

GuildHE response to the department for Business, Innovation and Skills Green Paper consultation - *Higher education: teaching excellence, social mobility and student choice*

This response is from GuildHE, a representative body for higher education institutions in the UK. Our members reflect the diversity of the higher education (HE) sector: including multi-faculty universities as well as smaller, specialist, vocationally-focused or ethos-led universities and colleges. Our membership includes traditional 'publicly-funded' universities and colleges, as well as a number of private HE providers. Some of our members are also large 'mixed economy' Further Education Colleges. All our members strive to deliver high quality HE and to meet the standards expected of UK HE providers.

Introduction

GuildHE welcomes the government's focus on raising teaching standards and improving access to higher education. We also welcome the government's open and consultative approach. As one of the two officially recognised, representative bodies for UK higher education, we look forward to continuing to work with government on implementing the Teaching Excellence Framework.

We agree with the government that: "Innovation and diversity in higher education provision are crucial to our ability to maintain our international reputation and ensure the highest quality university experience for students". By 2020, GuildHE wants to see a sector that is more distinctive, more diverse, more inclusive and stronger as a result. Diversity is key to excellence. 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. We believe that regulatory reform by government should explicitly embrace co-regulation with the higher education sector.

Public sector equality duty

Question 1:

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

BIS's Equality Analysis recognises that protected groups are represented in different proportions at different types of institution. Although it is important that BIS are mindful of the unintended consequences that TEF could have with regards to introducing new cold spots in HE provision if the TEF results in provision or provider exit, especially since for some students distance to a university is a major factor in their decision-making.

This points to a danger in using teaching excellence as the sole or major link to funding for institutions. Other sources of funding, such as Student Opportunity funding, that both recognises the additional costs involved in recruiting and retaining students from non-traditional backgrounds and supports institutions that excel at widening participation must

be retained. This remains an essential funding source alongside fee income influenced by TEF results.

Risks may also exist to disadvantaged students around "provider exit" from the system, i.e. if institutions fail and have particularly high proportions of disadvantaged students or students that may struggle more than others to change provider e.g. those with disabilities. However, the proposed requirements around "continuity of study" may mitigate the impact for those students at exiting providers.

It will be important for the OfS to continue to monitor the potential equality impacts of the developing policies as they evolve and to respond accordingly.

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

We welcome the emphasis on improving access and success for students from disadvantaged backgrounds and the consideration of any equality impacts that could arise from the policy proposals. However, the equality impacts need to be considered alongside other policy changes, particularly the replacing of maintenance grants with loans from 2016/17 changes which are estimated to cost the poorest 40% of students debts of up to £53,000¹ and the student loan threshold changes which are estimated to hit the middle-income graduates hardest.

Further, we welcome the acknowledgement that statistically, students from a minority ethnic group attain lower degree classes than their White peers² and thus have been identified as a protected group. Caution should however be exercised when grouping BME as a standardised category. This is not a homogenous group, with variations between different BME groups in terms of the issues that they face³. For example, Chinese students' attainment outcomes at university do not match their entry profiles⁴. Whilst Black Caribbean students, on average attain lower results than their Indian, Chinese and Pakistani peers. It is important that these sub-groups have the appropriate support aligned to their individual participation and performance needs.

Also refer to our response to Q12c.

Teaching Excellence Framework (TEF)

¹ IFS Briefing, *Budget's student finance proposals will reduce government spending on higher education, but will raise debt for poorer students and repayments for most graduates*

<http://www.ifs.org.uk/publications/7905>

² ECU Publication, *Improving the degree attainment of Black and minority ethnic students -*

<http://www.ecu.ac.uk/wp-content/uploads/external/improving-degree-attainment-bme.pdf>

³ HEFCE Publication, *Differences in degree outcomes: Key findings -*

http://www.hefce.ac.uk/media/HEFCE,2014/Content/Pubs/2015/201521/HEFCE2015_21.pdf

⁴ HEA Academy publication: *Exploring the retention and attainment of black and minority ethnic (BME) students on Social Policy pathways in higher education*

https://www.heacademy.ac.uk/sites/default/files/exploring_retention_and_attainment_of_bme_students_nic_ki_senior.pdf

We recognise the Teaching Excellence Framework provides a real opportunity to enhance teaching within universities and raise the profile of good teachers but there are clearly many potential pitfalls along the way that we need to avoid which we will highlight in our response. There also needs to be more clarity about what gap TEF is trying to fill. Once that is clearly understood, it will inform the appropriate metrics to use.

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.

Informing students:

The TEF has the potential to deliver more specific and accessible information to students about teaching and the student experience within institutions, so that they are better able to make an informed decision about where to study. But for prospective students to be able to make more informed choices about the course(s) they are considering then the TEF will need to be undertaken at subject/programme/unit of assessment level.

GuildHE believes that student engagement in TEF assessments is essential. We welcome the fact that the views of students will be embedded in TEF metrics through the National Student Survey and revised student engagement questions. But real student engagement requires a more active approach, one that recognises students as partners in their education, and so students should be involved at all stages of the TEF evaluation – potentially providing a comment or commentary to the institutional narrative or being part of the decision to sign off the statement as well as being on the national independent review panel. As the TEF develops, GuildHE would welcome the chance to work with government on developing options for student engagement in the TEF. We have recently published a report on student engagement in partnership with TSEP, *Making Student Engagement a Reality: turning theory into practice*⁵ which is a useful guide highlighting student engagement practice and what it can produce in the sector.

Some prospective students will conduct research and make informed decisions about which university to attend through using sites such as [Which?](#), [Prospects](#), [Unistats \(KIS\)](#), [What Uni, Push, Studential](#) as well as seeking advice from teachers, parents etc. We welcome the aim of TEF to increase transparency for prospective students, however it is noted that not all students use these resources or may not even know about them nor have close networks familiar with higher education who they can consult with. For the TEF to better inform student decision-making, the outcomes will need to be presented carefully in an open and clear format whilst ensuring that the diversity of the sector is considered and information is not simplified beyond the point of usefulness. It is therefore important that we consider not just the increased information needs but also focus greater attention on advice and guidance so that students are better able to navigate through the information and have a coherent understanding of it in order to enable them to make the most successful decisions.

Informing employers:

With students increasingly emphasising their employability as a key factor in their decision to go to university, and the increasing role of higher education in meeting the needs of

⁵ GuildHE publication, *Making Student Engagement a Reality* <http://www.guildhe.ac.uk/blog/making-student-engagement-a-reality-turning-theory-into-practice/>

employers and the economy more widely, it is right that employers are being involved in the TEF and that the outcomes of TEF aim to provide better information for employers. It will be important to work closely with employers so that they understand the TEF during its period of implementation and thereafter and that they remain engaged.

As there is a constant underlying narrative about employers desiring more graduates with adequate skills to fill high-skilled jobs⁶, the TEF could prove to be a valuable indicator of the standard of teaching that graduates have received and their learning outcomes, if the metrics (particularly future measures of learning gain) used are robust and meaningful.

