Department for Business, Innovation & Skills

Teaching Excellence Framework Technical Consultation – Response Form

Name/Organisation: Universities Scotland

Please tick the box that best describes you as a respondent to this consultation:

	Respondent type
☐	Alternative higher education provider (with designated courses)
☐	Alternative higher education provider (no designated courses)
☐	Awarding organisation
☐	Business/Employer
☐	Central government
☐	Charity or social enterprise
☐	Further Education College
☐	Higher Education Institution
☐	Individual (Please describe any particular relevant interest; parent, student, teaching staff etc.)
☐	Legal representative
☐	Local Government
☐	Professional Body
☒	Representative Body
☐	Research Council
☐	Student
☐	Trade Union or staff association
☐	Other (please describe)

The Scottish Universities are delighted to read in the White Paper (Box 2.2, TEF and the Devolved Administrations) that the inter-connectivity of HE across the UK is recognised, and that BIS intends to work with the Scottish Government *'as the full scope of TEF is developed, including in relation to the metrics for assessing teaching quality in subsequent years [i.e. beyond TEF1], with a view to exploring whether TEF can be designed in such a way as to be compatible with participation by Higher education institutions in Scotland, Wales and Northern Ireland; to ensure learning from current systems and approaches (for example, the enhancement-led ethos underpinning the Quality Enhancement Framework in Scotland); and in order to preserve the comparability of teaching quality across the UK'.*

We warmly welcome this undertaking to collaborate with our sector and to explore ways of accommodating our distinctive approach to quality in learning and teaching, which we have developed over many years. The sector in Scotland is ready to evolve with the times as necessary, but is united in wishing to retain our enhancement-led ethos, together with the best of our tried and tested procedures for ensuring high quality not only in individual institutions, but in a shared and collaborative manner across the sector as a whole.

Before and during the technical consultation period, Scottish Universities have therefore engaged in intensive discussions across the sector, with Scottish agencies and with BIS, in the hope of exploring flexible and creative ways to coordinate review of the Scottish Quality Enhancement Framework (QEF) and Enhancement-Led Institutional Review (ELIR) with the introduction of TEF. As we consider what reforms we may wish to bring to the QEF, we are very open to the principle of incorporating elements that would play well into the TEF. We hope, in turn, that BIS will support the White Paper principles of inter-connectivity and compatibility by entering into dialogue about how a reformed QEF might articulate with TEF. So far, however, it has been difficult for us to understand BIS's thinking on the ways in which TEF metrics and submissions will take account of Scottish specificities, and even less how TEF might acknowledge the principles of enhancement.

Our wish is exactly as outlined in the White Paper: to explore with BIS whether TEF can be designed in a way that is compatible with participation by the Scottish sector, with a fair basis for the assessment of metrics and without abandoning our enhancement-led ethos. In short, we wish to investigate an articulation scheme that acknowledges the different but equivalent status of QEF and ELIR.

We might propose, as one example, that a scheme be explored that would allow Scottish institutions to be assessed under the (reformed) ELIR, with results feeding into a 'Scottish' TEF panel, i.e. one that involved some of the standard TEF panel members, but also a number of members with specific knowledge of and expertise in Scottish issues. The panel would effect a translation of results from QEF to TEF, attributing TEF outcomes and commendations as appropriate. Such a scheme should be familiar to all in HE who practice Recognition of Prior Learning in regard to students. Applied to TEF, it would preserve the Scottish enhancement ecosystem, allowing institutions with comparable metrics and relationships to government policy to be assessed and compared together; it would also help to ensure TEF's status as a UK-wide system.

However, we stress that this suggestion is merely one example of an articulation system that might be negotiated in the interests of both equity and preservation of the richness of the UK-wide sector. We request that a framework be established for further discussion of detailed proposals, to which the Scottish sector stands ready to contribute.

Our responses to the Technical Consultation questions below should be read in the context of this sector's overarching and unanimous hope that the principles of dialogue, collaboration and reciprocal learning can continue to bring HE together across the UK wherever possible, including through the TEF.

Question 1 (Chapter 1)
Do you agree with the criteria proposed in Figure 4?

☐Yes ☒No ☐ Not sure

Please outline your reasons and suggest any alternatives or additions.

