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03 March 2017

Dear Colleagues,

HIGHER EDUCATION AND RESEARCH BILL – TEACHING EXCELLENCE FRAMEWORK

We are writing to offer clarification on a number of questions that were raised by Peers throughout the passage of the Higher Education and Research Bill about the Teaching Excellence Framework (TEF). This letter provides further information on some of the key concerns raised by Peers and includes a short annex explaining the TEF (drawn from publicly available information).

The TEF is essential to driving up standards of teaching. All those who spoke during the Committee stages of the Bill agreed that teaching quality is of paramount importance. The TEF will provide the financial and reputational incentives for providers to prioritise teaching excellence and student outcomes. Genuine and clear differentiation between providers and a link with fees are essential to achieving these outcomes.

The TEF is already underway

We are now in the second year of implementing our manifesto commitment of introducing the Teaching Excellence Framework. Like the Research Excellence Framework, it is deliverable under existing legislation. We have worked closely with the sector at every stage - through consultations, working groups, and independent reviews to iterate and refine the metrics and the framework.

In considering the future of the TEF, it is important that we treat fairly those who have already decided to take part. Applications for the first full trial year of institutional assessments closed in January 2017 and it was superb to see that 299 institutions chose to take part, including all English Russell Group institutions and over a hundred alternative providers and colleges. The assessment process is already well underway and to change the “rules of the game” (for example, as suggested in a recent amendment, by changing TEF into a pass/fail assessment)

would be extremely unfair on those who have invested their time and effort to participate this year. And the pass/fail form of assessment proposed in the amendment would not achieve the manifesto commitment to “introduce a framework to recognise universities offering the highest teaching quality”.

Commitment to Meaningful Review

We recognise the genuine and considered concerns raised by noble Lords about the TEF, in particular around the speed at which it is being implemented and on the use of metrics and ratings. For this reason, in February we re-affirmed our commitment that a genuine lessons-learned exercise will take place after this trial year. We confirmed that this will review how the metrics are flagged and used to form hypotheses; the balance between metrics and provider submissions; and the number and names of the ratings. We trust that you will agree that these represent the principal issues relating to TEF that have been debated during the passage of this Bill.

We also announced that we would be extending the pilot phase of subject level TEF by an additional year. Two full years of piloting is in line with the best practice demonstrated in the development of the REF and means that the first full year of subject level TEF assessments will not take place until 2020. As with the REF pilots, these will be genuine pilots, involving a small number of volunteer institutions, with no public release of individual results and no impact on fees or reputation.

These announcements have been warmly welcomed by the sector:

“GuildHE institutions have always focused on excellent teaching and we strongly support the introduction of the Teaching Excellence Framework (TEF). We are pleased that government is listening to concerns about the speed of introducing subject level TEF and is willing to conduct a thorough exercise to learn lessons. We will continue to work closely with government to develop and improve the TEF.” – **Gordon McKenzie, GuildHE Chief Executive**

“The amendments to the government's plans for a Teaching Excellence Framework (TEF) are also to be welcomed. We are pleased that concerns we expressed about the time frames for introducing a subject-level TEF and the need for a more rigorous and thorough lessons-learned exercise are being acted upon.” - **Julia Goodfellow, UUK President**

We are committed to a genuine dialogue with HE institutions in the TEF’s development, and want a Bill that will not constrain the healthy development of the TEF. UUK and GuildHE have confirmed that they want a Bill that continues to allow for flexibility:

“[We] would like to stress that our two organisations acknowledge the important and positive role that the TEF will play in driving a focus on teaching quality across the sector. Our long-held position is that we support an effective TEF: that is one which is useful for students, informative for staff, which drives up quality, and which ultimately produces ratings which enhance the reputation of the sector domestically and internationally. We believe that adding more to the bill about the TEF (beyond the existing clause which allows this framework to be established) risks damaging the flexibility which is required to allow the sector and government to work together to achieve a tool which is ultimately useful for students, staff and employers.” – **Joint UUK/GuildHE letter to members, 2nd March 2017**

Use of metrics in the TEF

We want to confirm once more that the TEF is about much more than metrics. Providers submit additional evidence alongside their metrics and this evidence will be given significant weight by the panel. The work of the panel will be driven as much by judgement as by metrics, ensuring that the distinctive character of institutions, and the diversity of missions and approaches across the sector, is recognised in the ratings awarded.

