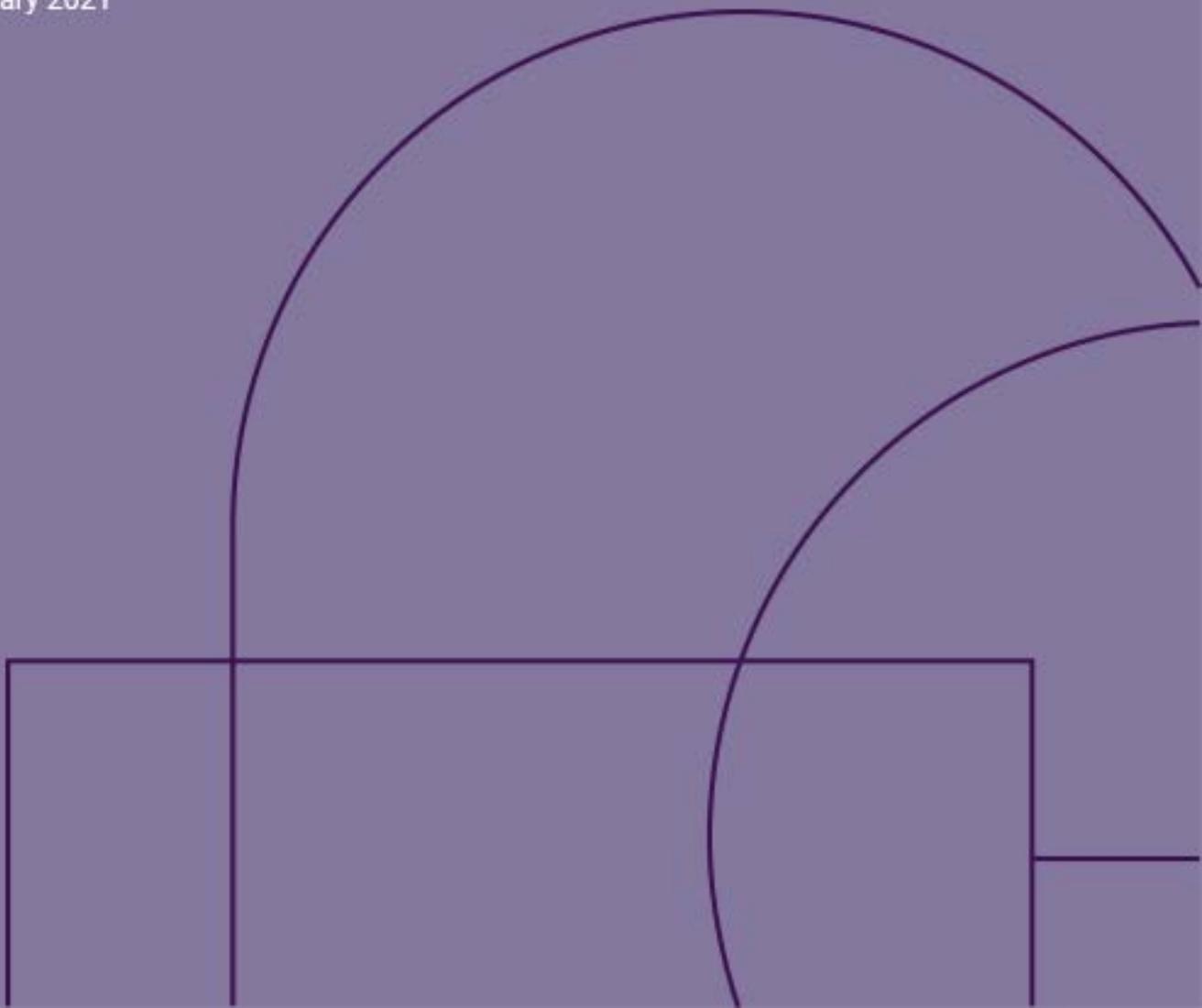


CONSULTATION

Response to OfS consultation Consultation on regulating quality and standards in higher education

Submission by: National Centre for
Universities and Business (NCUB)

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National Centre for Universities and Business
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Questions relating to Proposal 1

Question 1a: Do you agree or disagree with the proposed definitions of 'quality' and 'standards' set out in Table 1 of Annex A and that this should be used to express minimum baseline requirements for quality and standards in revised B conditions?

