

Our consultations have been aimed at WP, TEF and SU accountability. All other responses suggested under SU have been written by Grace, and therefore feedback is very welcome. (*) (Where SU is missing, it is because of agreement with NUS' response).

Equality Impact Assessment

SU*

- The impact of linking the TEF with fees is damaging and could affect students from lower income backgrounds from advancing to university if that's the path that they choose
- There is little to no acknowledgement of the impact of this paper on part time and mature students
- The impact of the removal of maintenance grants and DSA, in its self and alongside the rise of fees with inflation alongside TEF, will create extensive issues for students that need extra financial help to be able to study at degree level
- There are a number of students with protected characteristics that likely will not move away from home to study shown by research, yet there is no data on which students with protected characteristics are more likely to be affected which the government should provide and complete a full evaluation on the impact on students this new data could show
- We welcome sharia compliant loans as a positive step for students from Muslim backgrounds

NUS

- How will the government ensure that the TEF will meet the needs of all students, with accommodation to their varying backgrounds?

Teaching Excellence Framework (TEF)

SU

- Will there be TEF assessors, like with the QAA that visit universities?
- If TEF is assessing teaching quality, can it exist affectively alongside the QAA?
- Metrics proposed by the sector are good – should be part of institutional evidence
- Institutional evidence should be compulsory
- Students should be integrated as partners in quality assessment
- We believe HEIs should continue to have the freedom to be innovative in learning and teaching
- A loss of externality would have detrimental impacts to the functions within HEIs and their safe guarding
- Needs to be careful that a light touch approach doesn't create a self-regulatory governing body, which has a vested interest in the institution and cannot be un-bias
- TEF should help introduce a mechanism for SU's and students to trigger a review of the university
- TEF should not be linked to the fee rises

NUS

- HE should be an opportunity for anyone
- Supportive of commitment to improving fair access
- All providers should provide an access agreement
- Access agreement should be a part of a baseline requirement for private providers using TEF
- How will students and provers know what is defined as quality? This ambiguity isn't good considering the link to fees

- Not convinced that TEF will create a market as intended (because of the metrics used and also students don't behave in line with public choice theory. "Too much complexity and too little contextualisation". TEF is subject to interpretation and can be viewed in different ways)
- TEF encourages (in some providers) the ability to cut corners and focus on profit margins
- TEF could be ineffective in terms of participation. It might make no difference to HEIs which have prestigious reputations or are research heavy as they won't need to rely on it for funding (which is the main incentive of TEF)
- Links of fees to TEF is inherently flawed
- There's no clear relationship between fees and quality
 - fees have never represented the quality of a degree, they have represented an attempt to resource themselves due to a failure of financial commitment from the government
 - fees also don't reflect the quality of provision. "Fees are used in low cost subjects to generate surpluses to cross-subsidise other areas or to generate capital for investment in infrastructure"
 - cost of provision varies by institution
- "Distortions and perverse incentives" by linking TEF with fees
 - could adversely affect market behaviour and provide misleading information to prospective students
 - the conception that a higher fee represents a higher degree level is a myth that universities are reacting to – this is misleading students
- The response of institutions to the incentives
 - government has overestimated the attraction of fee rises. Supported by leaders from UUK, GuildHE and AoC all agree in opposition to linking TEF to fees
 - little incentive for private providers to improve their teaching quality
 - unfair for students if the quality of the course isn't reflected by a higher price, yet they pay more for a degree

Teaching Excellence

NUS

- What students care about is excellent learning (teaching, independent study, assessment and an intellectual environment which stimulates this)
- Excellent teaching is enabled and supported to take risks and to innovate
- Happens in a team, drawing on knowledge and experience of a wide range of people which includes students
- A system which sets to pit universities against one another in competition (differential fee structure, data which doesn't measure teaching quality) can't achieve teaching excellence
- Little potential to provide an accurate picture of teaching and learning in higher education institutions
- Metrics suggested have at best a distant relationship between teaching and learning
- In particular, using graduate employment data is problematic as well as NSS data
- Students should have an active say in what excellent teaching is and what it might look like in varying contexts
- NSS isn't especially valid partly due to the manipulation that goes into it, a subject into which there has been various studies
- We also know that there are many factors in graduate employment statistics that do not accurately reflect the quality of teaching in HEIs. For example, a person's background; we know that there is a gender pay gap in Britain and that certain ethnic minorities are less likely to get top jobs. This is a problem for the reliability and success of the framework but may also

encourage an institution to not recruit students from specific backgrounds. We do not believe that encouragement of improving widening participation metrics, while welcome, will offset this

- Would expect this data to be benchmarked in relation to institutional type, subject, geographic region, gender, race, age, sexual orientation and socio-economic background as well as other key widening participation characteristics
- Graduate prospects are also affected by the state of the economy. Institutional level effects are likely to be asymmetrical. Regional economics grow at different rates; institutions that recruit more students locally will be disproportionately affected by regional and local economic shocks
- It isn't fair to subject institutions to metrics that are out of their control and unlikely to be impacted by the raising of teaching standards
- Student outcomes should be more focused around various aspects of value added by a university institution including but not limited to skills and experience, personal development and confidence, and social and cultural understanding
- There is a desire amongst HEIs and students to move away from a single definition of success to one which surfaces from a range of outcomes (employers are also keen on this approach and have supported initiatives inclined to this)
- We accept that at this time, no adequate measures of learning gain are available, but we believe it's truly essential for learning gain to be incorporated into any attempt to measure the quality of teaching and learning
- Right now TEF has no measures that are linked to learning, which is a significant problem
- Graduates can be satisfied with their degree experience without having gained a vast amount of knowledge
- The relationship between teaching and learning is hardly mentioned in these proposals, there needs to be more time taken to fully understand the complex problem that the TEF is aiming to solve
- BIS should be taking time to develop new measures of teaching quality and learning gain before implementing TEF 1

