

Office for  
Students



# Consultation on changes to the National Student Survey

Analysis of responses and decisions



Scottish Funding Council

Promoting further and higher education

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# Introduction

The National Student Survey (NSS) is a UK-wide survey undertaken by final year higher education students to give feedback on their courses. The survey is managed by the Office for Students (OfS) on behalf of the four UK funding and regulatory bodies.

## What we consulted on and why

1. In July 2022, the Office for Students (OfS) published a consultation seeking views on proposals for changes to the National Student Survey (NSS) to ensure it remained fit for purpose and stood the test of time.<sup>1</sup> We sought views on these proposals between 28 July and 1 September 2022.
2. In making these proposals, we are seeking to ensure that the survey continues to provide high quality information on student perceptions of their academic experience for the survey purposes of student information, enhancement of learning and teaching and public accountability.

### Our proposals were as follows:

Proposal 1: The criteria for the core NSS should remain as agreed in 2017

Proposal 2: Changes to the survey questions to include a move to direct questions

Proposal 3: A new summative question for Scotland, Wales and Northern Ireland and the removal of the summative question for England

Proposal 4: A new additional question on freedom of expression

Proposal 5: A new additional question on mental wellbeing provision

Proposal 6: A four-year review cycle should be established to ensure the NSS continues to meet demands

Proposal 7: Shortening the main survey period

## Conducting the consultation

3. This was a public consultation. Respondents were asked to share their views on the consultation by submitting written responses to an online survey containing 13 questions. The questions are listed in full in Annex A. Prior to the consultation, the OfS held discussions with sector representatives, students and providers, which were used to inform the proposals set out in the consultation.

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<sup>1</sup> See [www.officeforstudents.org.uk/publications/consultation-on-changes-to-the-national-student-survey/](http://www.officeforstudents.org.uk/publications/consultation-on-changes-to-the-national-student-survey/).

4. We received over 250 responses to the consultation. Most were submitted using the online survey tool, with some submitted in emails. A small number of responses were submitted after the deadline. All responses received were considered.
5. The responses came mainly from higher education providers. This included providers in Scotland, Wales and Northern Ireland as well as in England. We also received responses from students, students' unions and sector representative bodies.
6. We have undertaken a qualitative analysis of the responses we received to the consultation. In this document, we identify and discuss the most significant issues raised in response to the consultation and whether these have led to changes to the proposals.
7. In Annex F of the NSS consultation, we discussed the matters to which we have had regard in reaching our proposals and we have considered these matters again in the light of consultation responses as we have reached our decisions (see Annex B).

## Summary of decisions

8. Overall, we have decided to implement the proposals set out in the consultation, with some specific changes which are described below.

Proposal	Decision
Proposal 1: The criteria for the core NSS should remain as agreed in 2017	The current criteria remain fit for purpose and should be retained.
Proposal 2: Changes to the survey questions to include a move to direct questions	The survey should use direct questions with a four-point scale from 2023.
Proposal 3: A new summative question for Scotland, Wales and Northern Ireland and the removal of the summative question for England	The summative question should be removed for England. The summative question should continue with the existing summative question for Scotland, Wales and Northern Ireland.
Proposal 4: A new additional question on freedom of expression	The new question should be adopted as an additional question from 2023 for England.
Proposal 5: A new additional question on mental wellbeing provision	The new question should be adopted as an additional question from 2023.
Proposal 6: A four-year review cycle should be established to ensure the NSS continues to meet demands	There should normally be a review of the NSS every four years with scope for additional reviews as appropriate.
Proposal 7: Shortening the main survey period	The survey period will be shortened from 2025 onwards.

9. The reasoning for these decisions is set out below in each section of this document.

# Proposal 1: The criteria for the core NSS should remain as agreed in 2017

## Consultation question:

1. Do you agree we should retain the current criteria for NSS core questions?

## Current NSS core survey criteria

10. Questions in the core NSS survey questionnaire must meet at least one of the three key purposes of the NSS:

- informing prospective student choice
- enhancing the student academic experience within providers
- ensuring public accountability.

