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January 15th 2016

Dear Ms Haines

### **Green paper response from The University of Nottingham**

I am pleased to enclose The University of Nottingham's response to the Green Paper and the Nurse review.

We particularly welcome the Government's explicit commitment to excellent research, the dual support system and the Haldane Principle.

The Green Paper's ambition to put students at the heart of the system mirrors The University of Nottingham's aims in this regard. We see excellent teaching both building on and being fundamentally linked to excellent research and this is why we value both so highly.

We would be very pleased to discuss our response with you or the Minister further and also to welcome the Minister to The University of Nottingham.

I hope that you find The University of Nottingham's response to be helpful and constructive.

Yours sincerely

**Professor Sir David Greenaway**  
Vice-Chancellor

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

## **A Response to the Green Paper Consultation from The University of Nottingham**

### **Introduction**

The University of Nottingham welcomes the opportunity to comment on the Green Paper and the Nurse review. The open-ended nature of the questions posed is particularly helpful. We especially welcome the Government's explicit commitment to excellent research, the dual support system and the Haldane Principle.

### **The Need for a TEF**

The Green Paper's ambition to put students at the heart of the system mirrors the University of Nottingham's aims in this regard. We see excellent teaching both building on and being fundamentally linked to excellent research and this is why we value both so highly.

The central point for us is that we and other research intensive universities already deliver high quality teaching: all the evidence from the NSS and IGraduate survey and other surveys we conduct ourselves points to high student satisfaction with most areas of their experience.

We are very conscious that the world has changed - students are more demanding, teaching has had to improve and there has, quite rightly, been a much greater focus on education and the student experience. As a result, there have been many years of investment in teaching - at a national level, for example, we have seen SEDA, HEA, CETLs and HEA subject networks as well as Doctoral Training Centres. Moreover, there have been many initiatives to recognise and reward outstanding teaching within institutions such as our University's Dearing awards for excellence in teaching and the Staff Oscars awarded by our students as well as National Teaching Fellowships and much greater recognition of teaching in promotion applications. This has gone hand in hand with greater performance management - it is not in anyone's interests to sustain poor teachers. Higher tuition fees have been one of the drivers for these changes as well as (to a limited extent) providing the funds for investment in enhancing the student experience.

In the light of all of this, it is noticeable that the evidence cited in the Green Paper for there being a problem in regard to teaching quality is far from robust: e.g. the HEPI survey on students' views of value for money looks more like a reaction to the raising of fees than an indicator of dissatisfaction with teaching quality. Given the pace of change in the sector and the amount of recent investment in teaching, it is also essential that any evidence for a new framework is up to date or it will be profoundly misleading and hark back to a time when teaching was less valued than it is now.

We would naturally support the need for applicants to have the best information possible for making their choices. The fact is, though, that there is no information deficit for applicants - rather a plethora of statistics, league tables, KIS data, course information etc. The difficulty in our perception is the lack of advice and guidance in schools to steer applicants, particularly those from disadvantaged backgrounds, through all of this information.

Underpinning the University's response are our sincere doubts regarding what the Green Paper is attempting to achieve in terms of teaching quality and whether the problems it is setting out to resolve are any longer real issues, rather than being the echoes of difficulties that previous initiatives are already largely addressing.

In summary, we are now in a position where high quality teaching should be a given as being core to university operations. There is therefore no need for carrots or sticks, i.e. financial incentives, fee-setting entitlements or reputational risks to incentivise our interest in teaching quality. Market forces operating by themselves will perform this function, particularly if the fee cap were to be removed without the need for the bureaucracy of the TEF to be attached to that removal.

### **The Uses of the TEF**

There are many unanswered questions about the TEF which cause us concern about how it will be implemented in practice, what it will actually achieve and what the outcomes will mean. Only some of these questions are likely to be answered by the technical consultation and we would urge that the timescale for taking forward the TEF should be slowed to reflect the extent of uncertainties.