Many GuildHE members have very close strategic and operational links to relevant professions and industry sectors and are able to adapt quickly and effectively to structural changes in employment. This helps to ensure that graduates are equipped with the skills and attributes that are valued by employers and necessary for the labour market and supports them in making a rapid transition into the workforce. This institutional statement could provide a useful opportunity for institutions to be able to elaborate on the links with employers and ensure work-ready graduates.

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.

GuildHE represents the full diversity of HE providers, including universities, FE colleges and Alternative Providers, thus we welcome BIS's ambition that the TEF is open to all types of HE providers, indeed we would go further and suggest that this should be an essential feature. All HE providers should have an equal opportunity to demonstrate excellence in teaching and learning wherever this exists. We also agree that the TEF should be open to all disciplines, all modes of delivery and all levels.

However, it is important to recognise that many alternative providers are unable to provide data for TEF as they have not been gathering this routinely and they may also not have an Access Agreement. Whilst we should have a situation whereby all providers are covered by the TEF metrics, we may need to have a parallel process for these institutions that don't have the data in the early stages of the TEF. It might also be necessary to consider the practicality when the TEF moves to a subject-based review of institutions with very small cohorts such as Further Education Colleges that may not have particularly reliable or publishable data due to cohort size.

Smaller institutions are also likely to be faced with greater administrative burdens in implementing the TEF, and this would be even greater with the (welcome) move to subject level. It will thus be important to ensure that access to any higher level of TEF is not constrained by the size of the institution or the resources available. Sensitivity to institutional size in the implementation of TEF is vitally important from the outset.

⁶ Inspiring Growth CBI/Pearson Education and Skills Survey 2015 <http://news.cbi.org.uk/business-issues/education-and-skills/gateway-to-growth-cbi-pearson-education-and-skills-survey-2015/>

Moreover, when we think about TEF we should not try and rush to get everything in place for year 1, the most important thing is not getting it wrong. We should learn the lessons from the development of the RAE/REF. This has continued to evolve over more than 20 years and has taken time to get right.

It will therefore be important that the TEF continues to evolve as more appropriate metrics and proxies become available. It will also be important given the backdrop of the Chancellor's recent Spending Review and the funding efficiencies and reductions that the sector will be expected to make, that the TEF is simple and isn't overly bureaucratic or burdensome. There is a real risk that an "industry" could grow up around TEF which would actually divert resources which would otherwise be spent on delivering excellent teaching.

Further, it is important to recognise that teaching excellence is dependent on context: institutional mission, cohort of learners and subject. Use of these data would need to be benchmarked to ensure you were comparing like with like. Crucially, an effective TEF cannot be developed on a 'one size fits all' basis – this is something that HEFCE have been trying to move away from in the context of quality assessment and we shouldn't slip back into it through TEF. It has to be sensitive to context – able to reflect institutional diversity and the different subject disciplines and pedagogies. In addition to benchmarking, the equal weighting of the institutional narrative would provide greater assurance that the metrics will be used in context and so reflect the diversity of the sector. This sector diversity must also be recognised in the make-up of the independent panel.

As we think about how a TEF might be developed it is worth saying that a culture of developing outstanding teaching is supported and facilitated at the institutional level but delivered at the departmental level and so any future TEF will need to consider both dimensions. But if we are to move to subject level this will require similar incentives, financial as well as reputational, otherwise there may not be the same drivers to improve any variation of teaching quality within an institution.

The institutional level should demonstrate the wider strategies, policies and practices as well as the institution's reward and recognition processes. However, even in the best institutions there will be variation in the quality of the teaching across departments. These differences within an institution may highlight different quality but also the different approaches in different disciplines as well as the backgrounds of the students themselves.

This points to an evolution of TEF as something driven by the conversation around the teaching and learning opportunities that are delivered to students, i.e. TEF should become less about the metrics than about this conversation. There are very interesting parallels here to the current method of quality assessment – also configured as a conversation. Synergies between the new TEF intentions and the existing QA process should be identified and harnessed.

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?

GuildHE welcome the proposal that the metrics in the TEF will be broken down and reported by disadvantaged backgrounds and under-represented groups. Not all students are the same and this will help in recognising all those institutions that do a good job of supporting students from a range of backgrounds.

We agree that an approved Access Agreement should be a pre-requisite for a TEF award for providers that already have one under current legislation. But as highlighted in question 3 there are some alternative providers that may not have Access Agreements and they should not be excluded from applying for TEF.

Institutions understand local and sectoral need better than central agencies ever could. OFFA recognises this already in Access Agreement guidance, which is balanced between national and institutional priorities; the same principle could easily be copied over to TEF.

Question 5: Do you agree with the proposals on:

a) what would constitute a 'successful' QA review

No. The definition of "a current successful QA review" excludes large numbers of institutions (90 plus) who, simply because of the quality assurance cycle, have not had the opportunity to be reviewed under this current system, which was only introduced post 2012. It's important to recognise the changes in the review method do not reflect changes in quality of institutions reviewed under the previous method and the definition of "a current successful QA review" should be widened in response.

It is also important to note that not all institutions have gone through the same type of review processes, so it will be important that government make allowances for institutions that have had an equivalent type of review e.g. Higher Education Review (alternative providers).

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

The TEF should be open to alternative providers, although in the first couple of years there may need to be a parallel process for those that have not gathered data for long enough or have not previously been expected to have Access Agreements. There should be comparable incentives open to alternative providers to ensure the same drivers apply to improving teaching quality in alternative providers. However, the Green Paper tends to refer to alternative providers as if they were a homogenous group, whereas they encompass a wide range of provision and experience. This complexity needs to be given much greater consideration than is evident in the Paper.

c) the proposal to move to differentiated levels of TEF from year two? Please give reasons for your answer

In principle, every institution must be able to reach TEF Level 4 in order for the system to be both a true reflection and driver of excellent teaching. It should be recognised that not every institution is at the same starting point and what they achieve is on an individual basis.

If we have different financial rewards on the basis of different levels – and with inflation currently at 0.1%⁷ - at the moment this doesn't give much room for flexibility.

We have a particular concern in year 2 about how to maintain the robustness of the judgements of the independent panel. The panel will be looking at a limited number of metrics but it is unclear how they will be able to develop a way of differentiating between institutions to create three additional levels of award (beyond successful QA review at level 1), and this is likely to result in legal challenge or lengthy appeals, especially if linked to financial return. BIS should only introduce as many levels as are robustly defensible, not least to prevent judicial review.

Question 6: Do you agree with the proposed approach, including timing, assessment panels and process? Please give reasons for your answer.