Widening Participation

SU

- Access agreements – unis should have to say how they will help students transition to HE. There needs to be a focus on retention and achievement as well as access
- Sus need more involvement in access agreement writing/planning
- Processes in places to address attainment gaps with particular student groups
- Q4 – yes

NUS

- Sus play an essential part of developing and providing access work with unis
- Aims to improve access should be tested and benchmarked
- A similar proposal implemented in access agreements as proposals for NSS – optional questions should be signed off by the university and student representatives
- Sharia loans 10/10
- GP is aimed at young people in HE – the drastic reduction in part time and mature students is worrying
- Welcomes proposals for greater support for the development of higher level apprenticeships
- Doesn't support proposals that may require sector bodies sharing student data without any explicit consent from students

ECU

- Welcomes increased commitment to achieving greater student diversity and addressing inequality in outcomes
- Efforts need to focus on all student groups and not just social mobility

Students' Union Accountability**SU**

- Emphasis on trustees reviewing internal departments (CEO and report goes to trustees?)
- Collaboration: the university needs to push what the SU are doing
- Peer review: SU's reviewing each other, possibly facilitated by NUS

NUS

- We welcome the recognition from the government of the important role students' unions play in representing students and the importance of our work
- SU's are committed to being transparent and accountable to all our members
- Taking this opportunity to discuss the work of NUS and SU's (they talk about what NUS have done)
- Recognising that there is always improvements to be made by any sector.
- They see potential to develop as strong, self-regulatory movement which is consistent and comparable with robust, consistent and comparable NSS data and a quality framework which is externally validated with widespread adoption and student involvement

University of East Anglia (UEA)

*Their response is below (this was forwarded to me from the Senior Managers Jiscmail. Please keep this knowledge **internal**):*

NUS' response to the Green Paper sets out evidence and an approach which we agree with and would strongly endorse. It is a pity that the Green paper misses the opportunity that there is for the OfS to play a role in improving the effectiveness of student representation and students' unions, rather than the narrow and misplaced focus on their "transparency and accountability". It is also bizarre that at the same time as consulting on improving the transparency and accountability of SUs, that HEFCE has resolved to abandon Question 23 in the National Student Survey- the only national outcome/satisfaction measure on SUs available to applicants.

The analogy in the green paper with Trade Unions is inappropriate. Students' Unions are charities and so prevented from direct political campaigning and activity; and we are funded by universities because what we do is within the educational mission and wider purposes of HE.

Students' Unions are already effectively regulated in relation to transparency and accountability through EA94 and Charity Law. There is however some evidence that compliance with the provisions of EA94 and Charity Law is patchy in some cases and there may be a wider public understanding issue.

We would therefore argue that:

- Legislation could require Universities to pay due regard to guidance issued by the SOS on the T&A of SUs

- That guidance would suggest that Universities make completion of a model statement on Transparency & Accountability return a condition of funding
- This annual statement which would detail information on and compliance with EA94 and Charity Law requirements (providing links to processes or evidence) would be hosted on SU websites and available on Unistats (and OfS)
- A sample Annual Statement is appended to this consultation response.

In addition we would argue:

- A requirement to “adequately fund” Students’ Unions with particular and separate reference to their representative and independent advocacy functions should be established and monitored by OfS
- A requirement for the OfS to gather data on SU funding (with particular and separate reference to their representative and independent advocacy functions) should be established
- That an entitlement to consultation and independent individual/collective advocacy be enshrined in law for all students to avoid this benefit being differentially distributed to those students more likely to attend larger or older institutions
- That OfS works with NUS on an agenda to improve the effectiveness of SU representative and independent advocacy functions
- That the provisions in EA94 in relation to Students’ Unions should be extended to all providers with DAP or in receipt of (SLC) student funding

Office for Students

SU*

- Should be required to enforce providers with degree awarding powers to hold, maintain and review access agreements

NUS

- Yes – requires autonomy from political tinkering to function effectively
- Concerned that the merge of HEFCE and OFFA will lead to important research no longer being produced. Would like to see OfS continue to provide research and support to the sector, and wish for DfA to have more powers to tackle WP in undergrad and postgrads
- OfS must still provide funding and support for new projects and innovations in the sector
- Should be given more powers to provide incentive and coercion on WP and access
- With the introduction of postgraduate taught loans and increase in support for postgraduate study, there needs to be more efficient dealing with PG WP and access – government should expand OFFA’s role to include PG remit and ensure that fee inflation in an uncapped PG market doesn’t have a negative impact on access
- HE is an important sector and should be proud of its high standards. Wherever possible we should always strive to maintain excellent standards and increase transparency and accountability to students
- It is inconsistent to exempt HE institutions from the freedom of information act when the government’s current agenda is accountability
- The government should look into ways to ensure the FoI act works in the interests of the public and key stakeholders in HE rather than abused by private companies
- Alternative providers not already included in the FoI scope should be included