The assessment framework sets out three broad aspects of quality (teaching quality, learning environment, student outcomes and learning gain) and associated criteria.

The three aspects proposed are a rough proxy, but we are disappointed this is not wider – for example, student partnership would be a useful addition.

We note that most criteria proposed are reasonable, and are areas that are covered in some length in the Enhancement-Led Institutional Review process in Scotland.

However, the criteria do not indicate how differentiations are to be made between the levels (meets expectations, excellent and outstanding) and this is a key omission. This is a problem for institutions in making submissions and for the panel in making judgements. Unless a simple proportional 20-60-20 split is to be made (and we have been told that it will not be), the methodology for distinction must be made clear, recognising that there are many different ways to demonstrate excellence in learning and teaching.

There are also several instances of disjoints between the suggested criteria and the panel member guidance described in figure 4. Some examples are provided below.

- In relation to *"Teaching provides effective stimulation and challenge and encourages students to engage"*, we note there is a significant literature on this generated by the extensive work around student engagement. However, the panel member guidance conflates this empirically established construct with a different construct of student satisfaction for which no such equivalent empirical literature or validity has been established. This confound is also apparent in panel guidance for *"Course design, development, standards and assessment are effective in stretching students to develop knowledge, skills and attributes that reflect their full potential"*.

- For *"Students' academic experiences are tailored to the individual, maximising rates of retention"*, the panel guidance links learning needs with retention. The data suggest, however, that a relatively small number of non-returners are the result of academic failure and in the majority of cases the reasons given are not related to learning. This criterion also seems to makes reference in the panel guidance to a further form of student engagement – students as active participants in the on-going development of their courses. It would be better if this were made more explicit.

- For *"Students acquire knowledge, skills and attributes that prepare them for their personal and professional lives"*, the panel member guidance includes *"Evidence may also include the impact of using methods such as Grade Point Average (GPA) to record students' achievement"*. The relationship between the two is unclear to us.

We believe more clarity is required about the relative weight that will be applied to the core metrics and institutional submission (as indicated in response to Questions 7 and 10) and, in general, a more careful approach to using quantitative data to measure quality is needed.

Question 2 (Chapter 3)

A) How should we include a highly skilled employment metric as part of the TEF?

We are concerned that future work on highly skilled employment metrics will define success as a high salary. In reality, salary depends on many factors – including choice of subject and career (for example, skilled entrepreneurial, creative or charity work is less likely to attract a high starting salary than a graduate job in medicine or law, despite involving important contributions to society and the economy), location, graduate willingness and ability to move for a job, the local and national economic context, and so on. Institutions should not be penalised for factors that are unrelated to the quality of learning and teaching.

In addition, any use of HMRC data will only be possible for students who are working in the UK, limiting the coverage of the metric. Our members also have concerns about potential coverage of international students and whether their inclusion (now or in the future) could differentially disadvantage highly international institutions, given that international students tend to be more difficult to track and obtain data on.

There needs to be close connection with the current consultation on the future of the Destination of Leavers from Higher Education (DLHE) survey.

B) If included as a core metric, should we adopt employment in Standard Occupational Classification (SOC) groups 1-3 as a measure of graduates entering highly skilled jobs?

☒ Yes ☐ No ☐ Not sure

SOC groups 1-3 are classed as professional employment by HESA and so this would be wholly appropriate. It would not be helpful to have multiple different definitions of graduate level jobs. It should be noted that over time, classifications for graduate jobs will go out of date – some jobs will become graduate level jobs as the skill level required rises.

C) Do you agree with our proposal to include all graduates in the calculation of the employment/destination metrics?

☐ Yes ☒ No ☐ Not sure

Please outline your reasons and suggest any alternatives.

We think it is inappropriate to include, for example, graduates who are retired or in ill health. These graduates are not available to work and to include them would be a perverse incentive for institutions not to admit disabled or mature students. We would strongly prefer to use the categories of students that HESA uses for this. This will also avoid confusion about why there are different figures for ostensibly the same measure.

It will also be important to consider what qualifications graduates gain. In Scotland, undergraduates can gain Ordinary or Honours degrees. Both are legitimate aims and qualifications in their own right. For example, most nursing students graduate with an Ordinary Degree, which is the most common entry point to the nursing profession in Scotland. This is different to the situation in England with Pass Degrees and Honours Degrees. However, the qualifications are different and the graduate employment metrics should not be conflated. We note that this issue will also be apparent for PGT courses where some students undertake Diplomas and others Masters.