Timeline:

It seems practical to implement a more simple system early on using existing measures that have developed over time due to the tight timeframe. It was good that BIS listened to the sector that introducing something new in time for 2017/18 would be impossible. But as the measure for inflation used in 2017/18 will be consulted on as part of the Technical Consultation, it will be important that a quick decision on this is taken to enable institutions to be able to announce their fees in Summer 2016. Ideally BIS would agree wording with CMA that institutions can use on their websites in the meantime. But even looking at 2018/19 the timescale looks tight.

Looking at the proposal, students starting in 2018/19 will begin the applications process in October 2017 (for Oxford, Cambridge, medicine, dentistry and veterinary courses), and January 2018 for other courses and institutions. Institutions successful in TEF will be able to raise their fees by inflation and so students will need to know the fee level as part of their decision-making. This means that institutions will need to update their websites by early Summer 2017, having already gone through their University Board of Governors for approval. Therefore decisions – including using independent panels - will need to be made by late Spring 2017 using an agreed set of metrics, benchmarks, institutional narrative and definition of excellence for the panel to assess against.

The timescale is also a concern regarding how the proposed metrics will be used and the unknown behaviours that the metrics may encourage within institutions. The funding councils are currently reviewing the Performance Indicators and exploring new ways of measuring institutions' widening participation characteristics; this process is developing on a parallel timetable which requires consideration. It will be important to test any future metrics before they are implemented to prevent any future unintended consequences and to ensure that the TEF will meet its purpose.

Further, the timescale re-emphasises the point above about the granularity of judgements since the tightness will result in too much pressure on the panels to make highly granular judgements in a short period of time.

⁷ Bank of England <http://www.bankofengland.co.uk/Pages/home.aspx>

Panel:

Determining panel membership and agreeing the process by which they make judgements as a collective group that are both robust and defensible are crucially important. The academic panel members, for example, need to reflect the full diversity of the HE sector, including by institution and discipline type. It is also important that the panel is made up of people that have a good understanding of the institutional context so that they are able to give equal weight to the narrative rather than over-relying on the data.

We would also advise BIS to revisit the proposed panel balance during the technical consultation: based on the Green Paper we are concerned about over-emphasising the perspective of those with an interest in graduates (i.e. employers) at the expense of those with the expertise and perspective to evaluate teaching and learning (i.e. academics, students). We fully agree that employer views should be represented; the risk is that so far, the Green Paper confuses the interest employers have in information about graduate outcomes (which they do have) with an expertise to judge the fine detail of teaching quality (which they don't necessarily have).

This is also likely to give rise to a new variant on the question of whether a 2:1 from University X is comparable with a 2:1 from University Y – with the new version being how we know whether a Level 4 TEF at one institution is comparable to a level 4 TEF at another institution.

This is a problem that TEF levels, as proposed, simply cannot resolve. It may be that Government should entirely reconsider the concept of having four TEF levels – the risks of inappropriately distorting perspectives and damaging graduates' opportunities are considerable, if TEF levelling cannot avoid creating strained and artificial differentiation based on metrics which were designed for other purposes.

Further to this, see our answer to Q5c.

Processes:

Whilst we're just looking at the institutional level, if there is an institutional narrative sitting alongside the data we should consider how student views are reflected as part of this, which could include it being a joint submission, a students' union commentary or just ensuring that the statement is signed off by a university committee that includes student representation. This principle of student representation should also be an integral part of the independent peer review that will be reviewing the data and institutional statements.

We have already seen in recent years the benefit that students have brought to QA Review panels and as we move into a new regulatory landscape with an Office for Students, this wider – and deeper – engagement of students should be embedded in the process from the beginning.

Question 7: How can we minimise any administrative burdens on institutions? Please provide any evidence relating to the potential administrative costs and benefits to institutions of the proposals set out in this document.

We want something that will be efficient. We do not want to spend a lot of money and time and deflect people from doing research and teaching by concentrating on filling in forms and delivering information.

Small institutions are disproportionately taxed by existing review mechanisms such as the REF and HER. Generally they lack the resource of larger institutions to complete the required preparation and administration.

Focusing on excellent teaching suggests a teacher-led approach – which if we were looking at trying to measure this might include observations, contact hours, proportion of small-group work and looking at proxies such as teaching qualifications and CPD of staff or indeed with wider learning environment such as library resources or support to ensure that they complete – all of which could end up being fairly burdensome for institutions.

However, if we are trying to measure student learning, which the Minister, seemed to suggest in his July speech we would need to be looking at the much harder to measure area of student outcomes – such as the value-added by the institution, or “learning gain”, or their level of employability.

In reality we will probably looking at a combination of all of these – but we need to do so in a way that minimises burden. This highlights the shame that we have slipped into calling it a Teaching Excellence Framework. Not least because it immediately draws comparison to the REF and its cyclical review of university research, estimated to cost over a billion pounds⁸.

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

The five principles of enhancement, efficiency, reputation, diversity of teaching and diversity of institution and autonomy could be a helpful framework by which to measure the success of the TEF.

But see also our response to Q3 and Q5c above, and Q9 below, where we outline concerns around TEF levels.

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

GuildHE believes that it is important to have a process that enables institutions to raise their fees in line with inflation as well as recognising the real terms cut in fees since they were introduced and the rising costs facing universities. If this is to be done, then linking it to improving and assessing teaching quality at least seems a reasonable approach. However, we would not agree with linking TEF levels to real-terms increases (or decreases) in fees since this would create a number of perverse incentives (such as for students to mark an institution down on their NSS to prevent fees rises).

⁸ Technopolis report: *REF Accountability Review: Costs, benefits and burden*
http://www.hefce.ac.uk/media/HEFCE,2014/Content/Pubs/Independentresearch/2015/REF,Accountability,Review,Costs,benefits,and,burden/2015_refreviewcosts.pdf

However, we are not convinced that in year two it will be possible to get any significant level of differentiation because we question whether the combination of metrics and panel assessment will provide sufficient robust evidence to make such judgements. Further to this, we believe that 4 levels of TEF are too many and will lead to increased bureaucracy.

In a potential future scenario where there could be much greater fee differentiation it will be important to consider the impact that whilst the “best” teaching is rewarded with increased funding, there may be a scenario that less good teaching is penalised and so doesn’t have the ability to invest to ensure its improvement. This will either result in a degradation of quality of teaching for these students or could result in closure of courses which will impact on student choice, and the participation of disadvantaged students, especially those not able to travel to other institutions.

In addition to the expectation that students should be receiving excellent teaching anyway there has also been concern that the financial implications could have an impact on how institutions engage with the process. The risk is that instead of a focus on enhancing teaching, it creates incentives to focus on the metrics and data that inform the assessment and so results in playing the system.

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

The proposed areas feel broadly right – we are in fact limited by the availability of metrics. But there are challenges that need to be dealt with very carefully during the technical consultation phase.

There have been many proxies suggested but three broad areas surrounding teaching quality, learning environments and student outcomes feels like the right starting point for discussing possible future metrics. Indeed it is worth reflecting on Graham Gibbs’s Dimensions of Quality research that have done so much to shape Government thinking in this area.