One of the many ambiguities is as to the main audience for the TEF outputs. Employers, prospective applicants and students all feature in this regard, but these are groups with very different needs and one exercise is unlikely to meet them all. This is just one example of how teaching is unsuited to a REF-like, single, all-encompassing exercise. Targeting investment in resources to facilitate good teaching would be welcome to academics and students, but there are much simpler means of doing this without the TEF.

A threshold judgement on the quality of an institution's provision (as currently provided by QAA Higher Education Review) does have a clear safeguard function, but multiple tiers as suggested by the TEF is highly problematic - both in terms of what it achieves and the use to which it might be put. The unintended consequences of negative labelling are particularly worrying. What, for example, will be the impact on international recruitment to UK HE if only a fraction of the country's output in this sector is described as being 'top tier'?

### **TEF Metrics**

In advance of the technical consultation we would wish to record some profound reservations about some of the possible metrics for the TEF, with the main concern being that they do not help indicate teaching quality. The NSS, for example, is a survey of student satisfaction - it is not an assessment of the quality of teaching. In contrast, the value of being taught by active researchers and research leaders cannot be overstated - this also supports student involvement in co-creation, both of curriculum and knowledge.

A metric on retention, in order to be useful, should focus on actual student withdrawal from HE and not treat transfers as if they were drop outs. Something better than DLHE will be needed to measure long term student progression and there is also a need to categorise job roles properly. The views of graduate recruiters should be included in any graduate outcomes measure. A metric on qualifications for teachers should not focus only on HEA accredited qualifications but also take into account academic track record and the attainment of PhD qualifications.

A crucial area to include in the assessment of teaching excellence is the partnership with students through students' unions, staff:student liaison groups and student representatives. Student engagement is a key area that needs to be central to universities' efforts around teaching quality.

### **Research**

We would strongly reinforce the absolute importance of QR remaining a separate, distinct and protected funding stream so that dual support remains intact and is not eroded over time.

QR funding, currently distributed by HEFCE is an unhypothecated funding stream that complements funding allocated via research councils. It provides a vital stable funding base over the medium term then other areas of funding are highly uncertain. Crucially QR funding provides a funding base for novel research areas and areas of work and underpinning staff and facilities that are not funded by research councils. It is also crucial to those areas where there is relatively little funding for research such as the social sciences, the humanities and the arts.

In order to embed dual support fully in the new system we would advocate that, if it remains the intention to separate QR from Teaching funding, the two research funding streams are clearly established in legislation through an act of parliament.

### **Regulatory Framework**

Although we have substantial reservations about aspects of the current QA architecture, we believe the QAA serves a valuable purpose in terms of reassuring everyone in this country and overseas about the quality of UK HE. It is also important to separate the funding of HE from the assurance of quality and this would be achieved by maintaining the QAA as a separate body.

There is a distinct need to reduce the QA burden and the overall regulatory burden on universities. We are therefore gravely concerned that the TEF proposals would seem to go in the opposite direction, adding new layers of regulation on institutions while taking little away. Any extension of the TEF beyond the institutional level, to subject level for example, would massively increase this regulatory burden for very little benefit and there is no evidence that this is at all necessary.

We would also suggest that further thought also needs to be given to disciplines such as Education, Engineering, Medicine, Nursing, Midwifery, Pharmacy, Architecture, Social Work and Business Studies that are already very highly regulated. It is not clear that the TEF would substitute for any of these professional body interventions which already represent significant additional regulatory burden.

The regulatory framework needs to be risk-based and proportionate. New entrants and high risk providers need much greater scrutiny than long-established and high quality providers. We welcome the ambition to develop a regulatory framework where monitoring of low risk providers will be reduced. The government should focus its efforts on new and higher-risk providers. The important thing is for the regulatory framework to be transparent and light touch; if some parts of the sector can properly be subject to lighter touch regulation than other parts, then this possibility should not be sacrificed because of a slavish desire for a single framework.