- Neither agree nor disagree

It is unclear how this would relate to existing regulation, including the UK Quality Code. The code was developed in partnership with the higher education sector and if the intention is to move away from the code then this would be a loss. There also needs to be more clarity on how this relates to the Teaching Excellence and Student Outcomes Framework (TEF). Alignment on these measures, as well as to Access and Participation Plans, is important.

There is no mention of the student experience or recognition that students can develop employability skills through extra-curricular activity as well as course material.

We would also like to see included under 'course content, structure and delivery,' a recommendation for universities to engage with businesses on course content and to give consideration as to how their courses prepare students for the current and future labour market.

Question 1b: Do you have any comments about how the proposed definitions of quality and standards set out in Table 1 of Annex A should be assessed for individual providers?

We welcome the following metric in Annex A: "Students have the right skills from their course once in employment and employers are satisfied with the graduates they employ." We would add the slight caveat that while employers are right to

expect a certain level of skills from their graduates, to expect them to be 100% work ready upon graduation is unrealistic. Getting graduates prepared for working at a specific employer will require them to provide a level of training as well. In addition, it must be recognised that the majority of jobs do not require a specific subject. Employers are more interested in how the wider university experience improves students' employability and develops their potential and self-awareness.

We understand that the OfS is in the process of designing a survey to help assess employer satisfaction. NCUB would welcome an opportunity to input in the design of this survey based on insights from its business members.

Question 1c: Do you agree or disagree with the proposal in paragraphs 41 to 43 to express initial requirements differently from the equivalent ongoing requirement for providers seeking registration?

- Neither agree nor disagree

We would need to see more detail on this to make a judgement, especially on what would be required in a 'credible plan' and how OfS would ensure that the plan was delivered.

Questions relating to Proposal 2

Question 2a: Do you agree or disagree with the proposed approach to assessing student outcomes set out in Annex B?

- Disagree

We are concerned that the proposals are very narrowly focused, risk progress in widening participation and could make universities more cautious and stifle innovation in course delivery. We believe that the OfS should consider qualitative information as well as a broader range of data.

We are concerned that the reasoning behind using continuation and completion rates oversimplifies the reasons why students discontinue with a course. In Annex B, paragraph 13, the OfS state: *“Continuation rates provide a strong indication of whether a student has been appropriately recruited onto a suitable course that matches their abilities and aspirations, and whether they then receive the support they need to continue the course.”*

Students drop out of courses for a number of reasons, including the reasons highlighted above. However, there have been several studies that highlight the link between students dropping out and other factors including: receiving limited financial and emotional family support and poor mental health.

There are also some students who are more likely to drop out than others including black students, mature students, part-time students, poorer students, and those who commute. The UK already has the lowest drop-out rate in the developed world, which is a real testimony to our higher education system, which supports a diverse student body. There is a risk that penalising universities with comparatively lower continuation and progression rates will be most harmful to (prospective) students from more disadvantaged backgrounds.

If the OfS are to measure continuation and completion rates as a way to assess student outcomes, this must be more nuanced. The focus should be on the amount of students who drop out of courses due to the feeling that they have been mis-sold the course or feeling that the university has not offered enough support.

The OfS should also be careful on how they proceed with this using graduate outcome data. Looking at employability is positive but needs to be looked at in context and alongside much more information. Consideration must be given to students' own ambitions, goals and motivations as well as their starting points and the value added by a course. The Graduate Voice questions in the existing Graduate Outcomes Survey offer valuable insight, and could be developed further to meet this need.

For example, not all students want to achieve managerial positions (highly skilled employment). Indeed, some mature learners of course could already be in these positions when they start their studies and may be looking to change their career.

Universities are not responsible for the national and regional labour markets that they operate in. The labour market is fast-moving and there is constant changing demands. A job that is high-demand when a student starts their course might be in less demand when they graduate.

An over-focus on graduate outcome data has been highlighted by several in the higher education sector as problematic. Again, we urge the OfS to consider the context of data and the objective of higher education. For instance, it is disputable whether it is better for a graduate to remain in a region where they lived and studied instead of moving elsewhere, for instance to London, for a job with a higher salary or deemed by statisticians to be of higher value. If that is the goal, this seems contrary to the Government's own 'levelling up agenda.'

Question 2b: Are there any other quantitative measures of student outcomes that we should consider in addition to continuation, completion and progression (see Annex B paragraph 18)?