Care should also be taken that the method does not 'misread' the destination of students who move on to a second Undergraduate Degree as part of a single qualification – for example, some Medicine students take a BSc followed by an MBBS.

Question 3 (Chapter 3)

A) Do you agree with the proposed approach for setting benchmarks?

☐ Yes ☒ No ☐ Not sure

B) Do you agree with the proposed approach for flagging significant differences between indicator and benchmark (where differences exceed 2 standard deviations and 2 percentage points)?

☐ Yes ☒ No ☐ Not sure

Please outline your reasons if you disagree.

There is a different structure to HE in Scotland as well as different policy priorities, and the current benchmarks take no account of this.

For example, the non-continuation metric will disadvantage Scottish institutions for various structural reasons:

- It considers Y1 of a 4 year degree rather than Y1 of a 3 year degree, leading to higher 'neither award nor transfer' rates in Scotland (due to an additional year where we need to retain our students / deliver them to a successful outcome)
- It includes people who move to another institution and this favours institutions with multiple others nearby (this is less true in Scotland)
- Colleges are included in the HESA statistics in England but not in Scotland, so people who move to a college in Scotland will be shown as non-continuing.

We do not support adopting a different approach to flagging significant differences to that used for the HESA performance indicators. This method has been established for some time after considerable thought in the sector and funding bodies. We believe the inconsistency of using a similar but different method will introduce complexity and confusion. The reason for proposing a different approach appears to be to generate greater differentiation in the sample rather than to improve validity.

We believe there should be transparency about benchmark groups and these should not change based on what we are measuring but based on institutional comparability.

We also suggest that for the benchmarking of non-continuation, ethnicity, gender and disability should be included.

Question 4 (Chapter 3)

Do you agree that TEF metrics should be averaged over the most recent three years of available data?

☐ Yes ☐ No ☒ Not sure

Please outline your reasons and suggest alternatives.

There is a trade-off between older, less relevant data and greater volatility in the data (greater volatility is more likely with smaller numbers so will become more likely with discipline and PGT). Using less data might discourage innovative responses to e.g. NSS results because of concerns about how it would affect the data.

On balance, we support using 3 years' worth of data. Some of our members feel that using the data without averaging could give the panel and assessors a richer picture and enable them to observe trends. However, other members feel that to smooth out volatility it is better to average, and are not convinced that 3 years is long enough to identify a trend.

Question 5 (Chapter 3)

Do you agree the metrics should be split by the characteristics proposed above?

☐Yes ☒No ☐ Not sure

Please outline your reasons and suggest alternatives.

POLAR is acknowledged not to work for Scotland and is not used by HESA, the SFC or the Scottish Government.

POLAR works by dividing the country into areas according to participation in HE and the widening access data is derived from looking at students from lower participation neighbourhoods. Scotland has both a higher rate of HE participation overall and a higher rate of participation in HE in colleges than England, which makes POLAR misleading when you compare us (at sector or institution level) with other parts of the UK. We have significantly less low participation areas than England, which makes it much harder for us to get higher POLAR figures (although we have many RUK students in Scotland, these students tend to come from more advantaged backgrounds).

HESA does not publish POLAR data for Scottish institutions and there is a note explaining why in the definitions:

> *The POLAR low participation measure is based on a UK wide classification of areas into participation bands. The relatively high (in UK terms) participation rate in Scotland coupled with the very high proportion of HE that occurs in FE colleges means that the figures for Scottish HE providers could, when viewed in isolation, misrepresent their contribution to widening participation. Therefore, low participation data has not been produced within the UK Performance Indicators for HE providers in Scotland from 2007/08.*

The interim report from the recently concluded Commission on Widening Access also commented on the inappropriateness of POLAR:

> *Firstly, many higher education statistics published, for example by UCAS and HESA, focus on universities and exclude the relatively high proportion of higher education students in Scotland studying at colleges. Some have observed that the higher education activity that takes place in Scotland's colleges is more likely to be at a lower level of study. However, the figures from HESA and UCAS will include information on those studying foundation degrees in other UK countries, which is also a level below first degrees. Analysis of the HESA and UCAS population by POLAR would therefore distort the picture of access in Scotland when compared with other countries.*
>
> *Secondly, Scotland's relatively high participation rates for higher education means that Scotland has, by definition, fewer UK low participation areas. Only 7.4% of Scottish wards are defined as low participation compared to 15.6% of English wards. For some years, HESA has not published POLAR analyses for Scotland due to the issues of comparability.*

As well as the fundamental issues with POLAR as a measure, it is also not used in Scottish Government policy. It would be much more appropriate to use the Scottish Index of Multiple Deprivation (SIMD) for Scottish institutions, which is the preferred measure of the Scottish Government and the Scottish Funding Council.

