monitored. This should also improve efficiency of process.” *Representative body*

Research landscape

Respondents were in general agreement that the UK's research base is world-leading and urged that any reform must build on the strengths of the current system. In particular, respondents welcomed Government's restated commitment to the Haldane Principle and dual support funding. There was also general support for the principles underpinning the Nurse Review's recommendations, and broad agreement that improved support for multi and inter-disciplinary research and reduced administrative burdens where possible would be welcome. The most frequently raised risks were the perceived potential for dual support and the autonomy of research disciplines to be undermined in a streamlined system. Respondents were generally keen to see further detail on Government's proposals.

Questions 24-25

- Many answers and the themes raised within the responses to these questions were wide-ranging and relevant to more than one question so have been summarised together.

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?

Question 25a: What safeguards would you want to see in place in the event that dual funding was operated within a single organisation?

Question 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?

Many respondents emphasised the globally recognised excellence of the UK's research base. Some of these agreed that there was room to build on this success either through the reforms proposed in the Nurse Review or through renewed efforts within existing structures, such as those already being implemented by Research Councils UK. Others cautioned against any steps that could weaken a world-class system for research and innovation.

"The current system of research funding in the UK has proven highly effective over many years. Charities choose to fund research in UK universities because of the world-class research environments they provide. Nevertheless, there is room for improvement in co-ordination between funding bodies, support for multi- and inter-disciplinary research and in sharing best practice."

Representative body

"We welcome Sir Paul Nurse's Review of Research Councils. A fully resourced and empowered R-UK could galvanise interdisciplinary research, provide strategic oversight of the science portfolio, harmonise policies, and reduce administrative pressures... However, R-UK's implementation must be carefully considered and executed" *Charity*

Several respondents stressed the need for timelines to allow for further consultation with stakeholders over specific proposals and implementation planning. Several also stressed that funding streams must not be disrupted in the transition. A significant number called on the Government to take steps to ensure the expertise, experience and networks of both HEFCE and Research Council staff are not lost in the transition to a new structure.

Many respondents emphasised the importance of long term funding stability to the continued excellence of the UK's research base. A number of these welcomed the Government's protection of the science budget through the Spending Review and emphasised that for any structural reforms to be successful, they must be coupled with investment.

Many respondents supported (and none opposed) the Government's continued commitment to the Haldane principle, which was seen as a key contributor to the strength of the UK research base. It was widely agreed that strategic and funding decisions should be taken at arm's length by the sector on the basis of promoting excellent and diverse research, including where economic impact is not immediately obvious, with government setting broad priorities.

The small number who discussed the Nurse Review's proposed creation of a ministerial committee for research were generally supportive of the aims of raising the profile of research in Government and with the public. However, most of those who discussed this proposal were concerned that it might lead to increased political influence over funding decisions.

"The proposed Ministerial Committee could provide research with a stronger voice in Government, but this conduit would be bi-directional and safeguards would be needed to ensure that funding decisions continue to follow Haldane Principles." *Representative body*

Bringing the Research Councils under a single overarching body

Of the respondents who directly discussed this proposal, the majority saw potential benefits. The majority also urged careful consideration of a number of risks.

The most frequently discussed potential benefit of this proposal was increased support for multi-disciplinary and inter-disciplinary research. Many emphasised the importance of such research in tackling grand challenges, and saw the proposal as a welcome step towards encouraging more collaboration between disciplines. Some respondents specifically discussed the proposed creation of a new interdisciplinary fund, which was generally welcomed subject to an appropriate balance being struck between discipline-specific and interdisciplinary budgets, and transparent criteria and processes for administering it being put in place.

A large number of respondents discussed this proposal's potential to reduce complexity, with the majority of these agreeing that there was room for improvement in this area. Some stressed that careful consideration must be given to detailed design to ensure that the proposed structure achieves this.

A number of respondents discussed the benefits that greater strategic oversight could bring to the research sector. More comprehensive mapping of the research landscape to identify areas of strength and weakness, alignment of strategies, and giving research a stronger and more coherent voice in engagement with government and the public, were all broadly welcomed.

Most of those who addressed this proposal emphasised that it must not erode the autonomy or status of the individual research disciplines. This was seen as important for protecting the flexibility to tailor their strategic and delivery approaches to the needs of their different user communities and external partners, such as non-government research funders. Some respondents suggested that high profile discipline leadership roles with significant autonomy would be required to attract researchers of the necessary calibre.

