

The Teaching Excellence Framework

Responding to the TEF Technical Consultation

This briefing outlines NUS' response to questions in the government's Technical Consultation on the Teaching Excellence Framework and runs through potential responses and actions for students' unions.

What is the TEF?

The Teaching Excellence Framework (TEF) is a proposed mechanism for assessing the quality of teaching in higher education institutions in England.

The TEF was a manifesto pledge of the Conservative Party at the 2015 General Election and initial plans were set out in their Green Paper [Fulfilling our Potential](#).

Institutions can volunteer to be assessed through the TEF and be awarded a level of teaching quality, based on a set of core metrics benchmarked against the rest of the sector as well as a written submission from institutions.

What is the technical consultation?

The [technical consultation](#) asks for views on how the TEF should be designed and implemented from Year 2 onwards. In Year 1, the TEF is limited to awarding institutions on the basis of their QAA Higher Education Review. Year 2 will see the introduction of the main characteristics of TEF: a set of core metrics, institutional submissions and TEF panels.

The technical consultation is aimed at higher education providers to understand the impact it will have on them. Therefore, students' unions should be interested in lobbying and influencing their institution if they intend to respond, or convincing their institution to respond in some cases.

There may also be benefits in students' unions putting in their own responses on some questions which are pertinent to students. The TEF proposals attack the power of students and their unions to influence their institutions and engage in the debate over teaching quality.

Students' unions have told us that they want to engage with the TEF consultation. This is why we have offered our own thoughts on the questions in advance to help you to work with your institution to respond or working on your own response.

We have not answered all the questions in the consultation; we have focused on those which we believe are most important for students generally. We have explained our reasons for this in each case and have offered guidance as to where some questions we haven't answered may be important to particular institutions or unions.

The consultation closes on 12 July. You can download the consultation [here](#).

Further information

Download the HE White Paper [here](#).

Read our [campaigns guide to the White Paper](#).

You can send queries about the consultation or the TEF to publicaffairs@nus.org.uk

Summary of our response

Question 1 – TEF criteria

NUS has stated our general acceptance of the underlying criteria for teaching excellence, in the sense that they are broad principles, but we are fundamentally opposed to how they are being reduced to broad metrics.

We raised concerns over the imbalance in the government's focus on employer engagement over student engagement. We give evidence of why student engagement is an important factor in the development of excellent teaching and question whether employer engagement is always to the benefit of students.

Question 2 – Use of highly-skilled employment metric

Following from our overall concerns we raised in our response to the Green Paper, we again criticise the idea that employment outcomes can measure the quality of teaching, as there are many other things which influence whether a graduate gets a high-skilled job.

We raise specific complaints about the use of a highly-skilled employment metric, because it is likely to have a negative effect on a whole range of degree subjects where, for many reasons, fewer graduates end up in what the government define as "highly-skilled" jobs. Departments and courses may be closed or pressured by institutions because they do not perform well in this metric.

We question whether the government's definition of a highly-skilled job is correct, pointing to jobs, such as veterinary nursing and finance administration, which these days tend to require degrees but are not counted as "highly-skilled".

We disagree with the inclusion of all graduates in the calculation of the employment rate as this may act as a disincentive for institutions to recruit students with dependants, students nearing or at retirement age, and students with long-term health issues.

Question 5 – Splitting metrics by student characteristics

While maintaining opposition to the metrics used, we agree that taking into account student characteristics will potentially have some positive impact on widening participation and equality in the context of the policies proposed.

We suggest that the breakdowns should take into account the size of the breakdown cohort at an institution to avoid institutions with large numbers of WP students being disadvantaged.

Question 6 – Contextual information

We agree with the list of contextual information provided. We suggest also adding in the number of enrolments from an institution's local area to help account for regional labour market differences, and ask for government to require information to be collected on the number of students with dependants at an institution.

Question 7 – Provider submissions

We strongly disagree with the way that the government has attempted to block students and students' unions from getting involved in the written submissions that institutions can give as part of their TEF assessment.

This has been designed to limit the power of students and student representatives to challenge the TEF, but it means that institutions can say what they like teaching without needing to feed in the student voice.

We argue that government should ensure that students and their unions are able to be involved in providing information on teaching quality should they wish to.

Question 8 – Examples of teaching quality

We again express our concerns over the focus on employer engagement over that of student engagement, suggesting that too many political assumptions are made about the benefits of employer involvement.

Question 11 – Duration of TEF award

We believe that it is right to limit the length of award to institutions with less than three years of data to use in the metrics. This protects students by adding greater scrutiny of new alternative providers.