The Green Paper proposes to split responsibility for research funding (QR) and teaching funding, which both currently sit with HEFCE. It will be difficult for two bodies jointly to model the impact of changes in teaching and research funding at an individual university level. It also unhelpfully signals a separation between research and teaching, which should be linked closely.

### **Invitation**

We would be very pleased to welcome the Minister to Nottingham and to invite him to select any classes he wishes to observe. We would hope that he would find such an experience to both enlightening and reassuring. Not all teaching is going to be perfect but the vast majority, as all the data shows, is, at worst, very good.

## Public sector equality duty

### Question 1:

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

It is not clear that the majority of the proposals will have a negative equality impact apart from the encouragement to new providers: the risk here is that lower quality entrants to the market will disproportionately impact on the learning opportunities provided to the most disadvantaged students.

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

Yes       No       Not sure

*Please provide any further relevant evidence.*

See above.

**Question 2: How can information from the TEF be used to better inform student and employer decision making?**

Certain of the metrics to be used within TEF could be of assistance to students and employers if they are accurate and meet the needs of these groups. Examples are:

- Data on student retention. To be useful to students in giving them an indication of their likelihood of success at a given institution, such data would need to show where students' premature exit from their course is due to circumstances that the institution could in principle have influenced e.g. academic failure. Extraneous factors, such as Architecture students electing to enter practice after their first degree rather than completing the full six years of study, need to be excluded.
- It may also be important to distinguish between students who leave their course to pursue a different course at the same institution and those that leave the institution entirely. Also, for retention to be taken as a meaningful indicator of satisfaction with (high) teaching quality and/or perception of value for money, evidence should be provided which substantiates that students can readily and do in fact leave the course or the institution due to dissatisfaction with factors within the institution's control. Currently, NSS results for some courses at some institutions show the opposite: students often stay on a course despite what in some cases are very low levels of satisfaction with core elements of taught provision.
- Employability data. Metrics demonstrating the employability skills and attitudes of graduates would clearly be of benefit to employers. DLHE data is, however, flawed in terms of providing only a snapshot of activity soon after graduation that may bear little relationship to graduates' overall ambitions and achievements or indeed the quality of teaching. HMRC data may, in time, improve that situation. The DLHE does therefore need to be reviewed; in the meantime, weight should be given to the views of employers (e.g. the Association of Graduate Recruiters) on the employability of graduates from different institutions.

We would naturally support the need for applicants to have the best information possible for making their choices. The fact is, though, that there is no information deficit for applicants – rather a plethora of statistics, league tables, KIS data, comparison websites, course information and other work to provide better information to students in the context of consumer protection following the CMA's guidance to the sector. The difficulty in our perception is the lack of advice and guidance in schools to steer applicants, particularly those from disadvantaged backgrounds, through all of this information.

One of the many ambiguities which remains here though is the main audience for the TEF outputs. Employers, prospective applicants and students all feature in this regard, but these are groups with very different needs and one exercise is unlikely to meet them all.

**Question 3: Do you agree that the ambition for TEF should be that it is open to all HE providers, all disciplines, all modes of delivery and all levels?**

Yes                       No                       Not sure

Online provision would, in principle, require its own quite distinct set of methods for determining teaching excellence given the differences in this mode from conventional classroom delivery.

Care would also need to be taken that the benefits of extending the TEF to all providers, disciplines, modes and levels outweigh the costs involved; particularly with regard to provision that may require considerable additional work to gather and assess data relating to relatively few students. This reinforces the point we make in our answer to 21(b) and that the subscription model for TEF and the OfS should be related to the costs different providers impose rather than being about the size of institution.

**Question 4: Where relevant, should an approved Access Agreement be a pre-requisite for a TEF award?**

Other aspects of the TEF, e.g. separate metrics of disadvantaged and under-represented student groups, might prove sufficient in themselves for meeting the government's widening participation ambitions and so obviate the need for an Access Agreement.