There were some calls for elements of public research funding to be made available to organisations not currently eligible for them including the Catapult network, further education colleges and alternative higher education providers.

“The world is facing ever more complex challenges, and often the research and innovation that is required to solve these problems occurs at the interface of disciplines... In the experience of the engineering community there is still significant room for improvement in the facilitation and support available for interdisciplinary and multidisciplinary research and researchers, so the creation of RUK provides a valuable opportunity for progress to be made.” *Professional body*

“We welcome the Nurse Review recommendation that an overarching body (proposed to be known as Research UK) is established with clear accountabilities and responsibilities, able to support the whole system of research funding. The proposal recognises and builds on the foundations of the Councils’ existing strategic partnership through RCUK (while seeking to address the limitations of the existing arrangements).” *Representative body*

Integrating Innovate UK into the proposed overarching body

A number of respondents submitted views on the Government’s announcement in November 2015 that it would look to integrate Innovate UK into the proposed new body. The Government separately sought views on this announcement through a series of stakeholder events and an online survey. The overarching views of stakeholders are summarised below.

A large number of respondents highlighted that Innovate UK must: retain its own funding; retain its clear voice as the business-facing element of government support for innovation; and continue to function as a flexible and responsive funder of innovation.

Many respondents saw the potential benefits from integration. Bringing together research and innovation funding functions under a single organisation could drive up awareness among researchers of the needs and interests of the business sector, as well as enable the business community to more readily identify opportunities arising from research. This

would enable more informed funding decisions which in turn would maximise benefits to the UK economy from the significant Government investment in research and innovation.

Some respondents said that business and academia working more closely together would help increase the understanding of both communities and would make collaborations easier and funding mechanisms clearer. Simplification of the landscape would reduce costs across the board and would enable more funds to be used on research and innovation projects.

Many respondents highlighted the risks that would need to be considered. Innovate UK risked being “lost” in such a large organisation, or be seen to be just the technology transfer arm of the Research Councils. Some cautioned that the disparity in the size of the research and innovation budgets could affect Innovate UK’s influence.

There were concerns that a greater proportion of Innovate UK’s resources would be diverted towards academically focused early stage research. But at the same time, there were concerns from a different perspective that curiosity-driven “blue sky” research would be scaled back if the focus was put on projects with immediate commercial reward.

It was also highlighted that research and innovation were different activities and care would be needed to reconcile these differences in a combined organisation, for example, academics desire to publicise research whereas businesses are more likely to want to maintain commercial confidentiality

Stability was seen as an important element both for facilitating long-term collaboration between academia and industry and for attracting global inward investment. A number of respondents cautioned that changes to the landscape must not create a hiatus in funding.

Integrating HEFCE’s research functions into the proposed overarching body

The majority of respondents who directly discussed this proposal urged caution over key risks. Several also raised potential benefits. Some saw delivering both streams of funding through a single body as a logical way of reducing complexity and administrative burdens. Some also welcomed the greater oversight of the research sector this proposal could bring, enabling better study of the health of research disciplines and a more strategic approach to capital investment.

A clear majority welcomed the Government’s commitment to maintaining the dual support funding system.

Many respondents were concerned that Quality-Related (QR) research funding may come under pressure if delivered by the same organisation as competitive Research Council funding and called for the current balance between the streams to be maintained. These respondents argued that strict separation of the governance, management and delivery mechanisms of the two streams would be required.

A number of respondents called for clarity over whether the proposal extended to all HEFCE’s non-teaching functions, in particular support for postgraduate students, support

for knowledge exchange, including the Higher Education Innovation Fund (HEIF) and the charities support element of QR (colloquially known as Charity Research Support Fund).

A number were also keen that Government take steps to ensure continued strategic oversight of the higher education sector, and to ensure that the links between teaching and research in institutions are preserved.

A significant number of respondents were concerned that the inclusion of English-only functions (those currently delivered by HEFCE in England, but devolved in Scotland, Wales and Northern Ireland) into a body responsible for the UK wide functions of the existing Research Councils, would need careful consideration.