There could be various proxies in these categories including teaching qualifications and ongoing CPD, questions around how engaged students are with their learning that HEFCE are consulting on revising the NSS, and at a future point measures of “value added or learning gain” which are currently being piloted.

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.

There is no commonly agreed single definition of teaching excellence, domestically or internationally. Therefore rather than attempting to measure this through creating a hugely bureaucratic process such as the QAA’s Teaching Quality Assessment of the late 1990s, it will be important that we use proxies for teaching quality, whilst at the same time recognising the limitations and risks of using such proxies.

The Green Paper itself recognised that “There is no one broadly accepted definition of “teaching excellence”. In practice it has many interpretations and there are likely to be different ways of measuring it.” It also goes on to recognise that “not all students will achieve their best within the same model of teaching”. There is clearly the challenge of being able to separate out the teaching inputs from the learning outcomes.

However, too great a focus on data and metrics risks confusing measuring excellence with assembling and publishing the least worst set of things that can easily be measured. This brings two key issues to mind. Firstly, a set of simple metrics will always struggle to reflect the real diversity across the sector and this must be taken into consideration when reflecting on the data. It will therefore be essential that data is effectively benchmarked for the type of subjects taught and the cohort of students studying. When thinking about the NSS data, there are real differences between different subject disciplines and the HEFCE Performance Indicators already take into consideration other factors that can distort data such as student background and geographical location.

The second factor to remember is that it is important to have a narrative provided by the institution so that they are able to set in context the wider range of activities beyond the data and also that they are able to set the data in context. There have been two major reviews and pieces of research recently that have highlighted the flaws in relying solely on the data. Firstly, the recent independent report on the use of metrics in research assessment (the so-called Wilsdon report) concluded that quantitative metrics are no substitute for academic peer review. Similar considerations apply to the use of teaching-related metrics and this was reinforced by the recent research at King’s College London on the inability of data to accurately predict institutional performance in QAA reviews.

This means it is important that the institutional statement is given as much, or more, weighting as the data. Indeed the institutional statement should be seen as a key part of a robust evidence base rather than a way to justify the data. It will be important that the Independent Panel is made up of people who have an understanding of institutional context and are able to interpret the statement rather than just relying on the data.

Our main area of concern is the use of employment data. We do not think an employment outcome metric will indicate the quality of teaching that the student has received as we believe the link is so indirect. This is because it is more likely to reflect factors such as course and career choice and social capital rather than being a reliable proxy for the outcomes of learning. GuildHE feel that when metrics are developed a distinction should be made between employability and employment outcomes as there are such varied motivations for why a student: a) applies to university b) studies a particular course and c) wants out of a university degree. Whilst some degrees lead to direct employment within a specific profession, for the majority of students the variety of employment skills and attributes they gain from a degree are key to their successful career trajectory which is why an articulation of the employment skills gained at university is as/or more important than the destinations of previous graduates.

That said, we recognise that students have been increasingly citing the importance of employability and job prospects when applying to university. It will be important to use

more than just the six-month DLHE data which is skewed by issues such as students doing unpaid internships or having a portfolio of careers in some industries such as the creative industries, which necessarily develops more slowly than in some other professions. As a point of principle, no industry or subject-area should be disadvantaged by TEF metrics, and there is a risk that this will happen with too blunt an application of employment data, this may in part be enhanced by linking to HMRC data allowing a long-term tracking on graduates employment, but without qualitative information wouldn't track the "graduateness" of the job.

The current main DLHE measure of success – professional / managerial employment – is a categorisation that is based entirely on a Standard Occupational Classification (SOC) system. This system does not take into account the subject studied, or varied entry routes into some industries. It is a crude system – for example if a student has studied make-up for film, and has become an on-set make-up artist within the film industry, a job that is not classified as professional or managerial, who is to say that this graduate has not been successful?

The paper cites the proposed use of 'HMRC matched data, giving more accurate information on graduate outcomes' in order to supplement DLHE. It is very difficult, however, to see how this will provide a measure of teaching excellence. It only concerns one aspect of graduate outcome data (salary) and there is no link between graduate salary and teaching quality. Salary is very subject dependent: no matter how excellent the teaching, it is unlikely that a fine art graduate will out-earn a medical graduate. Salary also has a powerful link to the capability and social background of the student on entry.

We also have concerns about retention data. We recognise that student progression and retention can be a proxy for the support that students receive and the wider learning environment. But it must be properly benchmarked to account for the fact that students from particular backgrounds are less likely to drop-out. And it is important that this doesn't become a long-term metric, if TEF is linked to increased fees, as it could create unintended consequences: some students "drop-out" for the right reasons – whether moving to a different institution, realising they've made a mistake or indeed receiving a job offer - and we wouldn't want to incentivise institutions to act against students' best interests.

All of this points, again, to the importance of the "conversation" and contextualisation of the raw data which was not designed for the purposes TEF would use it. Contextual statements on distinctive university approaches to excellent teaching, student support, and diversity of students, will all be vital and the resources need to be deployed within TEF to evaluate them. It is not yet clear how this will operate in the early years of TEF – say as TEF lite develops into year 2.

We believe the NSS data should use the questions relating to teaching quality rather than the overall question about satisfaction. The questions relating to teaching quality have developed over ten years, there is tracking data to measure trends, and institutions have been using it for enhancement. However, there remain concerns about students making judgements when – in most cases - they have nothing to compare their experience to, as well as whether they are reflecting on teaching or their own learning.

Further, we have concerns about the suggestion that the proportion of staff on permanent contracts might prove a suitable metric. This is because institutions and courses with close links to industry and the professions need variable contractual arrangements in order to secure the services of practicing professionals. Their contributions are vital to the delivery of high quality, vocationally relevant, employer-linked provision. It would damage the quality of teaching and the student experience if the TEF unintentionally deterred institutions bringing in highly skilled professionals to contribute to teaching on contractual arrangements that recognise the fact that they have jobs outside of the core academic profession.

All in all we would suggest that whilst there are flaws with the proposed metrics they do at least use existing data and are universal and apply to all institutions, and so we can probably live with them for a couple of years – but we would strongly stress that these data should not be retained for a medium/long term and also that the data is placed in context alongside an institutional narrative. It will be important that these metrics are monitored closely for unintended consequences and that they are not thought of as fixed. BIS will need to continue to work with the sector to ensure that they follow through with their commitment to reviewing and implementing future metrics.

Social mobility and widening participation

Question 12:

- a) Do you agree with the proposals to further improve access and success for students from disadvantaged backgrounds and black and minority ethnic (BME) backgrounds? Please give reasons for your answer.**

Yes, we strongly agree with the proposals to widen participation for disadvantaged and underrepresented groups. However, we feel strongly that the Spending Review's proposed changes to Student Opportunity funding, the recent funding changes made to Disabled Student's Allowances⁹ and the replacement of maintenance grants with loans will make it extremely challenging for institutions to meet these WP priorities if they negatively impact on the funding settlement at institutions which contribute most to this agenda. For institutions that have at the core of their mission the opening up of access to HE, this may create serious negative consequences for their students.