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

**(a) What would constitute a 'successful' QA review?**

Yes                       No                       Not sure

**(b) The incentives that should be open to alternative providers in the first year of the TEF?**

Yes                       No                       Not sure

We express in our answers to Questions 14-16 some concerns on the proposals for opening up the sector to new providers and these are also relevant here.

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

Yes       No       Not sure

We have considerable doubts about this approach:

- The metrics would need to have a high degree of reliability if various TEF levels, with their impact on institutional reputation, are to be awarded.
- Given the general high quality of UK higher education, as evidenced by QAA outcomes, student satisfaction levels, and our success in attracting international students, differentiating at four different levels between a set of high quality providers will require categorisation based on very small differences between them.
- Differentiation at four levels may have a very negative impact on the global brand of UK HE, with only institutions at Level 4 being perceived internationally as being of high quality.
- We therefore think that there should be no more than two levels.

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

**Timing?**

Yes       No       Not sure

We prefer five years to three (including for the initial TEF awards in years one and two) but it is questionable whether any useful purpose is served by placing a time limit on the length of TEF awards. Experience of QAA institutional review would suggest it is unlikely that an award, once made, will be revoked as a result of a routine reassessment. The substantial costs of continual reassessment of the entire sector would therefore render little of value. If concerns are raised about the performance of a university post-award then this could and should lead to the award being reviewed in a targeted manner and at much briefer intervals.

**Assessment Panels?**

Yes       No       Not sure

**And process?**

Yes       No       Not sure

We support the view that there should not be a routine visit as part of the assessment process. However, we still have considerable doubts about the process in terms of the reliability of the metrics that will be used.

**Question 7: How can we minimise any administrative burdens on Institutions?**

Given the potential reputational and financial impact of the TEF level awarded, there is the distinct risk of institutions over-engineering their activities and submissions, significantly increasing the costs to the sector, to maximise the possibility of a favourable outcome, and doing so in ways that have no positive value for the student experience.

As much clarity as possible is therefore required about what is required from universities to attain particular TEF levels; as ambiguity may incite much additional effort on the part of institutions in an attempt to 'gold plate' submissions and cover all possible angles.

**Question 8: Do you agree with the proposed approach to differentiation and award as TEF develops over time?**

Yes                       No                       Not sure

There is obvious uncertainty as to the mechanism by which disciplinary-level judgements will be used to come to a view on the TEF level of a whole institution. There is also the question of the burden that operating at the disciplinary level will impose on institutions and whether this will be matched by any resulting enhancement of the quality of students' educational experience. The NSS has, after all, already resulted in disciplinary units within institutions working hard to improve their offer to students.

If the differentiation within the TEF is introduced at the subject level at some future point, it would make sense to tie this in as far as possible with the monitoring and evaluation activities of PSRBs so as to maximise efficiency.

Our doubts about the degree of differentiation required by four TEF levels are expressed in our answer to Question 5.

**Question 9: Do you agree with the proposed approach to incentives for the different types of provider?**

Yes                       No                       Not sure

Allowing institutions greater flexibility in setting fees is welcome, but we express severe doubts in our answer to **Question 5** on the efficacy of having four different TEF levels. A better approach could be to have a single high quality threshold for institutions (with the expectation, for the reasons given in our answer to Question 5, that a large number of UK institutions will be found to be of high quality), with those meeting this threshold having considerable freedom to set their fees in accordance with the demand for places at their institution from students who will be better-informed (as a result of greater transparency arising from improved metrics on such matters as retention and employability).

**Question 10: Do you agree with the focus on teaching quality, learning environment, student outcomes and learning gain?**

Yes                       No                       Not sure

It is difficult to see how learning gain can be a reliable metric without considerable, and unwelcome, reduction in institutional autonomy regarding the content of curricula and the setting of academic standards nor how this can be achieved without huge cost and additional bureaucracy.