Question 12 – TEF ratings

It seems ill-advised to use both “excellent” and “outstanding” as ratings because very few people will know the difference, and some may incorrectly assume that “excellent” is the highest rating because the framework measures “excellence”.

Our full draft response to the consultation follows on the next page.

NUS draft response to the TEF Technical Consultation

Question 1 (Chapter 1)

Do you agree with the criteria proposed in Figure 4?

Yes No Not sure

As stated in the response to the green paper, we broadly accept the criteria outlined for the measurement of teaching excellence. However, in these final criteria, we find that there has been too much emphasis placed on employer engagement and too little placed on student engagement. While the latter has been proven time and again to improve the learning experience of students, the former, whilst in certain cases can prove significantly helpful, it is by no means universally positive, and there is evidence to suggest that many of the employer-focused elements of courses have negligible impact on graduate employment outcomes unless they involve placements or significant work experience.

Whilst student engagement takes into account of the full range of economic, social and cultural benefits of higher education and how they may be enhanced through excellent teaching and learning, employer engagement focuses mainly on the economic advantage that can be levied from university-business relationships. Whilst we accept the crucial importance of improving a student's life chances through improved employability, we reject the imbalance of focus on this aspect in particular and have reservations over the negative effects that could materialise if universities focus too heavily on what employers think is most useful to them, rather than what is useful to the student.

Student engagement is widely accepted within the higher education sector as having a significant positive impact on the quality of teaching and learning. While much attention has been drawn on the positive outcomes of employer-university arrangements, little has been said in the white paper or this consultation about the importance of the relationship between students and the academic staff who teach them.

As Ramsden (2008) wrote in a BIS report on teaching and the student experience, '[t]here is abundant evidence that the most effective higher education environments are ones in which students are diligently involved as part of a community of learners'. Similarly, Ball et al (2013) have argued that '[w]hen students and academics co-design curricula, benefits include deeper student engagement in learning, increased staff enthusiasm for teaching, and curricula that meet students' needs'.

In light of the overwhelming evidence of the benefits of student engagement in enhancing the quality of teaching and learning, we wish to see a clearer balance between aspects of teaching quality related to good practice in employer engagement and good practice in student engagement.

Question 2 (Chapter 3)

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

NUS remains deeply concerned about using metrics that focus on outcomes of which the majority of the variance is explained by factors which are exogenous to teaching quality. Teaching quality, even in its widest definition, will explain only a fraction of the variance in graduate outcomes – we expect that there are a significant number of factors which would need to be controlled for, including but not limited to: socio-economic class, age, gender, ethnicity, subject choice, degree classification, other qualifications and past work experience, institutional reputation, geography, labour market trends and economic performance.

We do not have access to data in the format that could statistically measure the strength of these variables, but we expect that any measure or index of teaching quality would prove to have a small and probably statistically insignificant effect on obtaining a “highly skilled” job once the other factors above were controlled for. Government should have the access to data to run a logistic regression model capable of analysing the effect of at least some of these variables alongside a measure of teaching quality.

There are a number of previous studies relating to the determinants of graduate employment outcomes which provide some important insight into this, some of which have used the suggested logistical regression method to analyse the size and significance of effects of different variables on employment outcomes.

For example, Mason et al (2006) ¹ concluded from analysis of First Destinations Survey data that university teaching, learning and assessment relating to employability had no statistical impact on the employment outcomes of graduates once other key factors were controlled for. The strongest determinants in their models were degree classification and whether you were on a sandwich course. Work experience as part of a degree also had a positive effect on whether a graduate entered a graduate-level job, which has been supported by later studies (e.g. BIS 2013) ².

Gender also played an important role in Mason et al’s results. They found that men graduates were statistically more likely to accept being unemployed than to take on a non-graduate level job. In contrast, women were more likely to take on low-skilled work rather than be unemployed. This shows an important underlying factor which will shape the results of any highly skilled job metric; it suggests that gender balance in an institution will affect the results and, therefore, must be controlled for.

Other research has shown the impact of socio-economic class and institutional reputation on graduate outcomes in more detail. The Sutton Trust’s Earnings by Degrees (De Vries 2014)³, for instance, revealed how graduate earnings were affected by differences in subject and institutional reputation and selectivity after controlling for demographics and attainment. The Joseph Rowntree

¹ <http://www.niesr.ac.uk/pubs/DPS/dp280.pdf>

² http://www.hecsu.ac.uk/assets/assets/documents/Futuretrack_BIS_Learning_from_futuretrack_work_experience.pdf

³ <http://www.suttontrust.com/wp-content/uploads/2014/12/Earnings-by-Degrees-REPORT.pdf>

Foundation (Tackey 2011) has also shown how poverty and ethnicity impact on the outcomes of degree graduates. ⁴

Analysis of HECSU's Futuretrack survey also provides some evidence of the main determinants of graduate employment. HECSU research has shown that graduate outcomes are affected by various factors, many of which are unrelated to teaching. For instance, studying and living at home is shown to have an impact on the geographical mobility of graduates. Students who live at home are more likely to take up employment locally and be, subsequently, less likely to be in a graduate-level job. This will have a significant effect on the results for institutions which recruit disproportionately from their local community.