“Bringing QR and Research Council funding under one strategic umbrella would allow better study of the health of disciplines, and ensure the dual funding streams most effectively support research excellence... However, robust mechanisms – potentially through primary legislation – are needed to ensure Quality-Related, Research Council and Innovate UK funding streams are managed and administered independently, both now and in the future. Crucially, the autonomy of the leadership of these separate funding streams must be maintained.” *Representative body*

The Research Excellence Framework

A number of themes emerged from the responses in this section. These included; recognition that the REF has enhanced the UK's international reputation and has been replicated elsewhere as a model of good practice; positive feedback on the introduction of impact; some concern about potential gaming and unintended behaviours including research activity being prioritised over teaching although it was recognised that the TEF may provide more balance; caution against metrics replacing peer review and a broad welcome to Lord Stern's Review of the REF.

The findings from this section of the consultation will help inform Lord Stern's Independent Review of the REF launched in January 2016. In addition responses to question 28 will help inform implementation of Government's proposals for the reform of the funding landscape set out in the Higher Education and Research White Paper

Questions 26-28

- Many answers and the themes raised within the responses to questions 26 and 27 were wide-ranging and relevant to more than one question so have been summarised together.

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?

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

The majority of responses to question 26 were positive and many respondents were broadly supportive of the REF. Mission groups, HEIs, learned societies, charities and businesses and individuals all highlighted benefits to both institutions and the sector as a whole. A small number of respondents, predominately individuals, said there were no benefits to the REF. A few respondents supported the principles underlying the REF but did not support the processes, favouring the development of an alternative approach.

There was wide support from respondents across all categories for reducing the burden and cost associated with the REF. Many respondents acknowledged that the costs incurred by institutions were a rational response to the potential benefits of successful participation in the REF. There was no clear consensus on how the burden of the REF could be reduced.

The most commonly cited benefits for institutions were that the REF:

- drives excellence in research;
- recognises excellence across a spectrum of institutions, giving institutions legitimate recognition of research excellence vital for attracting external funding and building collaborations with businesses and charities;
- has reputational benefits vital for recruiting talented staff and students. The recognition in international league tables is also a driver for postgraduate recruitment and undergraduate sponsorship opportunities;

- provides institutional benchmarking;
- helps institutions plan strategically and focus their research agenda.

The most commonly cited benefits for the sector were that the REF:

- demonstrates UK wide excellence across sectors gaining international recognition;
- provides cross sector and international benchmarking;
- provides legitimate accountability of public funding;
- increases collaboration across industry, charities and communities;
- ensures stability of funding, which the sector can plan around strategically.

Many respondents thought the REF benefited the research base as a reliable method for assessing research quality, as testified by international experts on the REF panels. Recognition of excellent research has enabled universities to be internationally competitive on the global market and attract students, high calibre staff, and collaborations with industry and charities, to the benefit of institutions and the wider sector.

Respondents were positive about the introduction of an impact measure to the REF, suggesting it has helped validate research. A large number of respondents felt it had introduced a positive culture shift in academics, encouraging them to think about the impact of their research, and enabling academics to communicate with industry more effectively and see the reach and value of their work. It was noted by many that impact has improved institutions' visibility and helped attract investment into institutions and has enabled institutions to deliver more economic and social benefits.

Many respondents noted how highly regarded the UK system internationally, as evidenced by the replication of the REF and its predecessor exercise the Research Assessment Exercise (RAE) in other countries. The introduction of impact has further promoted UK research and the long-term benefits to the economy and society.

Some respondents expressed scepticism that submissions were assessed only on the quality of the research. While REF panels do not use "journal rankings" or the perceived standing of the publisher when assessing the quality of research outputs submitted, some still feel it has influence in the REF. Many respondents claim the REF leaves too much scope for institutions to place additional burdens and pressures on academics and to "game" the system. Many respondents would like to see steps taken to discourage gaming, although very few provided ideas or solutions.

Some respondents expressed concern that the REF has led to academics placing more value on research than teaching, taking staff time away from teaching. Some respondents noted that the TEF may increase the value placed on teaching and provide balance.

Respondents across all identifying categories welcome Lord Stern's Review of the REF, and the opportunity to provide further feedback on the REF.

