Questions relating to all proposals

Are there aspects of the proposals you found unclear? If so, please specify which, and tell us why.

No. The proposals were clearly set out.

In your view, are there ways in which the policy intention (see the box 'The purpose of the TEF' on page 12 of the consultation document) could be delivered more efficiently or effectively than proposed here?

We agree with the importance and purpose of incentivising excellence in teaching, learning and student outcomes and agree that the TEF will go some way to achieving this aim. Whilst the outcomes of the TEF Exercise may influence reputation, we believe there is not such a strong link between the TEF and informing student choice. Student choice is heavily influenced at the subject level and without that level of assessment it is less likely that the overall TEF rating will have a strong bearing on student choice. In addition, the submissions will be written for an expert panel and as such may feel somewhat inaccessible to potential students.

We are not advocating for a subject-level exercise but recognise the relative importance of subject-level in informing student choice and note the limitations of the TEF in relation to this aspect.
Q1. To what extent do you agree with our proposal for provider-level, periodic ratings (proposal 1)? Please provide an explanation for your answer. If you believe our approach should differ, please explain how and the reason for your view.

Tend to agree

Comments:
We are supportive of the proposal that the exercise is focused at provider-level and feel that this is proportionate in terms of the burden and effort required to engage with the exercise within institutions. We also agree with a national four-year exercise; requiring all providers to engage at the same time will help to provide equality of judgement. However, we do have some concerns that a fixed judgement every four years may become rapidly out of date for some providers who make improvements to their data. This may be particularly relevant for the 2022 Exercise given the impact of the pandemic on data for the past 2 years. We also note that a judgement every four years will mean that providers are judged on data from eight years prior in some instances.

As such, we would recommend that an interim window is provided after two years for those providers who feel they have made sufficient improvements to their data to improve their current rating. This would also help to drive timely enhancement.

Q2. To what extent do you agree with our proposal for aspects and features of assessment (proposal 2)? Please provide an explanation for your answer. If you believe our approach should differ, please explain how and the reason for your view.

Tend to disagree

Comments:
We tend to agree with the features of excellence listed in the proposals. We note that whilst academic support is explicitly mentioned in the features, well-being support and co-curricular support is absent, and we think these ought to be included as part of a more holistic approach to supporting students and providing a high-quality student experience. We also wonder if explicit reference to students as ‘partners’ should be included in the features of excellence.

We would also advocate for the NSS measures around Learning Opportunities be incorporated into the features of excellence as these are particularly pertinent to the intentions for TEF.

We have concerns around the proposals to measure educational gain. Whilst we recognise this as a reasonable and worthy aspiration, in that it allows providers to identify their own mission and objective, we are not convinced that it can be effectively operationalised and not duplicate work around other regulatory aspects, for example Access & Participation.

We also think that measuring education gain will be operationally problematic for providers and the expert Panels. For example, given the diversity of approach across providers, how will parity across providers be achieved for this measure? For large complex institutions, finding a universal rubric to measure educational gains may result in vague indicators.

Greater clarity on what is meant by ‘educational gain’ and what ought to be included (academic learning gain, graduate attributes, broader co-curricular development) is required for this to be an effective measure across institutions.

We also note that it is difficult to talk about educational gain without referring to baseline activities, but these have been set apart in the proposals.

We would question what the purpose is of having different articulation for educational gain across the providers, given the overall purpose of the Exercise.

Q3. To what extent do you agree with our proposal for the rating scheme (proposal 3)? Please provide an explanation for your answer. If you believe our approach should differ, please explain how and the reason for your view.

Tend to disagree

Comments:
We remain concerned by the proposal’s suggestion to name ratings gold, silver and bronze, echoing views in the Pearce Review that bronze is often wrongly assumed by external audiences to represent lower quality, when it includes elements of excellence. It might be anticipated that people outside of the sector will misinterpret this rating given that all ratings are ‘high-quality’ according to the baseline regulations.

We would suggest that the OfS consider using descriptors, rather than a representation of ranking. By using the short descriptors associated with the Gold, Silver and Bronze rankings, and removing the ‘medals’ themselves, there can be less ambiguity about the TEF outcomes for each provider and perception does not rely on the audience associating the ranking/medal with the descriptor.
Q4. To what extent do you agree with our proposal for where there is an absence of excellence (proposal 4)? Please provide an explanation for your answer. If you believe our approach should differ, please explain how and the reason for your view.

Strongly disagree

Comments:
Articulating the baseline standard as ‘high-quality’ is a positive step for the Sector and aligns with the regulatory conditions and expectation of UK HE. However, this terminology does not match that of the wider quality and standards architecture, that anything above the B condition baseline is ‘high quality’.