Any metric of this kind must take into account the social importance of certain jobs and careers which graduates undertake for the public good. These jobs may not be considered to require high levels of skill under the narrow terms that the government wishes to define them by; however, these jobs are absolutely essential to society.

We also question how the Government's proposal to measure "highly skilled" employment in such narrow academic terms will impact on their interests in developing a greater esteem and importance for higher-level vocational qualifications. It is unclear whether the type of employment related to such courses would be defined as "highly skilled" and indeed encouraged by the focus in the graduate outcome metrics.

There is a considerable danger that this metric will have perverse effects on the behaviour of institutions which could lead to course closures and the undersupply of labour in certain key areas of employment. Institutions may well respond to the measurement of highly skilled employment by focusing their attention on subjects and courses which have a higher likelihood of leading to jobs in certain areas. Courses in social policy; psychology; animal science; hospitality, leisure and tourism; communications; and area studies may be at risk because of their propensity to have low levels of graduate employment in professional jobs or that it will take longer for a graduate to progress into a professional role.

Steps should be taken to ensure that institutions do not respond by homogenising their provision in order to push up their results in this metric. Such steps could include explicit guidance to TEF assessors to take into account the mix of subjects on offer in an institution, or weighting the metric by expected national outcomes for each subject. Institutions should be explicitly told that they will not be disadvantaged by this metric for maintaining high quality teaching in subjects from which there is a national trend of fewer graduates entering high-skilled jobs.

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

Whilst the bulk of jobs requiring a degree are covered in SOC groups 1-3, we are concerned that there are some jobs that are important for our economy and society which require degree level knowledge and skills and are not classified in SOC groups 1-3. To ignore this may lead institutions

⁴ <https://www.jrf.org.uk/sites/default/files/jrf/migrated/files/poverty-ethnicity-education-full.pdf>

to assume that teaching courses related to these fields are no longer worthwhile providing or put them at a disadvantage as explained in our response to 2A above.

Some clear examples that require closer attention are jobs in veterinary nursing (SOC 6), secretarial work for senior officials / politicians etc. (SOC 4), and finance administration (SOC 4), all of which tend to be considered jobs which require a high level of skill, they often require degrees and/or attract degree graduates as a stepping stone into a professional career. To say that such jobs are not highly skilled would, we believe, be problematic.

There are also jobs in SOC 1-3 where graduate skills are not usually required. Shopkeepers, for instance, are in SOC1, as are garage managers and beauty salon managers, many of whom will have vast skill and experience in their field, but will not hold a degree-level qualification.

We remain concerned that the changing nature of the labour market will make it more difficult in the future to determine what is and isn't a highly skilled job and that the standard occupational classification bands will become less adequate. In HECSU's recent report on graduate labour market trends, they warn of the unclassified and changing nature of the "graduate job" and note the examples of veterinary nursing and finance administration as particular anomalies.⁵

Research by HECSU (2004) has shown how the range of jobs that graduates do is becoming increasingly wide as a result of 'economic restructuring, technological change and related change in the demand for highly-skilled labour'.⁶ This suggests that the occupations that graduates end up in will continue to change and widen as the labour market responds to different economic and technological pressures. They questioned the use of SOC groups and determined a specific SOC (HE) group for graduate jobs which could prove a more effective metric.⁷

Whilst ultimately uncomfortable with any highly skilled metric for the reasons explained in answer to 2A, we would suggest that the SOC(HE) categories 1-4 are more appropriate than the standard SOC 1-3 categories.

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

Yes No Not sure

This proposal will act decisively as a strong disincentive for institutions to provide education for particular student groups, namely students with dependants, those with long-term illnesses, and mature students nearing or at retirement age. This is because institutions with larger numbers of students from these groups will be disproportionately affected in the results of the metric, and whilst there is a potential for the institution to explain this as a mitigating factor in their written submission, the more likely response by an institution would be to simply recruit less students from these backgrounds, thus removing the problem altogether. It runs counter to the principles of equality and diversity to disincentivise the sector from taking on students from particular backgrounds because of their impact on employment data, especially when the impact is unavoidable and not within the institution's ability to change.