It would also be useful to breakdown UK domiciled students into Scottish, English, Welsh and Northern Irish domicile. This is relevant to some Scottish Government priorities (for example, widening access).

It is important to note that there is no UK-wide national policy on widening access – this operates as a devolved matter. Accordingly, we believe the measures should be applied only to the relevant cohort of students, i.e. students from the rest of the UK should be excluded for Scottish institutions (unless there is a change of policy).

It is also important that the size of the student population within these characteristics is given to the panel. For some institutions, some of the sub-populations will be small and therefore statistical differences may not be reliable. This will only be evident if the population size is given. This will likely become even more important at discipline level and for PGT.

Question 6 (Chapter 3)
Do you agree with the contextual information that will be used to support TEF assessments proposed above?

☐Yes ☒No ☐ Not sure

Please outline your reasons and suggest any alternatives or additions.

In the context of a 'different but equivalent' approach to the TEF in Scotland, as proposed in our introductory section, we suggest that a particular TEF panel could be set up to review submissions that arise through the different-but-equivalent Scottish pathway, with an appropriate balance of Scottish and UK expertise (drawn from the standard TEF panel).

In any event, it is vital that information provided to assessors and panel members adequately contextualises the local environment that institutions operate in, including the regional economic context and demographic mix, which can have a significant impact.

Further clarity is also required on the weight that will be applied to contextual information relative to the core metrics and institutional submissions.

Question 7 (Chapter 3)
A) Do you agree with the proposed approach for the provider submission?

☐Yes ☒No ☐ Not sure

B) Do you agree with the proposed 15 page limit?

☐Yes ☒No ☐ Not sure

Please explain your reasons and outline any alternative suggestions.

There needs to be more guidance on the institutional submissions, particularly around what it should cover and how the assessors and panel will use it. It would also be useful to have more clarity on how the metrics and the submissions will be considered and weighted. In the absence of this information, it is difficult to assess the role or nature of the institutional submission and provide an informed response to this question.

However, based on the information available, we believe 15 pages is too short for institutions to be able to effectively contextualise the core metrics, develop an institutional case on teaching that includes evidence across the 10 criteria, and demonstrate eligibility for one (or more) commendations. Moreover, a shorter length does not necessarily reduce the burden for institutions. We suggest therefore that these different elements of the submission are split and more space is provided overall.

Our members also have concerns about the restrictions on inclusion of references to primary evidence. We note this is contrary to the established method for REF impact case studies (which permit 10 references per 4 page submission) and risks enabling inclusion of un-evidenced, inaccurate claims which the TEF panel will not be able verify.

It is unclear whether there will be provider submissions for individual disciplines or for the institution as a whole once discipline level TEF happens. We would like to take this opportunity to point out the immense complexity of presenting metrics for disciplinary-level TEF in the Scottish sector, given the vast number of Degree programmes that incorporate second, third and sometimes more disciplines, and the large number of Joint Degrees. This particularity of the Scottish system should not be underestimated: if not acknowledged and handled intelligently, there is a real danger of faulty and misleading results. Such complexity will in turn have an effect on the ability of institutions to present a submission in 15 pages.

Question 8 (Chapter 3)

Without the list becoming exhaustive or prescriptive, we are keen to ensure that the examples of additional evidence included in Figure 6 reflect a diversity of approaches to delivery. Do you agree with the examples?

☐Yes ☐No ☒ Not sure

Please outline your reasons and suggest any additions or alternatives?

The question is difficult to answer definitively without clarity on the nature of provider submissions and how these will be used (as discussed in our response to Question 7). Our members have some concerns about the list of examples of additional evidence, however.