In paragraph 56, the OfS state that "individual students will define their success beyond graduation in relation to their own goals and motivations." This is important to recognise. Therefore, it would be logical to include a measure that tracks satisfaction rates of students and recent graduates.

It is important to also include a value-added measure. This is fundamental to the purpose of higher education. If there is insignificant focus on the importance of widening participation in these metrics, we are concerned that there will be significant untapped talent amongst the more disadvantaged.

Employers' satisfaction with the quality of the graduates should be included in a nuanced way (as we previously outlined).

Question 2c: Do you agree or disagree with the proposals for the levels of study at which indicators should be constructed? Should any additional indicators be considered (see Annex B paragraph 25)?

- Neither agree nor disagree

We would be keen for the OfS to additionally include indicators for performance in the modes of study that give students experience of employment while studying. This would provide valuable insight, but must be done in a way that is sensitive to the wide range of courses that include experience of employment (beyond apprenticeships and sandwich year provision).

Question 2d: Do you have any comments about an appropriate balance between the volume and complexity of indicators and a method that allows us to identify 'pockets' of performance that are below a numerical baseline (see Annex B paragraph 32)?

For some providers, certain groupings of subjects will have low numbers of uptake and small changes will have a large impact on the data. Equally, for larger providers or courses, the data set will be too large to identify 'pockets' of performance below a baseline. There seems to be a fundamental problem with this approach of over relying on data. It is important that the OfS considers the context of different institutions and has a balance between metrics and narrative.

Question 2e: Do you agree or disagree with the demographic characteristics we propose to use (see Annex B paragraph 36)? Are there further demographic

characteristics which we should consider including in the list of 'split indicators'?

- Neither agree nor disagree

We believe further demographic characteristics should be included. As well as other protected characteristics under the Equality Act 2010, consideration could be given for indicators on: care-experienced students; students for whom English is an additional language; commuting students; and family income. The fact that many institutions do not recruit significant numbers of students from e.g. care experienced backgrounds should not deter the OfS from establishing indicators for these groups.

Question 2f: Do you agree or disagree that the longitudinal educational outcomes dataset should be used to provide further indicators in relation to graduate outcomes (see Annex B paragraph 46)?

- Neither agree nor disagree

The OfS should consider a careful balance between the longitudinal educational outcomes dataset and graduate outcomes.

The problem with solely relying on graduate outcomes data (beyond that it is a new dataset) is that looking only at outcomes 15 months after graduating presents problems. Universities are not responsible for the labour market that they operate in and someone's labour market prospects can differ hugely between the time they start a course to the time they graduate.

For instance, for the 2020 graduating class, Covid-19 has meant they have had to enter a very difficult labour market. Many analysts are predicting that this will be worst for students graduating later this year. However, this does not mean that these courses were of lower value than those who graduated when the labour market was strong.

As AGCAS point out, using the longitudinal educational outcomes dataset by itself would not present an entirely accurate picture of the impact of higher education on employment prospects. This is as these outcomes could be too far from graduation

and subject to other influencing factors that cannot be reliably related or linked to a provider's contribution to the outcome.

So a careful balance needs to be struck between the two measures as well as an understanding of the context and labour market trends.

Question 2g: Do you have any comments about how the range of sector-level performance should be taken into account in setting numerical baselines (see Annex B paragraph 57)?

There needs to be a more nuanced way of looking at courses that do not meet students' expectations and have poor outcomes. For instance, if the OfS was to examine the bottom 20% of provider performance in one subject despite all providers having similar, strong performances this would be rather nonsensical.

The providers that aim to widen participation, or have more part-time or mature students, despite these groups having a higher drop-out rates, will be discouraged from doing so. This in turn could lead to institutions raising entry tariff and becoming more selective. This would represent a reversal in recent advances in widening participation across the sector.

Additionally, this processes could reward easier courses. If students find a course too difficult and drop-out to find a university with a similar course that is less challenging, the university with the easier course would be rewarded.

Leaving open arbitrary future increases in the numerical baseline has the potential for this to be raised in a political fashion in the future.

Question 2h: Do you have any comments about the other contextual factors that should be taken into account and the weight that should be placed on them (see Annex B paragraph 68)?

We believe that a wider range of contextual factors should be taken into account. There is clear evidence that certain demographics are more likely to drop out of

courses, this could create perverse incentives for universities. The OfS should also give consideration to part-time, online and mature students who have a higher non-continuation due to non-academic reasons such as pressure at work or family factors.