We would welcome more precision in the nomenclature around absence of excellence. We suggest that this ought to be framed as a positive statement and judge what is present, rather than what is absent. For example, rather than stating ‘improvement is required’, the rating should acknowledge that the provider is high-quality (as is shown through meeting base-line standards). Outside of HE, ‘requires improvement’ has significant negative implications and often signals a failing school (through Ofsted terminology). There is a risk that using the same nomenclature for the TEF will give a misleading impression that institutions are failing or have breached regulatory requirements when in fact they have reached the ‘high-quality’ regulatory standards required of them. We think this is majorly problematic.

We are also concerned that this rating would last for four years, with no opportunity to respond to the judgement in that timeframe (see response to Proposal 1 above).

We suggest that a ‘no rating’ status would be preferable to a ‘requires improvement’ status.

Q5. To what extent do you agree with our proposal for provider eligibility (proposal 5)? Please provide an explanation for your answer. If you believe our approach should differ, please explain how and the reason for your view.

Tend to agree

Comments:
We are supportive of the approach for provider eligibility and its alignment with baseline regulations.

Q6. To what extent do you agree with our proposal for courses in scope (proposal 6)? Please provide an explanation for your answer. If you believe our approach should differ, please explain how and the reason for your view.

Tend to agree

Comments:
We agree with the inclusion of subcontracted provision in the courses in scope as this provides consistency with the quality code. However, we note that this does mean that some students will be counted twice for both their registered provider submission and the delivering provider submission.

We query whether by separating out apprenticeships the OfS is establishing a parallel accountability structure for providers of apprenticeships. Quality assurance for apprenticeship delivery at all levels is by Ofsted (DfE removed this responsibility from OfS in 2020 for apprenticeships at levels 6 and 7), informed by ESFA data which uses different KPIs to those proposed here by OfS.

The ESFA removes funding from providers whose Ofsted rating for apprenticeships is grade 4 (‘inadequate’) and can impose other limits on providers in response to quality and compliance issues. We would like to understand what the ESFA’s input has been into these proposals and clarity on how the ESFA and Ofsted will work together with the OfS to intervene where a provider has failed to demonstrate excellence for apprenticeships.
Q7. To what extent do you agree with our proposal for provider submissions (proposal 7)? Please provide an explanation for your answer. If you believe our approach should differ, please explain how and the reason for your view.

Tend to disagree

Comments:
The limit of 20 pages is likely to be problematic for larger and more complex providers to address the volume and complexity of the evidence and to provide a meaningful submission. This is exacerbated by the granular approach to the metrics and the volume of split metrics we are being asked to consider and reflect upon. This is in addition to reflecting on the impact of the pandemic and subject-specific evidence. We would also like to highlight that it is not clear whether the 20 pages includes the contextual information and/or reference pages.

The Provider Submission will be a significant burden on providers. With particular reference to the timeframe for the 2022 Exercise, we would argue that the combination of the submission page limit and the volume of information and data to be reflected upon, alongside the short timeframe for 2022 is increasing the burden unnecessarily.

Q8. To what extent do you agree with our proposal for student submissions (proposal 8)? Please provide an explanation for your answer. If you believe our approach should differ, please explain how and the reason for your view.

Tend to agree

Comments:
We welcome the inclusion of the student voice in the TEF in proportionate ways.

Our Students Union have raised a number of concerns with the student submission in the following areas which will require further clarity:
1. The timeframe for the submission – (See Proposal 15 below)
2. There needs to be clarity around how the student submission should address the matter of ‘education gains’. It is not clear what evidence/information the student submission should draw upon and whether this would be focused on academic learning gain, or a more holistic approach and the gains made through co-curricular experiences and opportunities.
3. More information and support around gathering evidence and interpreting that evidence/feedback will be required for many student submissions, where the skill sets to effectively undertake this work are not well developed.

Q9. To what extent do you agree with our proposal for indicators (proposal 9)? Please provide an explanation for your answer. If you believe our approach should differ, please explain how and the reason for your view.

Tend to agree

Comments:
The introduction of completion as a metric is positive. We are also supportive of the inclusion of a range of split metrics to ensure the quality of outcomes and experience is articulated for different student groups and across different aspects of the provider. However, we do have some concerns around the volume and granularity of some of the metrics. It will be a challenge for larger and more complex institutions to respond meaningfully to all of these metrics within the Provider Submission limits.

We are also cognisant that, although the metrics provided will be focused on the past 4 years of data, due to the time lag in the reported data, in some cases (e.g., graduate outcomes), this goes back much further and could call in to question the validity of that data for students today.

In terms of the NSS metrics to be included in the TEF indicators, we would welcome the inclusion of ‘Learning Opportunities’ and ‘Learning Communities’, as these sections capture elements of the academic experience not covered by the five NSS Sections currently put forward. For example, Learning Opportunities recognises independent learning aspect of HE and Learning Communities recognises the important social dimension in HE.