We also see the sense in the proposals to ensure institutions align their access and outreach work with their equalities activity, in order to help meet the targets Government is aiming for around these under-represented groups. But there may also be other under-represented groups that still matter locally to individual institutions.

We welcome the emphasis on institutions recruiting more widening participation students but we must ensure that providers have the right mechanisms in place so that these students can be properly supported to succeed.

⁹ Parliament written statements <http://www.parliament.uk/business/publications/written-questions-answers-statements/written-statements/?page=3>

b) 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.

No we do not agree. We feel that the way the Director of Fair Access currently negotiates institutional targets can work well. The law already gives him the ability to apply sanctions to institutions that consistently fail to meet aspirational targets.

There is a need to preserve institutional autonomy and the DfA's role should be to encourage institutions to set ambitious targets: imposing set targets risks undermining the good work that institutions are already doing to meet local or regional priorities. If diversity in the student population and in regional spread of provision is to be genuinely achieved, it will be vital that the Director of Access allows institutions to identify and deliver support for local or regional access priorities, as well as national targets.

The GP proposals provide a good emphasis to widening participation and social mobility, across the proposals for OfS, TEF, and the new single gateway. We welcome this, but we feel that as it stands this will be insufficient to ensure this remains a priority in the sector.

Note that the current OFFA director has recently gone on record to stress that under OfS his role should remain genuinely independent and they have addressed this in their own GP response:

“Responsibility to set targets should remain with institutions, The diversity across the sector means that universities and colleges are best placed to set their own fair access targets, based on their institutional context. External target setting would reduce ownership and make it more difficult for the Director to hold institutions to account for failing to make progress against agreed targets. Institutions that failed to meet targets that had been set externally could counter that they never felt these targets were achievable. Central target setting would also be a bureaucratic and highly resource-intensive exercise¹⁰.”

In relation to TEF metrics, we agree with the OFFA Director's recent statement (8 December 2015¹¹) that “the TEF must guard against a system whereby institutions become reluctant to take on undergraduates from disadvantaged backgrounds. The TEF should recognise those institutions that have done the heavy-lifting on fair access”. It is not yet clear from the TEF proposals how this will be achieved but it will need consideration during the technical consultation phase.

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

There seems to be three groups that are missing from the Green Paper's narrative on underrepresented groups – part-time, mature and postgraduate students. As we know part-time numbers have dramatically declined over the last 5 years¹² (by 41%), as access to HE

¹⁰OFFA Green Paper response: <https://www.offa.org.uk/wp-content/uploads/2015/12/Fulfilling-our-potential-teaching-excellence-social-mobility-and-student-choice-OFFA-consultation-response.pdf>

¹¹ OFFA news release: <https://www.offa.org.uk/press-releases/les-ebdon-warns-of-unintended-consequences-to-fair-access-of-new-teaching-excellence-framework/>

¹² HEPI publication: *It's the finance, stupid! The decline of part-time higher education and what to do about it* http://www.hepi.ac.uk/wp-content/uploads/2015/10/part-time_web.pdf

for these students along with mature and postgraduate students has become more difficult. This prompts key concerns over fair access to HE and meeting wider social mobility goals. It is important that these groups are not side-lined and are provided with the appropriate support mechanisms. However, we acknowledge and appreciate the focus on these groups in the Spending Review announcement namely, the introduction of maintenance loans for part-time students and the introduction of postgraduate loans to students under 60. We welcome further elaboration on support for these students in any future White Paper.

Question 13:

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

We are supportive of additional data being made available in order to improve access and guide institutional strategy on widening participation as long as the data remains strictly anonymised. As we understand it, UCAS's current proposals will achieve this and therefore a further power is not deemed necessary.

HEI's use data in diverse ways as they have varied information needs, along with different admission structures and resource availability¹³. Opening up the availability of application data would allow institutions to undertake more nuanced analysis of their own students' learning journeys and allow more sophisticated data analysis that could facilitate more effective learning and teaching strategies being implemented. This could help to enhance some students' learning considerably and also help in supporting more targeted recruitment of students.

We would also point BIS to the current review of the Performance Indicators being conducted by the funding councils and HEPISG¹⁴. The Green Paper proposals should be aligned with this work.

It will be important when considering how to create a new system to minimise the ability of institutions to try and game the system. This will be especially important when there are funding and reputational implications, as it is likely that institutions will try and present their institution in the best light.

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

As the Green Paper does not provide much detail on this proposal, it is difficult to assess the additional burdens this may create for organisations. However, the collection and reporting of additional data and information will require some costs and administrative burden to institutions. It will be important that measures are implemented to minimise this.

We need to recognise the diversity of the sector and subject and so shouldn't just rely on data but build a wider picture using context-specific information.

¹³ SPA paper: *Data and statistics for HE admissions* <http://www.spa.ac.uk/information/dataandstatistics>

¹⁴ HEFCE circular letter: <http://www.hefce.ac.uk/pubs/year/2015/CL172015/>

Alternative (Sharia-compliant) finance

We welcome the proposal of an alternative financial product to traditional loans. It is good that it is designed to be Sharia-compliant, however it is important to recognise that similar considerations may apply to other religions and it would be worth considering if all types of students could benefit from this financial product.

The Higher Education Sector

Part B, Chapter 1

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.

Agree. GuildHE believes that the ability of providers to enter the higher education sector and to benefit from different levels of financial support should be determined by fair and objective assessment of their capacity to provide a quality education for students and should not be a result of history. Similarly, different levels of financial benefit (levels of fee loan; access to grant funding) should require different levels of regulatory obligation or responsibility (e.g. access agreements; compliance with conditions of grant). Opening up the sector should also provide transparency and clarity to a process that is somewhat complicated and opaque, particularly with regards to applying and gaining DAPs.

However, the 'single route' needs to be a sufficiently rigorous one: speeding up the pace of travel along such a single route should not be the driving force underlying the change. Inappropriately fast and possibly less rigorous processing and approving of providers would have a detrimental impact upon the sector at large, which could have serious implications for the reputation and financial success of the whole UK HE sector. It would also not operate in the best interests of students. It would be important to ensure a robust probationary period for those entering the sector, and this might include a student insurance scheme during the probationary period to protect the student interest in the case of institutional exit at this early stage.