All of the metrics used in the TEF are trusted, widely used and well established in the sector. As a recent letter¹ from Ed Humpherson, Director General for Regulation, UK Statistics Authority noted, the Government has already taken a number of steps to ensure that the statistics being used are robust, including commissioning a report by the Office for National Statistics. The Government, working with Higher Education Funding Council for England and the Higher Education Statistics Agency is already progressing the proposed actions suggested in that report. In the previous stages of the Bill, there has been substantial debate about the use of the National Student Survey. The NSS is just one of three principal sources of metrics data being used, and we have explicitly said that the NSS metrics are the least important. The TEF does not use in any way the overall 'satisfaction' rating, about which this House has rightly expressed concern, but instead uses specific questions from the NSS, related to teaching and learning (listed in Annex A), for example "The course is intellectually stimulating" and "Feedback on my work has been prompt".

Social Mobility

During the Committee stage debate, Peers raised concerns that the TEF might adversely impact social mobility. We would like to reiterate that the Government is committed to ensuring that the TEF supports the Government's aims in widening participation

The TEF assessment process explicitly looks at the extent to which the provider achieves positive outcomes for disadvantaged students. The metrics used in the TEF assessments are also benchmarked to prevent the TEF being "gamed" and to ensure no institution is penalised for having a large cohort of disadvantaged students.

The approach the Government has taken to ensure that TEF supports social mobility has been endorsed by **Les Ebdon, Director of Fair Access to Higher Education** who said:

"While more people from disadvantaged backgrounds are in higher education than ever before, there is still an unexplained gap in outcomes between the most and least advantaged students. For disadvantaged students fair access is not just about getting in to higher education, it is about getting on too. TEF will ensure that higher education providers have to carefully consider about how to provide excellent teaching for all their students, whatever their background."

It has also, gained the support of **Conor Ryan, Sutton Trust Director of Research and Communication**, who said

"We need to shake the university sector out of its complacency and open it up to a transparency that has been alien to them for far too long. It is good that they are judged on impact in the research excellence framework, and that the teaching excellent framework will force them to think more about how they impart knowledge to those paying them £9000 a year in fees."

¹<https://www.statisticsauthority.gov.uk/correspondence/assessment-of-the-teaching-excellence-framework/>

We look forward to further debate and scrutiny of the Bill as we enter the Report stage. We are very happy to discuss the clarifications above, or the Bill itself, further with Peers who wish to do so. A copy of this letter will be placed in the library of the House.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Jo' with a horizontal line above the 'o'.

JO JOHNSON MP

A handwritten signature in black ink, appearing to be 'James Younger' with a large 'Y' above the 'o'.

VISCOUNT YOUNGER OF LECKIE

Annex A:

Summary of the Teaching Excellence Framework (TEF) Assessment Process

There have been a number of questions asking how the TEF assessment process will work. The following note summarizes the key aspects of the process for assessing Teaching Excellence at an institutional level.

This framework was produced after extensive engagement with the sector (including 2 consultations) and has developed iteratively to respond to concerns raised by both students and Higher Education providers to ensure that it offers a robust assessment without constraining institutional autonomy or innovation. This framework is already operational, with the first assessment results due in May 2017.

We expect TEF will also assess subject level performance in future years, and will be carrying out a subject level TEF pilot in Autumn 2017. This pilot will be purely developmental, with no financial or reputational implications attached to the results.

What is the TEF?

The Teaching Excellence Framework (TEF) aims to assess, recognise and reward high quality teaching in higher education. The purpose is to:

- Give students clear information about where teaching quality is best and where students have achieved the best outcomes;
- Encourage a stronger focus on the quality of teaching in higher education.

How will the TEF work?