We welcome the proposal that the indicators will be considered alongside the provider and student submission and that an evidence-based approach of the indicators will be applied, triangulating the data with the further evidence submitted in the Student and Provider Submissions.

We also welcome the proposal for the widening of the benchmark ranges.

We have some concerns around the granularity of the metrics and the implications for the Panellists and would welcome clarity on the guidance Panellists will receive in terms of using the indicators to make judgements given the volume of data involved.
Q10. To what extent do you agree with our proposal for expert review (proposal 10)? Please provide an explanation for your answer. If you believe our approach should differ, please explain how and the reason for your view.

**Tend to agree**

**Comments:**
We are broadly supportive of the proposal for assessment to be judged by an expert panel. However, in reference to the timeframe for the 2022 Exercise, we query whether there is sufficient time to recruit and train assessors to effectively undertake and calibrate assessments. In comparison to the REF, the time taken to prepare assessors for the Exercise is significantly reduced.

Q11. To what extent do you agree with our proposal for the assessment of evidence (proposal 11)? Please provide an explanation for your answer. If you believe our approach should differ, please explain how and the reason for your view.

**Tend to agree**

**Comments:**
We are broadly supportive of the proposal around how the evidence will be assessed to make rating judgements. In particular we welcome the proposal that the data will contribute to no more than 50% of the assessment decision and that the Provider and Student Submission will have significant weighting in providing evidence and explaining the features of excellence within our own institutions. However, we would welcome some clarity of what ‘up to’ 50% means and how providers with similar metrics might be assessed if they produce very different submissions. We would welcome greater clarity for assessors and providers on how this works in practice to ensure transparency and comparability of assessments.

Q12. To what extent do you agree with our proposal for published information (proposal 12)? Please provide an explanation for your answer. If you believe our approach should differ, please explain how and the reason for your view.

**Tend to agree**

**Comments:**
Whilst we are broadly supportive of the proposals made around publishing information, we question the rationale for making individual submissions available. The submissions will have been written with a particular audience in mind (an Expert Panel) and for the purpose of the assessment process and as such will not necessarily be accessible or relevant to a larger audience. We also note that if a provider makes representations, this is likely to be public knowledge due to the plans to not delay publishing awards until all results are known – could this have a detrimental impact on any providers which make justified representations? We think that the use of ‘pending’ will be less problematic if the TEF ratings are published only on the OfS website and not, as suggested by the proposal, on student facing sites which may not be able to provide sufficient context to aid student’s understanding of what the representations process entails.

Q13. To what extent do you agree with our proposal for the communication of ratings by providers (proposal 13)? Please provide an explanation for your answer. If you believe our approach should differ, please explain how and the reason for your view.

**Tend to agree**

**Comments:**
We are broadly supportive of the proposals around the communication of ratings by providers.
Q14. To what extent do you agree with our proposal for the name of the scheme (proposal 14)? Please provide an explanation for your answer. If you believe our approach should differ, please explain how and the reason for your view.

Tend to agree

Comments:
We acknowledge the rational for maintaining the name of the Exercise and that this correlates with the known acronym.

Q15. To what extent do you agree with our proposal for the timing of the next exercise (proposal 15)? Please provide an explanation for your answer. If you believe our approach should differ, please explain how and the reason for your view.

Strongly disagree

Comments:
We have significant concerns regarding the timeframe and the approach to considering the timeframe for the next exercise. There has not been enough consideration of the framework for a rolling four-year process. Instead, the timing seems to have been based on the timeframe preference given by the government. We advocate for a more considered approach to the timeframe in order to achieve a meaningful process, rather than squeezing it into an arbitrary timeframe. More consideration needs to be given to how long institutions (and students) require to meaningfully analyse the data provided (particularly as for the first iteration we will not have had the annual data sets provided) and to respond effectively in the respective submissions. There also needs to be clarity around how the timeframe will correlate with the Access and Participation Plan submissions.

In addition, the window will coincide with the start of the new academic year at a time when providers are still grappling with the uncertainty of the Covid-19 pandemic and supporting student transition following significant disruption to their learning at school. Our priority must be our students and the current timetable risks an unhelpful burden at this time.

Our Student's Union has highlighted the timing of the 2022 Exercise as particularly problematic in terms of the Student Submission. The submission window will not allow time for a new team of sabbatical officers to have come into post, reviewed relevant guidance, and submit a comprehensive student submission. The start of the new Academic year is also problematic given the volume of Business As Usual activities taking place for the Students Union at this time (welcoming new students, electing new student representatives) and the ability to obtain up to date feedback from students who are just returning from the summer break.