“The REF and the RAEs that preceded it have fostered a culture of institutions striving for research excellence. The REF has improved research quality and the UK's global competitiveness. The results provide a means of validating and benchmarking subjects' research performance across a series of different assessment elements. The UK's assessment methodology has been emulated around the world.” *Higher education institution*

“The REF is particularly useful when we are starting new research areas where we have not been active in the past as it provides us with a view of where the best talent is available in academia.” *Employer*

“We welcome the review of the REF being undertaken by Lord Stern, and we look forward to engaging with this process in more detail on behalf of our members.” *Representative body*

Suggestions about how the burden of the REF could be reduced covered included:

- **Clarity:** Many respondents felt that uncertainty about the future REF process would drive additional costs and requested that the details and arrangements for the next REF and the associated funding formulae be published as soon as possible.
- **Limiting changes:** A significant number of respondents highlighted that changes made between the RAE and the REF increased the costs and burdens on institutions and academics as they adapted to the new system. It was noted that institutions had put systems in place that would reduce the burden for future iterations of the REF, and that limiting changes will therefore reduce the costs and burdens in the next REF exercise.
- **Metrics:** The majority of respondents across questions 26 and 27 did not rule out further investigation of the use of metrics. The majority of respondents who commented on this cautioned against metrics replacing peer review.
- **Staff selection:** Many respondents saw staff selection into the REF as the most burdensome part of the REF process. Some respondents suggested removing the staff selection process and either submitting all staff into the REF or finding an alternative or standardised method to select staff.
- **Equality and diversity:** Most respondents across questions 26 and 27 endorsed steps taken to improve fairness. However the approach taken in REF2014 was seen as burdensome. A few suggested exploring the possibility of collecting equality data annually via HESA.
- **Impact:** Whilst some respondents commented that impact case studies were a significant burden, few respondents spoke negatively about the concept of impact. Respondents highlighted the potential to update and reuse impact case studies that had produced additional outputs in future exercises. Other proposals included reducing the number of case studies required for each unit of assessment; adopting a broader approach to the definition of impact; and integrating the impact and environment templates.

- Environment: Several respondents commented that removing the narrative element of the environment section would be a “quick win” that would simplify the process. A further suggestion was to review the data elements in the environment section to use existing datasets (e.g. from HESA or Research Councils) wherever possible, such as the number of postgraduate research (PGR) students, PGR completions and external research income.

“[We welcome] the general scope of the Stern review in its aim to reduce administrative burden of the REF, and to introduce a lighter touch review that retains peer review.” *Higher education institution*

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

Many of the respondents to question 28 highlighted themes around unification of research information management data, on improving the interoperability of research management systems, on standardisation of data and processes, on more central policy and financial support, or on establishing a single national database. On a similar theme, many respondents discussed issues around open access.

Many respondents gave their views on metrics, with almost all advising caution on using metrics to evaluate research. A minority of respondents felt that research information management data did not need to be improved. In addition to those a small proportion highlighted that any changes to data carries an administrative burden.

Many respondents felt that the interoperability of data systems should be improved. Respondents felt that this would reduce the cost and burden of recording and collecting research information management data, and improve the usefulness and transparency of this data. Some respondents suggested tools for improving interoperability most notably ORCID (unique researcher IDs). DOIs (journal article IDs) and FundREF (funding source references) were also mentioned.

Several respondents felt there should be more standardisation of research information management data. Respondents felt that the benefits of increased standardisation would be similar to those of interoperability in terms of reducing burdens and increasing interoperability.

Other topics that were mentioned by respondents included increased central support for improving management systems, or the possibility of introducing a national data management system. Some respondents also commented on open access in research management data. A few respondents were not supportive of any changes to research management data.

Other comments on the consultation

Respondents were given the opportunity to provide any other comments on the proposals in the Green Paper. A range of issues were covered, including the importance of an independent students complaints process, specific support for postgraduate students, the treatment of alternative providers in relation to international students, and the importance of the cultural and intellectual contribution of the higher education sector. There were also comments on the consultation process itself.