⁵ http://www.hecsu.ac.uk/assets/assets/documents/wdgd_2015.pdf

⁶ http://www.hecsu.ac.uk/assets/assets/documents/seven_years_on.pdf

⁷ <http://www2.warwick.ac.uk/fac/soc/ier/research/completed/7yrs2/rp6.pdf>

We are particularly concerned about the potential for this metric to discriminate against students with dependants and create a disincentive on institutions to recruit students with dependants. It is short-sighted to government not to consider the economic and social value of parenthood and family caring responsibilities, instead creating a metric which considers a student parent as having less value than someone in paid work. Being a parent or carer is not only a job which requires a lot of knowledge and skill, it is also absolutely essential. Moreover, this approach fails to take account of the improvements to a child's development as a result of their parent's improved knowledge and skill from higher education participation, which should be seen as having both social and economic advantages.

The decision also fails to account for the fact that the timeframes for which students with dependants work to are contingent upon their caring responsibilities and so, while many enter education for career development, the time taken to achieve career goals will usually be longer. Recent research (Lyonette et al 2015) on student mothers showed that they are more likely to enter higher education to "realise their potential", suggesting that career plans will take longer to materialise than for non-mothers and are dependent on their caring responsibilities.

We believe that this proposal runs counter to the government's commitment to ensuring fair access and social mobility for all. It also militates against the conventional understanding of lifelong learning – lifelong does not mean our commitment should stop or be disincentivised beyond the normal working age. There has been no analysis of the impact this change may have on institutional behaviour and the subsequent equality impact on groups with protected characteristics.

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

NUS has chosen not to respond to Q3 because it deals with highly technical questions relating to benchmarking data and do not believe that this issue is pertinent to students. We do, however, suggest that students' unions check to see whether their institution has any concerns as they may have picked up on a specific issue.

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

NUS has chosen not to respond to Q4 because it is not a priority issue for students. We believe that institutions are better placed to determine how such a methodological process would impact on students at their institution and we suggest that students' unions speak to their institution about this if they are concerned.

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.

We agree with the proposals but suggest that certain issues are taken into consideration and subsequently controlled for.

First, it is important to ensure that numbers in the breakdowns will be large enough to produce reliable benchmarking. This is likely to become a greater problem in later years if TEF is implemented at a subject level.

Second, the metrics should be adjusted for the impact of small/large cohorts from particular groups. As we see from statistical data in school performance, schools with small numbers of disadvantaged pupils will find it considerably easier to achieve high results because the intervention in this group is less resource intensive; schools with a high number of disadvantaged pupils find it harder to ensure there is no gap in achievement because the intervention is far more resource intensive and the smaller cohort of more advantaged pupils can skew results. There is likely to be the same effect in higher education institutions, where institutions with small numbers of BME students, for instance, may find that their attainment gap is easier to address than an institution with a large proportion of BME students.

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

We agree with the current list of contextual information but also suggest that the government look into the possibility for collecting and utilising data in two other areas.

Rate of enrolments from local area

It may be worthwhile taking into account the number of enrolments from the local area, or perhaps alternatively the number of students who live at home during their study.

BIS' own research has shown that students living at home during their studies are more likely to be employed in the local community after graduating and this can have a negative impact on employment in graduate level jobs.

We do not believe any institution should be disadvantaged by taking on students from the local community from which it is situated. This is a highly important mechanism for social mobility and tackling inequality and social exclusion.

Students with dependants

There is currently no requirement on institutions to collect information on the caring responsibilities of students, despite this factor being shown to have a significant effect on the retention, success and graduate outcomes of students (see NUS 2012; Lyonette et al 2015).⁸

We suggest that the Government make it a requirement for institutions to collect data on whether students have caring responsibilities and that it is subsequently used as contextual information. With the Government's interest in improving retention and success, as well as lifelong learning, incentivising institutions to take account for student parents and carers will be very helpful.

Question 7 (Chapter 3)

A) Do you agree with the proposed approach for the provider submission?

Yes No Not sure

We feel that the government is wrong to deny any formal opportunity for students and/or student representatives to provide a submission to TEF as part of the provider submission. This appears to be a deliberate prejudice against the involvement of students' unions, despite the fact that the higher education sector showed overwhelming support for them in the green paper consultation.

The government should focus on the interests of students and the evidence in front of them rather than on politically-charged views about students' unions. Trying to strike a wedge between unions and institutions by shutting students out of the TEF process and "protecting" institutions from the criticism of students is counterproductive if the government truly wish to accurately decipher the level of teaching quality. Students will be able to provide information on teaching quality from the perspective of the learner and this will be an essential part of contextualising the results in blunt metrics like NSS results.