Question 15:

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

GuildHE agrees that the DAPs application process and university title process should be closely aligned or even merged. While we welcome the government's review of the four year track record requirement, we believe there is an irreducible minimum – a cohort of student needs to graduate before a judgement can be made about an institution's ability to hold DAPs. We agree this review can be pursued under the current regulatory framework. We agree that in future all new degree awarding powers should be awarded on a renewable basis initially. We also agree that a wider set of evidence should be considered for assessing track record for DAPs, however we strongly disagree with the notion of the decision being based on the track record of individuals within the organisation: an institution's DAP should

not be reliant on any one individual or group of individuals that may leave at any time. Critically it is important that the criteria being used for assessing the quality of DAPs is robust. We think that whatever the numbers criterion is for gaining university title, it is essential that the institution is financially viable in the immediate and medium-term; and that there is a critical mass of both students and academic staff.

We are concerned that the government's proposals do not provide enough detail about how the risks to students would be managed when DAPs had been awarded to a "provider with a limited evidence base". For example, if the "regular monitoring" shows continuing concerns and the DAPs are suspended or removed, how would government preserve the currency value of the degrees awarded? This risk would be greater than in the current arrangements because of the lower bar that had been applied in making the initial award of DAPs.

GuildHE would welcome further detail on how the proposed changes to DAPs will apply to institutions with applications already underway. In particular, which regime will apply to providers in scrutiny at the point legislation is passed? GuildHE believes that in such cases, the current regime (i.e. the one at the time of application) should apply.

We also wish to comment on the current system for securing Research Degree Awarding Powers (RDAP). Our members feel strongly that the current requirement to begin the RDAP process (a track-record of 30 completions) is too high and should be reduced. This is an opportunity to do so. A reduction would facilitate entry to RDAP for high-quality but smaller providers and would parallel the 2012 reform to the student number threshold for TDAP. Instead of an arbitrary number of completions (30), eligibility to begin RDAP application should be linked more closely to quality of research and research environment. It is imperative that we are assured that the academic nature and community of an institution is sufficiently viable to be able to continue to deliver in the long term.

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

GuildHE agrees that it makes sense to identify a validator of last resort. In particular, it is important to provide stability in validating arrangements. GuildHE is aware of examples where providers have had to change validating partner several times simply because the validator no longer views the activity as a priority. It is the potential for this sort of disruption that needs to be addressed: we think the anti-competitive aspects of the current validation arrangements may have been overstated by government and exist more in theory than in practice – the fact remains that the validation arrangements have allowed a number of new providers to enter the market and subsequently to achieve their own degree awarding powers. There are also many examples of validation partnerships that are valued by new entrants and that last many years.

The most immediately viable option for validation looks to be one where either government or the Office for Students contracts with an established body already holding DAPs on the basis described in the Green Paper. This is because these bodies already have the relevant expertise. Creating this from scratch, either in a new non-teaching body or in the Office for

Students is likely to be time consuming and costly, and a non-teaching body would lack the expertise and experience around teaching and learning processes. It will be important that the sector remains involved in this proposal as it could affect the current validation arrangements in place across the sector.

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

GuildHE welcomes proposals to speed up entry for high quality higher education providers. But we think the balance of the proposals needs some adjustment. We agree with the proposals on multiyear designation but do not think that annual re-designation should remain the norm. There are many high quality alternative providers who do not yet have degree awarding powers who should not be subject to differential treatment, particularly when it results in additional burdens and costs.

GuildHE has concerns about the proposal to reduce the financial track record. This is because one of the features of the earlier designation regime that caused damage to the reputation of UK higher education was the fact that providers with no financial backing were able to operate hand to mouth – only viable for so long as the publically backed tuition fees kept coming in. This increased risks for students and contributed to the overall clamping down by BIS, in response to the NAO report, that some of the proposals in this section are seeking to retreat from.

On academic performance, allowing designation applications throughout the year looks positive for providers. But we question how this will be resourced?

With the proposal on probationary designation, we would like more information on how the government envisages the validating partner playing “a more hands on role”? This sounds like additional activity by the validating partner – who would pay for this? Does government envisage setting out what the “hands on role” would entail with validating partners pricing this accordingly?

We welcome the proposals further to relax student number controls.

Part B, Chapter 2

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

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.

GuildHE welcomes the intent behind the requirement for contingency arrangements to improve protection for students and agrees this should, in most circumstances, allow for continuity of study. But government needs to accept that in some more specialised subject areas, particularly at postgraduate level, it may not be possible to arrange an equivalent course at another provider.

Risks may also exist to disadvantaged students around "provider exit" from the system, i.e. if institutions fail and have particularly high proportions of disadvantaged students or students that may struggle more than others to change provider e.g. those with disabilities. However, the proposed requirements around "continuity of study" may mitigate the impact for those students at exiting providers

Part C, Chapter 1

Question 18:

- a) Do you agree with the proposed changes to the higher education architecture?
Please give reasons for your answer.**

Partly agree. GuildHE agrees that it makes sense to create a new arms-length regulator with a duty to protect the student interest. But GuildHE thinks this new public body should be explicitly created as part of a regulatory landscape that embraces co-regulation. On teaching quality, this means we believe the OfS should sit alongside the QAA in order to ensure the safeguarding of standards, the improvement of quality and the maintenance and enhancement of the global reputation of UK higher education. The Green Paper focuses on one of QAA's roles – the reviews carried out under contract to the funding council, using HEFCE's power to assure the quality of the education it funds. The QAA's work to assure standards through the UK Quality Code is equally important. There is a risk of creating wider reputational damage by looking only through the lens of the OfS's powers. It is worth noting that the QAA resulted from a sector led approach, encouraged by Ministers at the time, to assure both quality and standards. GuildHE believes the QAA should continue to carry out these functions on a UK wide basis and that Ministers should, like their predecessors, clearly signal that this is the solution they want. It is not enough to leave these decisions to the OfS by giving it the power to contract out certain functions if it chooses. GuildHE is happy to work with others in the sector to secure the reforms necessary for the QAA to function effectively in a regulatory framework and architecture focused on championing the interests of students.

It has long been agreed that higher education is the combination of teaching, research and knowledge exchange and we are concerned about the impact on the perception of this balance if QR funding is removed from HEFCE and moved to a new Research UK body.

Overall, it is essential that changes to the regulatory architecture continue to maintain and promote a distinctive, diverse and inclusive higher education sector in the UK.

- b) To what extent should the OfS have the power to contract out its functions to separate bodies?**

Yes. But see the answer to 18a, above.

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

The OfS should be able to contract out functions including assuring quality and the provision of data. GuildHE believes that the current arrangements, whereby these function are carried out by QAA and HESA should continue – this brings both independence to these functions

but more importantly both QAA and HESA operate on a UK-wide basis and the sector as a whole benefits from maintaining the integrity of a UK-wide sector. On quality, please see the points made in response to 18a, above. On data, GuildHE supports the proposals in HESA's "Data Futures" consultation; thinks they provide assurance of HESA playing an effective role at the centre of the reformed data landscape and its governance; and believes the statutory data function should be contracted out to HESA.