Annex A: List of respondents to the consultation

Aberystwyth University	Association of Medical Research Charities'
Academic Registrars' Council	Association of Research Managers and Administrators
Academy of Social Sciences/Campaign for Social Science	Association of School and College Leaders (ASCL)
ACCA's (Association of Chartered Certified Accountants)	Association of University Administrators
Action for Carers	Aston Students' Union
ADS Group	Aston University
AGCAS (Association of Graduate Careers Advisory Services)	Backstage Academy
Aimhigher West Midlands	Bath Spa University
All Party Parliamentary Group for Micro Businesses.	Bath Spa University, Students' Union
AMOSSHE; The Student Services Organisation	Bellerbys Education Services Limited
Anglia Ruskin Student Union	Big Innovation Centre
Anglia Ruskin University	Big Society Capital; Social Finance; Impetus & The Private Equity Foundation; & Right to Succeed; The Access Project; and UBS
APC Futures Ltd	BioIndustry Association (BIA)
Arden University	Birkbeck, University of London
Areti Consulting	Birmingham City University
Arthritis Research UK	Birmingham City University Students' Union
Arts and Humanities Alliance	Birmingham Metropolitan College
Arts Council England	Bishop Grosseteste University
Arts University Bournemouth	Blackburn College
Ascentis	Blackpool and The Fylde College
Associated Newspapers Ltd	Bolton Students' Union
Association for Learning Technology	Bournemouth University
Association of Colleges	BPP University
Association of Directors of Estates	Bradford College
Association of Graduate Recruiters	Bradford College Students' Union
Association of Heads of University Administration	Brighton Students' Union

Brightside	CBI
Bristol Baptist College	Cell Therapy Catapult
Bristol Students' Union	Central Students' Union, Royal Central School of Speech and Drama
British Academy	Centre for Higher Education and Equity Research, University of Sussex
British Accreditation Council	Chartered Association of Business Schools
British Association of Modernist Studies	Chartered Management Institute (CMI)
British Chamber of Commerce	Chester Students' Union
British Dental Association	Christ Church Students' Union
British Heart Foundation	CIPD
British Medical Association	CIPFA, the Chartered Institute of Public Finance and Accountancy,
British Psychological Society	City of Bristol College
British Society for Immunology	City University London
British Sociological Association	City University London Students' Union
British Universities Finance Directors Group	Colchester Institute
Brunel University London	Committee of University Chairs (CUC)
Brunel University London-Council	Competition and Markets Authority
Buckinghamshire New University	Conservative Academics Group
Cabinet Secretary for Education and Lifelong Learning (Scotland)	Conservatoires UK
Cambridge UCU	Cornwall College Group
Cambridge University Students' Union	Council for Higher Education in Art & Design (CHEAD)
Campaign for Science and Engineering	Council for the Defence of British Universities
Cancer Research UK	Council of Deans of Health
Canterbury Christ Church University	Council of Heads of the Built Environment
Canterbury College	Coventry University
Cardiff Metropolitan University	Coventry University Students Union
Cardiff University	Creative Industries Federation
Career Development Institute	Creative Skillset
Careers Research & Advisory Centre (CRAC)	De Montfort Students Union
Carers Trust	De Montfort University
Catapult Offshore Renewable Energy (ORE)	DELNI
Cathedrals Group	
Catholic Education Service	

Dental Schools Council	Hartpury College
Design Council	Hartpury Students' Union
Digital Catapult	Havering College of Further and Higher Education
Durham University	Head of Educational Development Group
Edge Hill Students' Union	Heads of Chemical Engineering
Edge Hill University	Heads of Departments of Mathematical Sciences in the UK
Edinburgh University Students' Association (EUSA)	Heads of Natural Sciences of various universities
EEF, the manufacturers' organisation	Heads of University Centres of Biomedical Sciences (HUCBMS)
Energy Systems Catapult	Health Education England
Engineering Professors' Council	HEPI
Engineering the Future (EtF)	Hereford College of Arts
English Association	Heriot-Watt University
Enterprise Educators UK	Hertfordshire Students' Union
Equality and Human Rights Commission	HESA
Equality Challenge Unit (ECU)	Higher Education Access Tracker (H.E.A.T)
Experimental Psychology Society	Higher Education Commission
Falmouth & Exeter Students' Union	Higher Education Funding Council for Wales (HEFCW)
Falmouth University	Higher Education Race Action Group
Forum for Access and Continuing Education	Higher Education Strategic Planners Association
Future Cities Catapult	Huddersfield Students' Union
Futureworks Training Limited	Hull College Group
Girls' Schools Association and Headmasters' and Headmistresses' Conference	Hull University Union
Glasgow Caledonian University	ICAEW - Institute of Chartered Accountants
Goldsmiths UCU	IChemE
Goldsmiths, University of London	ICON College of Technology and Management
GSM London	ifs University College
Guildford College of Further and Higher Education	Imperial College London
GuildHE	Imperial College Union
Hadlow Group (incorporating Hadlow College and West Kent and Ashford College)	
Harper Adams University	