An aspect of teaching excellence that needs to feature in the TEF is the broadening of students' horizons, particular through an international dimension to their studies and exposing students to other cultures and environments.



**Question 11: Do you agree with the proposed approach to the evidence used to make TEF assessments - common metrics derived from the national databases supported by evidence from the provider?**

Yes                       No                       Not sure

There is a need to distinguish between existing databases that can be used to provide objective and comprehensive (and therefore valid) information (e.g. HMRC and HESA), as opposed to subjective surveys generating data that is open to interpretation and may be influenced by extraneous factors. The latter should be kept to a minimum and should not be over-weighted.

Our views on certain of the individual metrics mentioned in this section are contained in our answer to **Question 2**. As regards evidence from the provider, we would have particular concerns around teaching intensity as a measure, as it is entirely unclear how this relates to teaching excellence.

The NSS is a measure of student satisfaction not of teaching quality. Student satisfaction on its own is a very poor indicator of teaching quality. Evidence suggests that student satisfaction is negatively correlated with teaching quality (and unusually this evidence includes the random allocation of students within UG programmes): Braga, M., Paccagnella, M., & Pellizzari, M. (2011). *Evaluating students' evaluations of professors, Discussion paper series // Forschungsinstitut zur Zukunft der Arbeit, No. 5620* (Vol. 5620). Bonn, Germany: Forschungsinstitut zur Zukunft der Arbeit / Institute for the Study of Labor. & Carrell, S. E., & West, J. E. (2010). Does professor quality matter? Evidence from random assignment of students to professors. *Journal of Political Economy*, 118(3), 409-43.2

**Question 12**

**a) Do you agree with the proposals to further improve access and success for students from disadvantaged backgrounds and black and minority ethnic (BME) backgrounds?**

Yes                       No                       Not sure

The proposal to double the participation rate of less advantaged young people is not accompanied by evidence that there are sufficient numbers from this population achieving the required grades at A-level or equivalent. Increasing the number of Black and Minority Ethnic students entering HE is also perhaps a surprising ambition, given that participation by BME students is already higher than that for white students (as stated in paragraph 12) although there remains work to be done in targeting support for particular groups including Black African-Caribbean males. White working class men are the single most under-represented group in HE.

The proposal to break down and report TEF metrics by disadvantaged background and under-represented group may not be equally appropriate across all metrics: it is likely to be more suited to student experience, retention, success and graduate outcomes (items institutions can be expected to influence); and less suited to intake (as institutions cannot be responsible for differences in prior educational performance). The metrics will need to be considered carefully.

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

Yes       No       Not sure

Having an external body set targets does not in itself help an institution to meet them, even if it does increase the pressure to do so and as a consequence intensify institutional WP efforts to meet those targets. This may not necessarily benefit the broader WP agenda. For example, pressure to increase the intake of WP students is likely to result in a focusing of outreach work on the recruitment of sixth-form students. This would be at the expense of work of a more altruistic long term nature and with younger pupils.

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

There is no mention of the large difference in retention rates for mature students nationally, and little mention of the sharp fall in their enrolments in HE.

**Opening up the sector to new providers (Part B: Chapter 1)**

**Question 14: Do you agree with the proposed single route into the higher education sector?**

Yes       No       Not sure

*Please give reasons for your answer, including information quantifying how the potential cost of entry would change as a result of these proposals.*

It should be challenging to establish a new university. Higher education is a challenging business. It is also a long term business which does not lend itself to speedy entrance and exit. The benefits to students and the sector of opening up the market look to us to be strongly overstated. The consequences of any failure of an institution are inevitably significant for the whole sector, costly to deal with for the taxpayer and damaging to the brand of UK HE globally.

- There is a substantial need for assertive quality assurance of lower-performing institutions and for new entrants to the HE market. A robust probationary period is required for new entrants, as set out in our response to the QA review.
- It is important that the Office for Students is appropriately resourced for its role as "Gatekeeper" for new providers. However, this burden should NOT fall on established providers.
- It is worth being highly cautious of the unanticipated consequences of making it easier for new entrants to UK HE, especially private/for-profit institutions, especially in the light of the US experience of doing so.