**d) What are your views on the proposed options for allocating Teaching Grant?
Please give reasons for your answer**

GuildHE strongly believes that the OfS should be responsible for determining the allocation of teaching grant. There are two reasons for this. The first is practical. Elsewhere the Green Paper acknowledges the strength of HEFCE's expertise and the value of ensuring its transfer to the new regulator. Operationalising Ministerial funding priorities for teaching grant is one such area of expertise. HEFCE has a depth of knowledge, not just in devising formulas but in understanding the impact those formulas will have when translated into institutional funding to meet particular ends. The second is a matter of principle. Since the creation of the University Grants Committee in 1917, funding allocations to autonomous universities have been taken at arms length from Ministers. GuildHE believes that should continue.

GuildHE has concerns about the proposal that the SLC might administer teaching grant payments. This is because we are not convinced the SLC has the capacity to deliver effectively the additional products and processes that it is already committed to (postgraduate loans; part-time maintenance loans) let alone new areas of work. We think the administering of teaching grant payments can be done by the OfS.

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

Yes in principle. Regulation should be fair, consistent and transparent for all types of providers. The current arrangements are unfair, treating providers differently because of their history or ownership structure. GuildHE agrees that the framework should be applied in a risk-based way with less monitoring for low risk providers.

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

GuildHE works to celebrate and promote student engagement in institutions and our members enjoy strong and mutually supportive relationships with their students' unions. Students' unions are already subject to significant regulation through Charity Law and the 1994 Higher Education Act and we believe they are committed to being transparent and accountable. We are aware of, and support, proposals from the NUS to increase transparency and accountability by adding questions on students' unions to the core NSS; encouraging data sharing agreements with parent providers; and encouraging take-up of the Quality Students' Unions framework. It should also be noted that students' unions are

responsible to their boards of trustees, many of which have external trustees brought on for their expertise in particular areas.

Question 21:

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

GuildHE agrees with the proposed duties to promote the interests of students; to respect the institutional autonomy of higher education providers and the academic freedom of their staff; to promote excellent teaching; to operate a single entry route into the higher education system; and to publish and operate a risk based regulatory framework.

There is a lack of clarity about the powers in respect of widening participation and access. This section of the Green Paper talks about giving the OfS “the existing powers of the Director of Fair Access” but earlier it was suggested that the OfS might have additional powers and be able “to set targets for providers that are failing to make progress on agreed widening participation goals”. GuildHE is concerned that BIS has not thought through the interaction between the TEF metrics and the possibility of unintended consequences (e.g. that TEF could provide a perverse incentive to reduce WP entrants to improve retention) and new powers for the OfS to set institutional targets.

Further to this, see our answer to Q12b.

GuildHE agrees that the OfS should have “additional powers to require bodies providing a service connected with the provision of higher education to provide relevant data and information” so long as it is limited to improving student information and tackling access issues.

In our response to question 15b) we questioned whether OfS would have the expertise (without substantial additional cost) to act as a validating body. For that reason, it may make more sense for the OfS to have a power to assure the provision of a validator of last resort or to add this to the functions it can contract out.

Given the other changes proposed, there is a logic in having a power to suspend and remove DAPs and UT but we would have concerns about how this power might be used and the risks to institutional autonomy and academic freedom. We note that BIS have said the OfS would only use “this power in the event of very serious concerns arising, and would underpin it with a transparent, evidence-based and rigorous process around its use”. GuildHE would want to see the details of those safeguards.

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

No. Government currently pays for the regulatory functions exercised by HEFCE and OFFA and should pay for the OfS. The analogy with other regulated sectors is inexact – typically in other regulated sectors all of the enterprises are for profit. In higher education, the vast majority of providers are not for profit and a more exact analogy would be with charity regulation – core costs are met by government (although we acknowledge there have been

suggestions charities should meet the additional costs of more rigorous regulation). The analogy with the funding of sector bodies is also inexact - the sector “owns” bodies like QAA and HESA that it pays for, appoints to their Boards, and can question directly whether the subscription charged is providing value for money. If the government’s proposal was implemented GuildHE are concerned about how the subscription costs to the sector would be monitored; and how (and by whom) the OfS would be held to account for efficient and effective operations.

Question 22:

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

GuildHE agrees with the following caveats. The government needs to make it clear that the Secretary of State power to give directions to OfS is a power to give general directions and should not be framed in respect of individual institutions. Otherwise this wouldn’t mirror the current power.

GuildHE would like clarification about the proposed power for the Secretary of State to:

- “set tuition fee caps and require OfS to monitor all registered providers to ensure they are complying with the tuition fee caps”.

Is this solely the equivalent of the Secretary of State’s duty under Section 23 of the Higher Education Act 2004 to set a condition of grant (set out in Annex 3 of the 2014 HEFCE grant letter) to ensure institutions do not breach the basic and higher fee caps? If so, then GuildHE accepts this is needed in the new architecture. GuildHE would oppose any power that gave the Secretary of State power to increase the basic and higher amounts without recourse to Parliament.

GuildHE also has concerns about the proposed power to enter and inspect higher education providers. GuildHE understands the need for effective powers to prevent serious abuse of financial conditions but would want to see details of how government intends to use this power; the proposed limitations on its use; and the safeguards for providers.

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

There needs to be explicit instruction that the power given to the Secretary of State to direct OfS is limited to strategic direction of the sector and does not extend to individual institutions. The arrangements for the protection of institutional autonomy as currently framed do not provide assurance.

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.

GuildHE welcomes the intent behind the proposed reforms to the constitutional arrangements for higher education corporations (HECs). These are outdated and restrictive and do not recognise the autonomy and maturity of HECs.

However, the proposed change in the dissolution process could have an unintended consequence if it were seen as increasing the risk of financial exposure carried by the HEC. In particular this could negatively influence the perceived strength of employer covenant for the HE sector's pension schemes. Most HECs participate in the public sector pension schemes, especially the Teachers' Pension Scheme (TPS) and Local Government Pension Scheme (LGPS), but many also have some participation in the Universities Superannuation Scheme (USS). For the funded schemes in particular (USS and LGPS), any perceived reduction in the strength of the employer covenant could lead directly to increased employer contributions. BIS should consider what it can do to prevent an unhelpful reaction from pension schemes, particularly in the LGPS funds and to encourage uniformity in approach towards individual HECs.

GuildHE welcome the government's proposals 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.

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?

We are fully committed to the dual funding system for research and we are reassured by the continued commitment to it. This stream of funding is essential to support the full diversity of research at UK universities. Smaller and specialist institutions' QR allocations account for a tiny percentage of the overall funding available, and whilst this is leveraged to great effect (producing world-leading research and attracting external funding from a wide range of other private and public sector sources), it often represents the only research funding stream from the UK government that they receive; they are often not in receipt of RCUK funding. As they build capacity and reputation, some institutions are therefore in a single-funding system, and the future design of the institutional research landscape should take this into account, such as through ensuring QR funding is maintained, protected, and transparently allocated, and through ensuring other research funding mechanisms recognise excellence wherever it is found, and not simply target previous recipients.