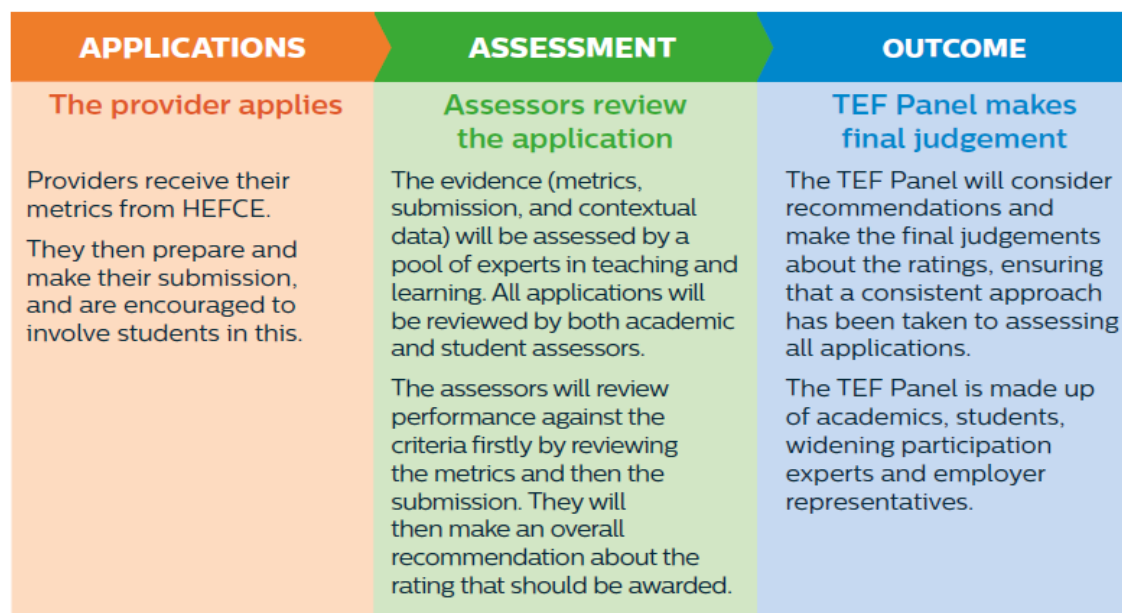
Each provider that wishes to apply will be assessed against ten criteria that sit across three broad aspects of teaching excellence: Teaching Quality, Learning Environment and Student Outcomes and Learning Gain.

The TEF Panel, a peer review panel made up of academics, students, widening participation experts and employer representatives, will assess the provider against these criteria using two principal sources of evidence:

- A set of core metrics provided by HEFCE to show: how many students do not continue with their studies after starting; how satisfied students are with key aspects of their teaching and learning; and graduates' employment after they leave. The metrics are benchmarked to take account of different student characteristics and the mix of subjects studied at each provider.
- A provider submission, to put forward additional evidence of teaching excellence. An optional submission which the provider can prepare can be up to 15 pages.

The metrics and submission will be accompanied by standard data about the context of the provider (including maps reflecting the employment of that region) and the make-up of its students, so that the assessment can take account of the diversity of higher education providers.

This diagram summarizes how the process works:



There is no quota or limit as to the number of providers which can achieve each rating.

Assessment Criteria

The criteria have been designed to allow recognition of diverse forms of excellence and to avoid constraining innovation. The criteria have been designed to allow recognition of diverse forms of excellence and to avoid constraining innovation. TEF Assessors will use evidence from the core and split metrics, supplemented by additional evidence, to assess performance against the criteria to determine a provider's TEF rating.

Table 1: TEF Assessment Criteria

| Aspect of Quality | Reference | Criterion |
|---|--------------------------|---|
| <i>Areas of teaching and learning quality</i> | | |
| Teaching Quality | Student Engagement (TQ1) | Teaching provides effective stimulation, challenge and contact time that encourages students to engage and actively commit to their studies |
| | Valuing Teaching (TQ2) | Institutional culture facilitates, recognises and rewards excellent teaching |

| Aspect of Quality <i>Areas of teaching and learning quality</i> | Reference | Criterion |
|--|---|--|
| | Rigour and Stretch (TQ3) | Course design, development, standards and assessment are effective in stretching students to develop independence, knowledge, understanding and skills that reflect their full potential |
| | Feedback (TQ4) | Assessment and feedback are used effectively in supporting students' development, progression and attainment |
| Learning Environment | Resources (LE1) | Physical and digital resources are used effectively to aid students' learning and the development of independent study and research skills |
| | Scholarship, Research and Professional Practice (LE2) | The learning environment is enriched by student exposure to and involvement in provision at the forefront of scholarship, research and/or professional practice |
| | Personalised Learning (LE3) | Students' academic experiences are tailored to the individual, maximising rates of retention, attainment and progression |
| Student Outcomes and Learning Gain | Employment and Further Study (SO1) | Students achieve their educational and professional goals, in particular progression to further study or highly skilled employment |
| | Employability and Transferrable Skills (SO2) | Students acquire knowledge, skills and attributes that are valued by employers and that enhance their personal and/or professional lives |
| | Positive Outcomes for All (SO3) | Positive outcomes are achieved by its students from all backgrounds, in particular those from disadvantaged backgrounds or those who are at greater risk of not achieving positive outcomes. |

TEF Metrics

The **TEF will draw on currently available, nationally collected data, to provide assessors with a common set of metrics that relate to each of the aspects of teaching excellence.** These metrics will be considered by assessors alongside the evidence contained in a provider submission to inform their judgements.