We would highlight two issues from the US experience: (often low) quality of provision and thus value to students and poorer subsequent employment outcomes, and the adverse impact on public finance by giving students of those institutions (and in effect, via fee income, the institution itself) access to the national student loan system. The outcomes of students specifically at for-profit universities have been found to be a main driver of the current fiscal problems of the US student loan system. Despite many differences in national contexts, HE provision, demographics and government priorities, and very different repayment terms, there are potential lessons for the UK.

A September 2015 Brookings Institute research paper looked at outcomes of 4 million students nationally over a ten year period, incorporating student, employment outcome, and tax records, and found that: "Most of the increase in default is associated with the rise in the number of borrowers at for-profit schools and, to a lesser extent, 2-year institutions and certain other non-selective institutions, whose students historically composed only a small share of borrowers." (Looney and Yannelis, 2015).

**Question 15:**

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

Yes       No       Not sure

*Please give reasons for your answer.*

As paragraph 20 notes there has to be a framework which upholds standards and protects students. This has to be robust and will therefore make it look and feel harder for new entrants to join the market. This is right and proper.

The approach seems to be one which significantly increases risk of unprepared and uncommitted providers entering the market. This is not what we understand by a risk based approach which should be much more concerned with balancing risks and benefits. It is also far from clear to us what the evidence is for the demand for new entrants to join what is an already very busy marketplace.

There is a risk that the rapid multiplying of the number of organisations in the UK with the university title and DAPs could give the impression internationally of a decline in standards (whether justified or not) and so damage the brand of UK higher education.

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

Recreating the CNAAB, which is effectively what is proposed here, does not seem to be a helpful or necessary step. Many providers already offer a commercial validation service.

The existence of degrees validated by a national body could also confuse stakeholders (especially international ones used to state accreditation in their own territories), perhaps raising questions in their minds as to whether all the UK degrees that have **not** been validated by the national body somehow lack official status or may be inferior in some way.

**Question 16: Do you agree with the proposed immediate actions intended to speed up entry?**

Yes       No       Not sure

*Please give reasons for your answer.*

It really is not clear that there is a need to speed up entry nor that this actually addresses properly the risks for students and standards associated with poorly prepared new entrants.

## Provider exit and student protection (Part B: Chapter 2)

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

Yes       No       Not sure

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

- It is right that the new architecture for regulating the HE sector should include measures to protect students in the event of institutional failure or closure of courses. However, universities should be allowed to make their own appropriate arrangements.
- There will be costs for the Office for Students in managing provider exit. It would be appropriate (as now) for the Exchequer to bear these costs rather than allowing them to fall on other HE providers, who have managed their provision better.
- It would be an unnecessary burden on large, established providers who are highly unlikely to founder completely within a short period of time. The OfS should, at least, be given discretion to exempt certain universities from having such contingency arrangements.

## Simplifying the higher education architecture (Part C)

**Question 18:**

**a) Do you agree with the proposed changes to the higher education architecture?**

Yes       No       Not sure

*Please give reasons for your answer.*

We are concerned that the creation of the OfS will remove the existing buffer between BIS and universities (which has served the sector and government well for almost a century) and potentially give the Secretary of State more direct power over universities. This is not in the interests of the universities or the country and runs counter to the approach adopted by every successful HE system elsewhere in the world.

**b) To what extent should the Office for Students (OfS) have the power to contract out its functions to separate bodies?**

Fully       Partially       Not at all

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

In order to maintain an appropriate arm's length distance between government and universities the OfS should contract out key functions, in particular:

Quality assurance, although the model has to be adapted to be more risk-based and proportionate.

Data collection and publication – which has to be independent.

Academic and other enhancement services and facilities currently supported by HEFCE, eg JISC, may require further consideration.

