



# **OfS consultation on the Teaching Excellence Framework (TEF)**

## **Response from the Chartered Association of Business Schools**

17<sup>th</sup> March 2022

## **Consultation on the TEF – Chartered ABS response**

***Question 1: To what extent do you agree with our proposal for provider-level, periodic ratings? Please provide an explanation for your answer. If you believe our approach should differ, please explain how and the reasons for your view.***

**Proposed response:** Tend to agree

**Proposed comment:** We welcome the OfS’s proposals that TEF should be undertaken at provider-level only and periodically. This is a more pragmatic approach and recognises the administrative burden that subject-level TEF would have created for providers. A four-year cycle seems proportionate and provides a good balance between timeliness and detail, regulatory burden, and currency of ratings. We would ask that the OfS considers the possibility that providers could resubmit during the four-year period between the full exercises if the provider’s latest data suggests the potential for an upgrade in their TEF rating.

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

**Proposed response:** Tend to agree

**Proposed comment:** While we agree with the focus on student experience and outcomes as the core aspects of the TEF exercise our members feel that this will not automatically demonstrate excellence and it is important not to overlook enhancement of the learning and teaching experience. The need to encourage enhancement in the educational experience was emphasised by the Pearce review and we would suggest that this could be given greater prominence in the final specification for TEF.

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

**Proposed response:** Tend to disagree

**Proposed comment:** The proposal to retain the ‘medal’ style system is understandable given awareness of the existing TEF outcomes that many providers have used in marketing materials to date and the “short-hand” for excellence that this establishes. However, we would argue that the recommendations of the Pearce Review for a rating scheme defined as “meets UK Quality Requirements; Commended; Highly Commended; Outstanding” could just as easily be understood by prospective students and is also used in other UK regulatory contexts. Furthermore, if the ‘medal’ style system is maintained, it is likely that a communications effort will be needed so that prospective students understand the intended meaning of the ratings. Research conducted by the Pearce review found that respondents were often under the impression that a Bronze award indicated failure or substandard outcomes. We agree with the OfS’s plan to commission research with prospective students to understand their interpretation of different rating names, and to consider these findings alongside responses to this consultation.

Our member schools are concerned to see the addition of the ‘requires improvement’ rating where a provider is not given a TEF award. Such a rating could make it difficult for providers to recruit students and it is also proposed that such providers would not be able to charge the higher fee amount. This proposal has serious implications for the financial viability of providers who receive

such a rating and may limit their ability to improve, especially where this requires investment. We would ask the OfS to further consider the potential reputational impact the 'required improvement' rating could have on the sector, including an exercise to model the number of institutions that could be impacted.

We also note with concern the proposal in para 86 given the lack of clarity about when a provider's TEF rating could be reinstated if it is revoked following a finding of a breach of one or more of the B conditions. It needs to be made clear whether a provider would have to wait until the next exercise before the rating could be reinstated or if this could occur sooner. Under the former scenario, a provider may potentially have to wait several years until its TEF rating could be reinstated which could cause it significant reputational and financial damage over an extended period of time.

***Question 4: To what extent do you agree with our proposal for where there is an absence of excellence? Please provide an explanation for your answer. If you believe our approach should differ, please explain how and the reasons for your view.***

**Proposed response:** Strongly disagree

**Proposed comment:** In keeping with our response to question 3, we are concerned by the possibility that a provider could satisfy the baseline quality and standards conditions but could still receive a punitive 'requires improvement' rating under the TEF exercise. We refer above to the recommendation from the Pearce Review that a "Meets UK Quality Requirements" rating would be sufficient for providers where they do not demonstrate how they are performing above those minimum requirements. We would suggest that, should there be a particular cause for concern identified by the panel through their examination of a provider, this should be referred directly to the OfS for investigation for any breach of conditions of registration, and that no TEF award is made to the provider while these investigations are undertaken.

Furthermore, it appears that a provider receiving a 'requires improvement' rating would not have the opportunity to improve it until the next TEF cycle, leaving it and any communities it may support in a very precarious position for the next four years. Since there is a greater risk for smaller, specialist providers and those who recruit more significantly from underrepresented groups to have lower absolute performance for the main TEF metrics, a 'requires improvement' outcome may disproportionately impact provision for students from the most underprivileged backgrounds. This is in contradiction with the government's levelling up agenda as in some regions graduates tend to look for employment in the local area of their university and it is therefore important that such universities are not unduly undermined by the outcomes of the TEF exercise. We also have concerns that an increased regulatory burden for institutions delivering HE in partnership with other providers, sometimes in areas of high deprivation, low social mobility and few alternative options for students, risks inhibiting such partnerships and may not be in alignment with EDI principles or the levelling up agenda.

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

**Proposed response:** Tend to disagree

**Proposed comment:** Although we agree that participation in TEF should be mandatory for registered providers in England it is not clear if 500 students represents an optimum threshold to mandate participation in TEF. For providers that are participating voluntarily – where they do not meet the

automatic requirement to participate – we would welcome clarification in the final specification for TEF around how the panel will treat these providers where they may not have indicators available and how the panel will consider this when making their judgements.