Independent Universities Group	Linking London, hosted by Birkbeck, University of London
Information Commissioner's Office	Liverpool Guild of Students
Innovate UK	Liverpool Hope Students' Union
Institute of Contemporary Music Performance (ICMP)	Liverpool Hope University
Institute of Directors	Liverpool John Moores University
Institute of Physics	London Higher
Institute of Physics and Engineering in Medicine	London Mathematical Society (LMS)
Institute of Small Business and Entrepreneurship	London Metropolitan University
Institution of Engineering and Technology (IET)	London School of Business and Management
Intergenerational Foundation	London School of Economics and Political Science
IntoUniversity	London School of Hygiene & Tropical Medicine
Jisc	London South Bank Students' Union
Joint BISA, PSA and UACES	London South Bank University
Joint Committee for Psychology in Higher Education.	London Studio Centre
JS Group	Loughborough Students' Union
Kaplan	Loughborough University
Keele University	LSE Students' Union
Keele University Students' Union	Management of Small Higher Education Institutions Network (MASHEIN)
Kent and Medway Progression Federation (KMPF)	Manchester Metropolitan Students' Union
Kent Union	Manchester Metropolitan University
King's College London	Marie Curie
King's College London Students Union	Mayor of London
Kingston University London	Media, Communication and Cultural Studies Association
Lancaster University	Medical Schools Council
Lancaster University Students' Union	Metanoia Institute
Landex Land based Colleges Aspiring to Excellence	Middlessex University
Leadership Foundation	million+
Leeds Beckett Students' Union	Mixed Economy Group of FE Colleges
Leeds Beckett University	Myerscough College
Leeds University Union	National Association for Music in Higher Education

National Campaign Against Fees and Cuts	Pharmacy Schools Council
National Centre for Universities and Business (NCUB)	Pinsent Masons LLP
National Deaf Children's Society	Plymouth University
National Education Opportunities Network	Point Blank Music School
National Oceanography Centre	PraxisUnico
National Union of Students'	Precision Medicine Catapult
Nazarene Theological College	Principal Fellows of the HEA JISCmail forum
NCEE	Publishers Association
NCG	Quality Assurance Agency for Higher Education (QAA)
Nelson College London	Quality Strategy Network
New College of the Humanities	Queen Mary University of London (QMUL)
Newbold College of Higher Education	Queen Mary University of London Students' Union
Newcastle University	Queens University Belfast
Newcastle University Students' Union	Randstad Student Support
Newman University, Birmingham	Ravensbourne
News Media Association	Reading University Students' Union
Northumbria Students' Union	Realising Opportunities
Nottingham Trent Students' Union	Reaseheath College
Nottingham Trent University	Regional Studies Association
Nuffield Council on Bioethics	Research Councils UK (RCUK)
Nuffield Foundation	Research Libraries UK
NUS Scotland	RIBA
NUS Wales	RICS (Royal Institute of Chartered Surveyors)
NUS-USI	Roehampton University Students' Union
OFFA	Rose Bruford College
Office of the Independent Adjudicator for Higher Education	Royal Academy of Dance
Open University Students Association	Royal Academy of Engineering
Operational Research Society	Royal Agricultural University
Oxford Brookes Students' Union	Royal College of Art
Oxford Brookes University	Royal Geographical Society (with IBG)
Oxford University Student Union	Royal Historical Society
PCS, Public & Commercial Service Union	
Pearson UK	