It would not seem to be appropriate to contract out responsibilities for activities such as Charitable Body oversight and Prevent though and further consideration will need to be given to these.

The Government should manage the transition from the current regulatory regime (HEFCE and OFFA) to the OfS so that the impact on universities is minimised. It is also important to ensure that the collective knowledge and expertise of HEFCE staff is retained in the new organization.

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

**Option 1: BIS Ministers set strategic priorities and BIS officials determine formula.**

Agree       Disagree       Not sure

**Option 2: BIS Minister sets strategic priorities and allocation responsibilities divested to OfS**

Agree       Disagree       Not sure

*Please give reasons for your answer,*

- There has to be sufficient funding to meet the strategic priorities but it has to be clear that allocations should not be made by BIS

**Question 19: Do you agree with the proposal for a single, transparent and light touch regulatory framework for every higher education provider?**

Yes       No       Not sure

*Please give reasons for your answer, including how the proposed framework would change the burden on providers. Please quantify the benefits and/or costs where possible.*

The regulatory framework needs to be risk-based and proportionate. New entrants and high risk providers need much greater scrutiny than long-established and high quality providers.

Overall the burden is increasing rather than decreasing. This should be disproportionately focused on high risk new entrants rather than equally distributed.

The Green Paper is a mixture of deregulation and new regulation (through the TEF). Most of the new regulation bears particularly on universities that are delivering excellent teaching. We would stress the importance of risk-based and proportionate regulation.

In particular we welcome the ambition to develop a regulatory framework where monitoring of low risk providers will be reduced. The government should focus its efforts on new and higher-risk providers.

The important thing is for the regulatory framework to be transparent and light touch; if some parts of the sector can properly be subject to lighter touch regulation than other parts, then this possibility should not be sacrificed because of a slavish desire for a single framework.

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

It really is not remotely clear why this is necessary nor what actions might be taken to achieve this. Our experience of working with the Students' Union here at Nottingham is that they are accountable and transparent. Over 1/3 of the student body has been involved in electing its student sabbaticals in each of the last three years showing the student leadership is visible and these key roles engage student attention. The Officers are accountable to the student body through the Union Council. The Students' Union has a strategy and regularly reports on its progress and finances overall as well as in relation to the grant the University gives. We formally receive their annual report and accounts through our Finance Committee so the scrutiny is extended to our own governance. The University takes its responsibilities under the 1994 Act extremely seriously. There is therefore no shortage of accountability or transparency.

**Question 21:**

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

Yes       No       Not sure

*Please give reasons for your answer.*

The Green Paper proposes to split responsibility for research funding (QR) and teaching funding, which both currently sit with HEFCE. It will be difficult for two bodies jointly to model the impact of changes in teaching and research funding at an individual university level. It also unhelpfully signals a separation between research and teaching, which should be linked closely.

It is not clear that framing everything as if it is about students is necessarily helpful, especially given that students appear to have no role in governance and that many of the duties here are broader university regulatory and governance issues rather than specifically about students. Broadening the title, as some have suggested, to cover both students and HE more broadly, (Office for Students and Higher Education) would seem to us to have merit.

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

Yes       No       Not sure

*Please give reasons for your answer.*

The Green Paper proposes that the Office for Students will be funded by subscriptions from universities. Subscriptions should be proportionate to the risk that universities represent (and therefore the extent of regulation they require) rather than size (e.g. student numbers).

The increased costs this places on universities should be considered in the overall funding provided to institutions given that the cost is currently met through HEFCE top-slice.

**Question 22:**

**a) Do you agree with the proposed powers for OfS and the Secretary of State to manage risk?**

Yes       No       Not sure

*Please give reasons for your answer.*

In particular we welcome the ambition to develop a regulatory framework where monitoring of low risk providers will be reduced. The government should focus its efforts on new and higher-risk providers.