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

**Proposed response:** Tend to agree

**Proposed comment:** We welcome the recognition from the OfS that they will not rule out the inclusion of postgraduate students within the TEF in future cycles, and as postgraduate courses are a key portfolio for many business schools, we would like to see the coverage extended as soon as possible. An exercise that excludes a considerable proportion of students is not ideal and the OfS will need to consider how to manage the ambiguity that may arise if prospective postgraduate students see a provider's TEF rating and assume this is based on students at all levels of study rather than only undergraduate students.

We agree that for the next exercise the reporting of courses delivered under Transnational education (TNE) arrangements should be optional so that providers can collaborate with partner institutions in third countries to develop the data necessary for reporting under subsequent TEF exercises.

***Question 7: To what extent do you agree with our proposal for provider submissions? Please provide an explanation for your answer. If you believe our approach should differ, please explain how and the reasons for your view.***

**Proposed response:** Tend to disagree

**Proposed comment:** We agree that there should be a standard submission template and that every provider should work within the same parameters, but the suggested limit of 20 pages is too tight and will make it challenging for providers to cover everything sufficiently, especially for those with broad or complex provision. However, our members would not want to see a requirement to produce overly long submissions given the administrative burden. We would caution against being so prescriptive given the expectation that providers will need to provide references for all evidence cited, and we would advise that a pragmatic approach should be followed.

We welcome the similar approach to the original TEF exercise that allows a further qualitative submission from providers, and we are pleased to see that the provider submission will now carry increased weight alongside the use of metrics. We would also welcome the OfS considering whether there should be a "Covid Context" section consisting of one to two pages at the start of a provider's submission so that they can outline the challenges arising for students in their context during the pandemic period and explain the impact of the provider's responses.

***Question 8: To what extent do you agree with the proposal for student submissions? Please provide an explanation for your answer. If you believe the OfS's approach should differ, please explain how and the reasons for your view.***

**Proposed response:** Tend to disagree

**Proposed comment:** While we think the student submission is a good idea and would help to realise the aims of the TEF, a lot more thought is needed as to how it will be implemented. It was emphasised that any guidance provided by the OfS regarding the student submissions should have

no room for ambiguities. This is not just for the benefit of the student who is compiling the submission, but the role and boundaries of the provider in assisting the student with their submission must also be clearly articulated so as to ensure the student's independence in the process, and avoid any inconsistencies with how involved different providers choose to be in this aspect of the TEF.

Additionally, while the reasoning behind making the student submission optional is sound, concerns were expressed about how this might affect a provider's submission. In the event a provider is unable to supply a student submission, will they then have to dedicate some of the (limited) space in their own submission to issues regarding the student experience? This would put them at a disadvantage compared to institutions which do manage to provide a student submission as they would effectively have a wider breadth of content to fit into the same amount of space as other providers.

***Question 9: To what extent do you agree with the proposal for indicators? Please provide an explanation for your answer. If you believe the OfS's approach should differ, please explain how and the reasons for your view.***

**Proposed response:** Tend to agree

**Proposed comment:** In general, the use of indicators as proposed is welcome, though some of our members voiced that the role played by the NSS in the current proposal is too significant and should perhaps be curtailed. One concern here is the limited availability of NSS data for certain providers whose students might actively boycott the NSS, especially when the reason for the boycott is the NSS's role in the TEF, and how this lack of data is handled by the panel.

***Question 10: To what extent do you agree with the proposal for expert review? Please provide an explanation for your answer. If you believe the OfS's approach should differ, please explain how and the reasons for your view.***

**Proposed response:** Tend to agree

**Proposed comment:** We support the proposal for expert review and the contextualisation that it facilitates, as this adds credibility to the process and should lead to more institutional buy-in. However, the term 'academic panel member' warrants further explanation. Is it the case that HE professional services, such as those involved in Quality Assurance, would not be invited to participate in the panel? Individuals in such roles would have useful knowledge and skills to contribute to panel discussion/assessments and their inclusion should be considered.

***Question 11: To what extent do you agree with the proposal for the assessment of evidence? Please provide an explanation for your answer. If you believe the OfS's approach should differ, please explain how and the reasons for your view.***

**Proposed response:** Tend to disagree

**Proposed comment:** The proposal for the assessment of evidence is well-received, though further clarification on what is meant by the 'context' of the provider would be helpful (para 207a). Does this mean, for example, that providers who focus mostly on arts would have student employment outcomes contextualised and benchmarked against outcomes of other universities with similar subject areas of focus and not the average outcomes of all graduates regardless of area of study? Would this be contextualised at the level of individual courses? The concern is that some providers might choose to discontinue courses that do not deliver high graduate outcomes (but which might

still be of value to students and society) due to the belief that they might adversely impact the provider's overall rating, thus causing an adverse impact on the breadth of courses offered.