Royal Holloway, University of London	St Patrick's International College
Royal Northern College of Music	St. George's University of London
Royal Society	St. Mary's University
Royal Society of Biology	Staff and Educational Development Association (SEDA)
Royal Society of Chemistry	Staffordshire University
Royal Society of Edinburgh	Staffordshire University Students' Union
Royal Statistical Society	Stand Alone Charity
Royal Town Planning Institute	Standing Conference of University Drama Departments (SCUDD)
Royal Veterinary College	STFC Innovation Advisory Board
Russell Group	Students' Union Royal Holloway University
SACU LTD	Students' Union of the University of the Arts London
Satellite Applications Catapult	Students' Union University of Greenwich
School of Education Durham University	Study UK
School of Oriental and African Studies (SOAS)	Supporting Professionalism in Admissions
Science Council	Swansea University
SCONUL	Teach First
Scottish Funding Council	Teesside University
SEEC - Southern England Consortium for Credit Accumulation and Transfer	Teesside University Students' Union
Sheffield Hallam University	Thales UK- research and Technology
SOAS Students' Union	The Academy of Medical Sciences
Social History Society- University of York	The Association of the British Pharmaceutical Industry
Social Mobility and Child Poverty Commission	The BIMM Group
Social Policy Organisation	The Bournemouth and Poole College
Society for Research into Higher Education	The Bridge Group
Society for women in Philosophy	The British Philosophical Association
Solent Students' Union	The Centre for Recording Achievement
South East Physics Network	The Chartered Institute of Building (CIOB)
South Tyneside College	The Chartered Institute of Legal Executives, CILEx
Southampton Solent University	The Chartered Institute of Library and Information (CILIP)
St Nicholas' Training Centre for the Montessori Method of Education Ltd (Montessori Centre International)	

The Courtauld Institute of Art	UK Association of National Teaching Fellows
The Geological Society	UK Branch Campuses Malaysia
The Higher Education Academy	UK Deans of Science
The Institute of Cancer Research	UK NARIC
The Institute of Mathematics and its Applications (IMA)	Ulster University
The Manchester College	UNISON
The National Association of School Based Teacher Trainers	Universities and Colleges Employers Association (UCEA).
The Open University	Universities Association for Lifelong Learning (UALL)
The Royal Central School of Speech and Drama	Universities Scotland
The Scale-Up Institute	Universities UK (UUK)
The Society and College of Radiographers	Universities Wales
The Society of Homeopaths	University Alliance
The Student Engagement Partnership	University and College Union
The Students' Union at UWE	University Campus Suffolk
The Sutton Trust	University College London (UCL)
The University of Dundee	University College London Union
The University of Glasgow	University English
The University of Law	University for the Creative Arts
The University of Nottingham	University for the Creative Arts Students' Union
The University of Sheffield	University of Bath
The Who Cares Trust	University of Bath Students' Union
Transport Systems Catapult	University of Bedfordshire
Trinity Laban Conservatoire of Music and Dance	University of Birmingham
TUC	University of Birmingham Guild of Students
UCAS	University of Bolton
UCL (University College London)	University of Bradford
UCU Marjon Branch	University of Brighton
UEA Students' Union	University of Cambridge and the Cambridge Colleges
UELSU	University of Central Lancashire
UK and Ireland Engineering Education Research Network	University of Central Lancashire Students' Union

University of Chester	University of St Andrews
University of Chichester	University of St Mark & St John Plymouth
University of Cumbria	University of Stirling
University of Derby	University of Strathclyde
University of Derby Students' Union	University of Sunderland
University of East Anglia	University of Sunderland Students' Union
University of East London	University of Surrey
University of Edinburgh	University of Surrey Students' Union
University of Essex	University of Sussex
University of Essex Students' Union	University of Sussex Students' Union
University of Exeter	University of the Arts London
University of Exeter Students' Guild	University of the West of England
University of Greenwich	University of the West of England, Bristol
University of Huddersfield	University of the West of Scotland
University of Hull	University of Warwick
University of Kent	University Of West London Students' Union
University of Leeds	University of Westminster
University of Leicester	University of Westminster Students union
University of Leicester Students' Union	University of Winchester
University of Lincoln	University of Wolverhampton
University of Liverpool	University of Wolverhampton Students' Union
University of London	University of Worcester
University of Manchester	University of York
University of Manchester Students' Union	University Of York Students' Union.
University of Northumbria	University Partnership Programme (UPP)
University of Nottingham Students' Union,	UPSU (University of Plymouth Students' Union)
University of Oxford	Vertigo Ventures
University of Portsmouth	Veterinary Schools Council.
University of Reading	Villiers Park Educational Trust
University of Roehampton	Vitae / CRAC
University of Salford	Wakefield College
University of Salford Students' Union	Warwick Branch, University and College Union
University of Sheffield Students' Union	
University of South Wales	
University of Southampton	

Warwick Students' Union

Wellcome Trust

Wentworth Jones

West Dean College (Part of the Edward
James Foundation)

West Nottinghamshire College

Which?

York St John Student's Union

York St John University

Yorkshire Universities

Youth Employment UK



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