Table 2: TEF metrics aligned with aspects of quality

| Aspect | Metric | Source |
|------------------------------------|--|---|
| Teaching Quality | Teaching on my course | National Student Survey (NSS) Q1-4 |
| Teaching Quality | Assessment and feedback | NSS Q5-9 |
| Learning Environment | Academic support | NSS Q10-12 |
| Learning Environment | Non-Continuation | Higher Education Statistics Authority and Individual Learner Record data |
| Student Outcomes and Learning Gain | Employment or further study | Destination of Leavers from Higher Education (DLHE) declared activity 6 months after graduation |
| Student Outcomes and Learning Gain | Highly skilled employment or further study | DLHE declared activity 6 months after graduation |

We recognise some of the concerns raised by peers around using the NSS and want to clarify that:

- The **assessment framework stresses to assessors that they should not overweight the NSS** and should give particular weight to the core and split metrics on retention and highly skilled employment since students should expect to be supported to complete their studies and attain a job appropriate to their qualification and skills.
- The **assessment framework mitigates the risk that courses could be “dumbed down”, to encourage providers trying to game the NSS**. To ensure that does not happen we have included rigour and stretch as one of the criteria for the TEF and explicitly warned assessors that this may be inversely correlated with a provider’s NSS score.

The NSS questions used in the TEF are specifically relevant to the teaching and learning the students receive. Students are asked to rate their experience against a 5 point scale. The questions we use for TEF are listed in Table 3 below.

Table 3: NSS questions used in the TEF:

| Question | Definitely Agree | Mostly agree | Neither agree nor disagree | Definitely disagree | Not applicable |
|--|------------------|--------------|----------------------------|---------------------|----------------|
| The teaching on my course | | | | | |
| 1. Staff are good at explaining things | | | | | |
| 2. Staff have made the subject interesting | | | | | |
| 3. Staff are enthusiastic about what they are teaching | | | | | |
| 4. The course is intellectually stimulating | | | | | |
| Assessment and feedback | | | | | |
| 5. The criteria used in marking have been clear in advance | | | | | |
| 6. The assessment arrangements and markings have been fair | | | | | |
| 7. Feedback on my work has been prompt | | | | | |
| 8. I have received detailed comments on my work | | | | | |
| 9. Feedback on my work has helped me clarify things I did not understand | | | | | |
| Academic support | | | | | |
| 10. I have received sufficient advice and support with my studies | | | | | |

| | | | | | |
|---|--|--|--|--|--|
| 11. I have been able to contact staff when I needed to | | | | | |
| 12. Good advice was available when I needed to make study choices | | | | | |

The provider submission will be carefully considered for every provider and will always be taken into account in determining the final rating. In addition, the assessment sets out certain circumstances in which the submission is likely to be particularly important, including when a provider:

- has a mixture of positive and negative significance flags
- has no or few significance flags
- has fewer than three years of core metrics
- is very small, meaning that significance flags are less likely
- a provider's own data dominates its benchmark
- displays a core metric and split metric with a contrary flag
- The minority mode of provision covers a significant proportion of the provider's students, but the core metrics are not reportable.
- has a concentration of positive or negative flags in one or more aspects that are not replicated in other aspects.

Outcomes

TEF outcomes will include the overall **rating** (Gold, Silver or Bronze) and a brief **statement of findings** setting out the high-level reason for the rating. There is no quota or limit as to the number of providers which can achieve each rating.

TEF outcomes from Year Two assessments will be published by HEFCE. They will also be available on the UCAS website and on Unistats (or equivalent) in time to inform the decisions of students applying for courses starting in 2018/19.

Further detail on the TEF:

Further detail on the TEF – including copies of the full TEF specification, TEF consultation and other documents relating to the TEF can be found on gov.uk:

<https://www.gov.uk/government/collections/teaching-excellence-framework>

Further guidance for providers and assessors can be found on the HEFCE website:

<http://www.hefce.ac.uk/pubs/year/2016/201632/>