We know that many institutions will be hoping to work closely with their students' unions and student body more generally to ensure that they provide an accurate and rounded picture of teaching quality in their submission. This comes from the sector's strong commitment to student engagement and partnership, something which in itself is a driver for excellent teaching and learning. Considering the strong evidence that student engagement is linked to improvements in the student experience, we feel that the government should be encouraging this engagement and partnership rather than offering institutions a back door through which to snub students.

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

Yes No Not sure

NUS has no strong views on the length of the submission. We want to focus our attention more on the potential lack of involvement of students and their unions in constructing a submission.

Question 8 (Chapter 3)

⁸ http://www.nus.org.uk/global/nus_sp_report_web.pdf/
http://www.nuffieldfoundation.org/sites/default/files/files/lyonette_et_al_2015_nuffield_fi nal.pdf

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

There are too many assumptions being made about the involvement of employers and the benefits thereof. While we are aware of the benefits of partnerships between higher education and employers, we believe that the list of additional evidence is politically constructed rather than based on a real understanding of the kind of projects, initiatives and relationships that are most effective at improving the quality of teaching and learning.

In particular, there appears to be an imbalance in the number of examples relating to employer engagement compared to the number of examples of student engagement. Many of the potential additional indicators of quality relating to student engagement can be found in the indicators in Chapter B5 of the QAA Quality Code.⁹

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

NUS has not answered Question 9 because we believe that there are more pressing issues in the TEF than whether or not an institution can be commended; we also believe that unions will be better off working out their position through dialogue with their institution.

Some students' unions may see benefit in answering this question, especially if their institution is keen to be commended in a certain area. We urge caution, however, as it is likely that an institution's response to this question will be based on their vested interest in securing a better score in the TEF.

Question 10 (Chapter 4)

Do you agree with the assessment process proposed?

Yes No Not sure

⁹ <http://www.qaa.ac.uk/publications/information-and-guidance/uk-quality-code-for-higher-education-chapter-b5-student-engagement#.V2K0kLsrLIU>

We do not believe that there is sufficient consensus within our membership on this question to pose an answer at this time. Any answer given may be misconstrued as NUS showing their support or opposition to the general principle of TEF. This question is hard to answer in isolation of the more general critique of the TEF, even if some unions may consider there to be merits to the assessment proposals in the sense that they include specific involvement of students or recent graduates in the determination of TEF awards.

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

Considering the unreliable nature of the metrics currently being proposed for use in the TEF, it is reasonable to be cautious in the reliance on one or two year results as one cannot fully determine the validity of the results and whether there is an upward or downward trend. It is also likely that new providers will have smaller cohorts of students, meaning the data will be prone to the larger fluctuation resulting from smaller samples.

We also hope that imposing a limit on the number of years to the duration of award will act as an incentive for new providers to improve their performance and not allow for coasting or decline in performance, which is not in the interests of students.

Question 12 (Chapter 5)

Do you agree with the descriptions of the different TEF ratings proposed in Figure 9?

Yes No Not sure

We believe the use of both “excellent” and “outstanding” as categories in the TEF is ill-advised. We do not feel that there is a significant enough difference between the two terms for students to understand which the top rating is. “Outstanding” is a common synonym of “excellent” and there is no widely held understanding of the terms that would value one over the other.

Moreover, seeing as the government are speaking prominently about teaching excellence as the aspiration for all institutions, we do not understand why an excellent rating is not the top rating in the TEF. We feel that many students and the wider public will see an excellent rating and think that an institution has been awarded the top rating. It is counterintuitive to have an excellent rating in a Teaching Excellence Framework which is not the top rating.

These issues are particularly concerning when one considers that these ratings are to be used to provide students with clear market information that can supposedly help improve their ability to make an informed choice. There will be even greater confusion over the terms for students for whom English is their second language as even native speakers do not differentiate between the

two terms. Plus there is the added effect of international students applying to universities abroad and relying on more limited sources of information or on agents.

We are also concerned that the confusion could be used by some institutions to effectively market themselves as a top performer in the TEF by focusing on the “excellent” label, which in fact could be perceived as disingenuous and misleading to students.

We urge government to rethink the ratings in TEF using labels which are more clearly differentiated in the English language by their relative value: e.g. good and excellent, or above expectations and excellent. We believe that it would make sense to have “excellent” as the top rating in TEF.

For further information and support, please email publicaffairs@nus.org.uk.

You can find the technical consultation [here](#). Respond by email (TEF.techconsultation@bis.gsi.gov.uk) to the consultation by 12 July 2016.

NUS are happy to provide further guidance and support to help you put together a response to the consultation.

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