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

**Question 23: Do you agree with the proposed deregulatory measures?**

Yes       No       Not sure

*Please give reasons for your answer, including how the proposals would change the burden on providers. Please quantify the benefits and/or costs where possible.*

- The proposal to exempt universities from the Public Body requirement to respond to requests under the Freedom of Information Act is welcome. We would also highlight how currently we are subject to public sector, private sector and charities regulation, which increases the overall burden on universities in many areas, not just in relation to FOI.

**Question 25:**

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

- We would want to see transparency and a governance model that ensure independence of the funding streams in dual funding.
- A maintenance of research quality as the core criteria for research funding in both funding streams based on robust assessment of quality.
- We would wish a long term stable commitment of QR to allow strategic planning.
- We would welcome reassurances of the autonomy of institutions in the use of QR funding.

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

Yes       No       Not sure

*Please give reasons for your answer*

The question refers to hypothecation within the new single research funding body. We would strongly reinforce the absolute importance of QR remaining a separate, distinct and protected funding stream so that dual support remains intact and is not eroded overtime.

QR funding, currently distributed by HEFCE is an unhypothecated funding stream that complements funding allocated via research councils. Awarded as a block grant to institutions based on REF outcomes it enables HEIs to invest in research and to maintain previous investments. It provides a vital stable funding base over the medium term when other areas of funding are highly uncertain. Crucially QR funding provides a funding base for novel research areas and areas of work and underpinning staff and facilities that are not funded by research councils. It is also crucial to those areas where there is relatively little funding for research such as the social sciences, the humanities and the arts. The QR charities funding is also crucial for underpinning university collaboration with the charity sector.

In order to embed dual support fully in the new system we would advocate that the two funding streams are clearly established in legislation through an act of parliament as well as in the mission of the new research funding body. We would also want complete transparency with regard to the new funding body's budget and accounts so that these can be scrutinised to ensure that the two funding streams do not become blurred. We would recommend that the current balance between the two funding streams is maintained and that the Charity QR funding is also maintained.

***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?***

- a) REF allows our organisation to demonstrate excellence to audiences familiar with the UK research environment. The results provide one aspect of external benchmarking to inform future investment decisions. The REF process encourages our University to carefully consider and track impact. Overall REF encourages our University to develop ambitious research and knowledge exchange strategies that balance excellence and breadth to maximise QR income.
- b) The benefits to Nottingham are shared across the sector. In Universities with a lower volume of excellent research, the REF process promotes pockets of world class research.

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

In STEM subjects we support work to validate the use of metrics in the assessment of outputs. In other subject areas the use of metrics is a poor surrogate measure of quality and peer review remains essential. Because of this challenge it would be difficult to extend the use of metrics beyond that used in REF 2014 for the arts, humanities and social sciences and also in judging the quality of interdisciplinary research or in new fields of inquiry. Peer review remains an important part of the assessment process. It is difficult to see how metrics could be used to judge impact and peer review needs to remain the primary method. However data provided for impact case studies could be required using a standardised approach. Metrics could also be used to assess environment so long as this is normalised for specific subjects. There is a danger of gaming and perverse incentives being introduced if more extensive use of metrics is made and if these were used as a means of reviewing research in institutions between peer review based assessment exercises.



Maintaining the approach used in REF 2014 would help reduce the burden on institutions in preparing for REF particularly with regard to impact which as a new aspect for REF 2014 created a significant burden in preparing for a new aspect of assessment. Major changes to the approach to assessment requires universities to invest substantial time and effort in preparation.

Longer time intervals between assessments and delaying the next REF would also help to reduce burden and cost to institutions. A single environment submission per institution could also assist with reducing burden.

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

Improving our data infrastructure is an opportunity to improve research output and remove significant inefficiencies. New data infrastructure will take time and considerable investment to realise the full potential of an interconnected and open environment. Standardisation and shared procurement of systems across HEIs with simple and automated interfaces to reporting repositories (eg Researchfish) could be a major opportunity for the UK to lead the world and maximise return on research investment.