By using the Graduate Outcomes dataset, the OfS needs to bear in mind that not all graduates from the same course will have the same opportunity in the labour market. For instance, an upper-class, white, male, graduate without disabilities with well-connected parents and who can afford to undertake unpaid internships is clearly in a better position of being hired to a managerial or professional job than his contemporaries even if they study the same course, with the same grades.

Yet the OfS' proposals seem to ignore this fact. Rewarding universities on the basis of the exclusivity of their recruitment is at odds with the OfS approach to access and participation plans.

Questions relating to proposal 3

Question 3: Do you agree or disagree with the proposals in Annex C for monitoring ongoing compliance with regulatory requirements for quality and standards?

- Disagree

While NCUB has tried to focus our response on the concerns this consultation represents for employers, having multiple systems for measuring quality such as the TEF, the UK Quality Code and confusing advice on how they align has caused much concern in the HE sector.

Questions relating to proposal 4

Question 4: Do you agree or disagree with the proposals in paragraphs 86 to 101 for our approach to intervention and gathering further information about concerns about quality and standards?

- Neither agree nor disagree

Questions relating to all proposals

Question 5: Do you have any comments about any unintended consequences of these proposals, for example for particular types of provider or course or for any particular types of student?

We have several concerns about the unintended consequences of these proposals. Focusing too much on the non-continuation rate will punish universities with the most diverse student bodies, including those that encourage more flexible, part-time or modular learning.

This is especially the case if the numerical baselines do not take into account if a course has more students from underrepresented groups. For example, the dropout rate amongst mature students (over 21) are twice as high as for those under 21s. It would be reasonable to believe that universities might start focusing their recruitment on those under 21.

The Resolution Foundation [has found](#) that “only full-time education has a substantial relationship with the likelihood of a 25-59-year-old making a career change.” With an increasing amount of the workforce needing retraining and upskilling due to automation and university being one path for full-time education, there is an obvious need to increase the amount of mature students. Yet the OfS proposals risk doing the exact opposite of that.

Another concern about measuring the continuation rates is that it might lead to universities being more reluctant to change courses with high rates. Universities often consult with industry to ensure that their curriculum meets labour market needs. Refreshing course content is crucial in ensuring that students are prepared for entering the world of work. Without speaking to employers and updating courses, there is a risk that degree content will become out of date and leaving students with skills that employers do not need.

Subjects with high drop-out rates are in high demand from employers. The top dropout rate by subject is in computer sciences, followed by business, mass communication and engineering/technology. We understand that the OfS are proposing to compare metrics by sector.

However, reflecting the above comments, universities might be cautious about introducing new courses in sectors with high sectoral dropout rates. It would be a backward step if universities become conservative with introducing new courses despite high employer demand.

Additionally, the OfS' proposal to use graduate outcomes data has several potential unintended consequences that have been previously outlined. Using a data-set that focuses on outcomes after 15 months, could potentially reward universities that finds unsuitable work for graduates straight after degree completion. For instance, universities should be encouraging of enterprising students to start businesses that may take a few years to mature, earn money for their founders and create wider jobs and prosperity. However, this approach under the new metrics would risk courses that encourage entrepreneurs as being deemed as 'low quality.' This is the very opposite of the government's ambitions to create more entrepreneurs and university spin-outs as identified for instance in the [R&D Roadmap](#).

Question 6: Do you have any comments about the potential impact of these proposals on individuals on the basis of their protected characteristics?

As indicated throughout this consultation response, the OfS must consider the context of socioeconomic disadvantage or other protected characteristics of the students within the numerical baselines. As previously outlined, dropout rates are higher among students with extra financial or societal challenges. Additionally, bias in employers' recruitment practice disadvantages certain graduates.

This leads to the possibility that courses will look 'low value' if they have students from lower socioeconomic or minority ethnic backgrounds, or they are disabled or they are returners to study. However, the prospects of those students have been greatly improved compared to if they had not gone to universities. Giving more consideration to how courses add value is fundamental.

Question 7: Do you have any comments about where regulatory burden could be reduced?

Our consultation response is focused on employers' concerns with these proposals but we understand that the Higher Education sector is concerned that the OfS' proposals will add to their regulatory burden.

Question 8: Do you have any other comments?

The OfS' timing of this consultation, during a pandemic and with the December break in the middle, has been challenging for some respondents. We hope that significant numbers of responses are received from higher education institutions, students, businesses and trade bodies representing them.