**Question 12: To what extent do you agree with the proposal for published information? Please provide an explanation for your answer. If you believe the OfS's approach should differ, please explain how and the reasons for your view.**

**Proposed response:** Tend to agree

**Proposed comment:** We welcome the proposal regarding published information, with one note of caution. Given that one of the intended audiences is prospective students, many of whom would not yet have been trained in interpreting such data, there are concerns that much of the published information would not be meaningful to prospective students and at worst could be misinterpreted. The OfS is encouraged to ensure that an accessible guide is published alongside all the published information for the benefit of students and the general public. This would go beyond the written panel statement, which we expect to refer to specific aspects where an institution might have excelled, and offer a breakdown of what exactly each metric used measures, how data was collected, a glossary of terms, and so on.

As for paragraph 227 regarding the options to communicate why outcomes for some providers would not be published at the same time as others, we recommend option A, that in such instances a provider's rating should be communicated as 'pending'. Finally, it is worth noting that at this stage, our members reiterated their concern that publishing information about providers that may be understood as negative (re: proposals 3 & 4) by prospective students could have significant negative impact on providers and their local communities if not properly understood by the students.

**Question 13: To what extent do you agree with the proposal for the communication of ratings by providers? Please provide an explanation for your answer. If you believe the OfS's approach should differ, please explain how and the reasons for your view.**

**Proposed response:** Tend to agree

**Proposed comment:** We agree with the proposal for the communication of ratings. The guidelines for publication are well-considered and should be enforced.

**Question 14: To what extent do you agree with the proposal for the name of the scheme? Please provide an explanation for your answer. If you believe the OfS's approach should differ, please explain how and the reasons for your view.**

**Proposed response:** Tend to agree

**Proposed comment:** While the thinking behind keeping 'Teaching Excellence Framework' as the name is sensible and clear, our members made a number of remarks worth considering. While the intention to capitalise on the existing reputation of the TEF as a well-known scheme is understood, some members remarked that the current scheme under consideration should adopt a different name to signal and reflect the change in approach that is being taken. The suggestion that it be changed to the 'Educational Excellence Framework' was welcome, as it is perceived to more accurately capture what is being assessed in the current scheme, but members are also expectant that the proposed research amongst prospective students will generate valuable suggestions.

**Question 15: To what extent do you agree with the proposal for the timing of the next exercise? Please provide an explanation for your answer. If you believe the OfS's approach should differ, please explain how and the reasons for your view.**

**Proposed response:** Strongly disagree

**Proposed comment:** We feel that the proposed timing of the next exercise is too soon and would place a great deal of unnecessary burden on providers. Several important points were made by members that the OfS is asked to consider.

Firstly, members also expressed hesitation regarding the timing of the exercise with respect to the contextual considerations. The COVID-19 pandemic has affected universities differently and the effects of this will likely be reflected in many of the metrics assessed by the exercise. This, combined with the higher workload and administrative burden brought about by the pandemic, could mean that many providers might not be able to submit a submission of the quality they otherwise would under different circumstances.

Secondly, it was noted that the submission window of two and a half months is rather short and, in addition, opens at one of the busiest times of the academic year for providers, when new students pour into universities and the administrative workload is very high, even if specifications for the report are released to providers before the opening of the submission window. This timing will be especially problematic if student submissions are to be included as engaging students to collect data for the student submission over the summer is unrealistic, both due to a likely unwillingness for a student to commit to this undertaking during the summer and a similar unwillingness of students to respond to surveys. Furthermore, new student representatives will have just entered their posts; the student submission might constitute a significant additional burden on them while they adjust to their new duties. Engaging other students in their data collection might be very difficult as they are themselves trying to gauge their workloads and assessments.

Finally, concerns were raised about the proposed timing of the exercise with regards to other schemes/surveys, namely the NSS and the REF. The former, the NSS, is currently under review and any changes are expected to be implemented in 2023. Depending on how significantly the NSS is changed, if the TEF exercise goes ahead this year the results of the exercise could be based on metrics that no longer exist or were deemed inappropriate for their purpose, compromising the legitimacy of the exercise. Regarding the latter, it was highlighted that should the exercise go ahead at four-year intervals, there is the possibility that the next TEF exercise might clash with preparations for submissions to the next REF. The OfS is encouraged to liaise with the relevant bodies to ensure that there is no overlap between the two exercises as this would be an unnecessary strain on providers.

## **About the Chartered ABS**

The Chartered ABS is the voice of the UK's business and management education sector and our members consist of 120 business schools and higher education providers across the UK, as well as affiliate stakeholders, corporate members and international partners. The UK's business and management education sector represents 1 in 5 university students and contributes £3.25bn to the UK economy. Its management students go on to lead global businesses and its entrepreneurs contribute to our dynamic economy. Its research has an impact across society and helps to turn our capacity for invention into viable businesses.