That design should also enable all eligible HEIs to participate in the assessment of and be in receipt of funding allocations, and to provide opportunities for pockets of excellence as well as sector leaders. We would welcome more equitable peer review, drawing on individuals with relevant experience beyond those usually chosen for such roles. The proposed interdisciplinary fund detailed in the Nurse Review may be a good opportunity to consider the full range of potential reviewers from which to draw, and to consider the overall profile of peer reviewers in research assessment. We would also welcome equitable opportunities for the full diversity of research-active universities to advise and contribute to the Stern Review of the REF, whose already established high-level steering group is drawn largely from research intensive universities. In order for UK research infrastructure to be fit for purpose across the sector, it is imperative that the full spectrum of institutions are considered and understood in such reviews, consultations and designs.

To maintain the Haldane Principle we feel it is imperative that funding decisions for research take place in an appropriate body at arms' length from government to avoid blurring of boundaries between policy drivers and the support of excellent, curiosity driven research.

We also welcome the acknowledgement made in the Nurse Review about the value of a diverse research environment, and that innovative approaches emerge from that diversity. Nurse has explained in substantial detail the interrelatedness of discovery, translational and transactional research and the roles of these in the UK research environment. Peer review and similar assessment sutures should therefore include a relative proportion of experts in the full range of research types to ensure they are given adequate support.

Finally, there is significant expertise and sector knowledge amongst colleagues at HEFCE; it would be detrimental to lose the skills and experience of those involved in dual funding allocations and the REF exercise. In particular, it would be detrimental to the future design of institutional research to lose the breadth of understanding of all parts of the sector that these personnel have. We would welcome the effective transfer of relevant posts and personnel to the new structures.

Question 25:

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

The following safeguards would be expected:

- Allocations are made using a transparent methodology
- Dual funding resources are ring-fenced to avoid 'mission creep' into other areas of competitive research funding
- That any allocating organisation should sit at arms' length from government to avoid blurring of boundaries between policy drivers and supporting excellent, curiosity driven research
- The expertise and sector understanding that already exists is maintained and made use of in any future reconfiguration

b) Would you favour a degree of hypothecation to ensure that dual funding streams, along with their distinctive characteristics, could not be changed by that organisation?

Maintaining the balance in distribution between research council funding and QR is an essential element in securing the dual support system. It will be important to maintain the size and distinctiveness of QR funding if moved to a new funding body, and so hypothecation could be a helpful principle. We would also stress that this hypothecation should allow room for those institutions establishing areas of excellence to grow their research capacity and scope, and did not prevent innovation and creativity in the overall research endeavour.

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?

As a representative body we see the benefits of REF through our research network, CREST. The body of evidence generated by the exercise has been very valuable in demonstrating research excellence and impact amongst our members. The exercise has robustly identified research strengths that exist outside the 'usual suspects' of research intensive universities which tend to dominate headlines and funding allocations. The introduction of impact into the recent REF was a welcome development. The inclusion of the impact element enabled a wider range of outcomes to be captured and valued; many smaller and specialist institutions excel in translational research and working with groups beyond the campus for applied outcomes. Through the impact case studies we have a wealth of useful data to support arguments for the diversity of the sector and the diversity of methodologies that lead to world-leading research outcomes. It has strengthened the case for continued Government funding, indeed there is a case that the impact weighting could increase from 25%.

For the wider sector the exercise permits all institutions to be fairly assessed on their own merits, providing a robust set of data for benchmarking. The inclusion of impact, whilst challenging, has shone a light on the wide variety of benefits that flow from research in the UK and beyond, and this is a positive development. Smaller and specialist institutions have demonstrated significant impact, and scored highly in the majority of cases in this area, enabling better recognition of the excellence achieved across the full spectrum of institutions and through a wider variety of approaches to research activity.

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

A significant portion of the much-reported burden was generated by the infrastructure put in place by HEIs themselves to accommodate the changes in the exercise as compared to the RAE, and the impact element, with some larger institutions notably investing huge sums to this end. Smaller and specialist institutions were less likely to invest in the REF on this scale, however we saw considerable emphasis placed on readiness for the exercise in the work of our research network, CREST, in the year running up to submission.

As institutions now have personnel and expertise in place, and have invested in their understanding of the requirements of REF 2014, there may be a strong argument for changing as little as possible in the next exercise in order for that investment to be spread across multiple exercises. This is particularly pertinent for small-medium sized institutions who do not have the resources to make major changes to their institutional infrastructure, and for specialist institutions whose submissions were necessarily more complex; alterations to what's expected in art and design for example will have a large and wasteful effect on those institutions.

This view has been expressed at recent stakeholder events run by HEFCE regarding proposed changes to the REF. We hope that the recently announced Stern Review will make use of the feedback on future design already gathered by HEFCE as part of their consultation preparations; institutions attended stakeholder events in good faith and have therefore already begun investing in the next exercise. In short, institutions will already be putting in

the ground work for a future REF exercise; to make large scale changes at this stage will result in potentially wasted effort and add to the existing burden.

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

We actively support the creation of shared services that enable smaller and more specialist HEIs to adopt technologies that would improve their research information. Through its research network, CREST, GuildHE already supports a broad range of universities to share services. We offer a shared research publications repository which will enable smaller and specialist institutions to comply with research funder guidelines on Open Access in a cost-effective, sustainable manner.

CREST has been selected as one of the Jisc Shared Service Pilots for Research Data Management following a very successful scoping project to develop research data management solutions for small and specialist institutions. Such infrastructures relating to how research information is collated and stored require sector-wide investment and solutions that are sustainable for all sizes and types of institution; understanding and incorporating the needs and capacity of all institutions, not just research intensives will be vital to ensuring future data infrastructure is fit for purpose. Including CREST in this pilot will shine a light on the specific challenges that are experienced in a large part of the sector with regard to data and research information infrastructure where assumptions of 'technological readiness' by research councils and funding bodies do not apply.

With this in mind we are wary of the introduction of interim exercises based on metrics to 'refresh' the REF, although the stated goal of capturing pockets of research excellence as they emerge in between full peer review is commendable and would reflect the nature of our member institutions well. Relying on metrics for such interim measures will have advantages for larger, more research intensive institutions who have had the scale and capacity to address and enhance their information infrastructure and will therefore be better able to respond. Smaller and specialist institutions are, like many other research-active but not intensive institutions, still developing this infrastructure, and have been basing their approach on the longer term timeframe of the existing pattern of REF exercises. They also tend to have a greater proportion of subjects in which metrics are less reliable measures of excellence, such as the humanities, the creative and performing arts, and education, and whose research outputs are less standardised (i.e. Multi-modal, not papers in standard journals) and realised over the longer term.