There is a risk of incentivising a 'tick-box' approach to the institutional submission. For large, diverse institutions, there is already a challenge associated with conveying evidence across diverse areas of academic provision. Institutions may be tempted to try to evidence all of the areas suggested, resulting in a significant burden.

It is important also to clarify how the evidence will be used and to clarify any weighting attached to the metrics relative to the institutional submission. This is particularly important given that it appears to be possible for an application to be based solely on the metrics without providing any additional evidence.

A diverse range of types of evidence and the need to demonstrate impact and effectiveness may generate difficulties in ensuring a level of comparability across submissions that will enable assessors and panel members to make fair judgements when deciding upon assessment outcomes.

Question 9 (Chapter 4)

A) Do you think the TEF should issue commendations?

☐Yes ☐No ☒ Not sure

B) If so, do you agree with the areas identified above?

☐Yes ☐No ☒ Not sure

Please indicate if you have any additional or alternative suggestions for areas that might be covered by commendations.

We are unsure about the appropriateness of including commendations in the TEF at this early stage of development.

If commendations are included, the requirements should be outlined clearly in guidance to ensure fairness and transparency. We also believe BIS should consider splitting commendation applications from the other elements of the institutional submission (as suggested in our response to Question 7).

We suggest the inclusion of the following additional areas:

- Student engagement
- Extra-curricular activities
- Assessment

The commendation currently proposed as 'business engagement' should be amended to be 'employer engagement' since not all employers are businesses.

Question 10 (Chapter 4)

Do you agree with the assessment process proposed?

☐Yes ☒No ☐ Not sure

Please outline your reasons and any alternative suggestions. The proposed process is set within a relatively tight timescale, reflected in the key dates included in Annex B. Responses should be framed within this context.

We have a number of concerns about the assessment process.

As mentioned in response to Question 1, we believe it is essential that clarity is provided as to how differentiations will be made between the levels (meets expectations, excellent and outstanding teaching).

We also think BIS should consider rewording 'meets expectations' to something more positive (for example, 'good quality').

Clarity on how core metrics and institutional submissions will be weighted is essential. Further, the fact that the institutional submission is optional implies all three levels can be gained on metrics alone – it is unclear, however, how the panel will compare applications based on metrics alone versus metrics plus institutional submissions fairly.

In the context of a 'different but equivalent' approach to the TEF in Scotland, as proposed in our introductory section and in response to Question 6, we suggest that a particular TEF panel could be set up to review submissions that arise through the different-but-equivalent Scottish pathway, with an appropriate balance of Scottish and UK expertise.

We also suggest that any panel must include a majority of currently practising academics. Further, our members feel that the assessment process, as proposed, requires a very high time commitment, and have concerns about whether senior experts in learning and

teaching would have the ability or willingness to commit this workload to be a TEF assessor or panel member.

We also have concerns about the indication that the decisions of the TEF panel will be final, with no room for appeal. We believe BIS should consider implementing a review or appeal process in some form.

Question 11 (Chapter 4)
Do you agree that in the case of providers with less than three years of core metrics, the duration of the award should reflect the number of years of core metrics available?

☐Yes ☒No ☐ Not sure

Please outline your reasons.

Three years' worth of data should be required for all applicants – this is particularly important in the case of small providers where specific cohorts of students to be monitored for TEF may be too small for the data to be meaningful.

Question 12 (Chapter 5)
Do you agree with the descriptions of the different TEF ratings proposed in Figure 9?

☐Yes ☒No ☐ Not sure

Please outline your reasons and any alternative suggestions.

The descriptions could be made much more transparent for institutions, panels and students to understand if they explained what excellent or outstanding will mean in the context of the TEF. Current descriptions leave room for concern that panels will make judgements between levels solely based on the spread of metrics over a bell curve. Providing more clarity is also a good opportunity expressly to acknowledge that the sector as a whole is an extremely rich and varied on, so a provider may demonstrate excellence in a variety of ways.

Thank you for taking the time to let us have your views.

We do not intend to acknowledge receipt of individual responses unless you tick the box below.

Please acknowledge this reply ☒

At BIS we carry out our research on many different topics and consultations. As your views are valuable to us, would you be happy for us to contact you again from time to time either for research or to send through consultation documents?

☒Yes ☐No

BIS/16/262/RF