11. Questions must also meet the following criteria:

- be about something higher education providers can influence
- concern the academic experience, and especially learning and teaching
- be applicable across all modes, disciplines, types of providers and countries in the UK, as far as possible
- cover measurable and valid issues
- be meaningful and useful to students and other stakeholders
- produce results that are unambiguous in direction
- address issues of enduring importance in UK higher education rather than transient policy interests.

## Responses relating to proposal 1

12. Over three-quarters of respondents agreed that the current criteria should be retained for NSS core questions. Respondents took the view that the criteria were helpful to avoid inadvertent extension of the survey, including inclusion of 'transient' policy issues which in their view could dilute the impact of the NSS results used by stakeholders. Many respondents felt it was important for the survey to address issues of enduring importance to UK higher education.

13. Consistency and continuity of the criteria over time was also seen as important to support providers' use of the survey to track enhancement over time and reduce burden on providers.

14. A small number of respondents sought reassurance from the OfS that the survey was applicable across all modes of study, and in particular for part-time and distance learners.

## **NSS use in regulation**

15. Around a fifth of respondents questioned the applicability of the purpose of 'public accountability' to the use of the NSS in regulation in England. Some respondents suggested this could be reworded to reflect the public interest or to ensure public transparency.
16. Some respondents commented that use in regulation in England was not an original purpose of the NSS, because the OfS and the regulatory framework did not exist when the purposes were created in 2017. They suggested it was therefore inconsistent to both propose an interpretation of 'public accountability' which includes the use of NSS outcomes in the regulation of individual providers in England, and to maintain that the purposes of the survey remain unchanged.
17. Other respondents felt that too much weight had been given within the proposals to its use in regulation, particularly in England, and that equal weight should be given to each of the purposes of the NSS. They felt too much emphasis had been placed on regulatory requirements in the proposals to change the survey, and in particular to remove the summative question for England, and not enough importance placed on its use for student choice and enhancement of the student experience or wider non-regulatory aspects of public interest and accountability.
18. Some respondents sought further information about the use of the NSS in the regulation of individual providers and within the Teaching Excellence Framework (TEF). They suggested that the OfS's new and revised quality and standards conditions, and the guidance underpinning these conditions, which came into force in 2022<sup>2</sup>, do not refer to the use of NSS. They contrasted this with the guidance underpinning the original 2018 quality and standards conditions which referred to 'national surveys of students' views' as relevant to the OfS's assessment and monitoring of conditions B1 and B2. Respondents took the view that the OfS had not previously set out how it would use NSS results in relation to the new and revised quality and standards conditions and that it was now extending its monitoring activity through the current NSS consultation, which would introduce a changed definition of 'public accountability' which does not align with the original purpose of the criteria.
19. In addition to this, some responses questioned the effect that student boycotts of the NSS had on the onward use of the results for regulation.
20. Others commented that public accountability happens in different ways across the UK and is wider than regulatory mechanisms as suggested in the footnote 8 of the consultation document.

## **Application of the criteria to the proposed new questions on freedom of expression and mental wellbeing**

21. Some respondents suggested that the two new questions in the consultation about mental wellbeing and freedom of expression did not meet the NSS core question criteria because they are not specifically concerned with the student academic experience, are not solely within a provider's control, and represent a transient policy interest. These are discussed in more detail below in the sections relating to each question.

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<sup>2</sup> See the Regulatory framework at [www.officeforstudents.org.uk/publications/securing-student-success-regulatory-framework-for-higher-education-in-england/](http://www.officeforstudents.org.uk/publications/securing-student-success-regulatory-framework-for-higher-education-in-england/).

22. Some respondents saw the proposal to add the additional questions as political interference in relation to a topical agenda, contrary to the core question criteria. Others felt that the additional questions – while addressing important issues – should be optional as they did not conform to the core survey criteria. Some respondents felt that all questions, including additional questions and optional banks, should meet the criteria for core questions. There was a concern that students would not distinguish between core and additional questions when responding to the survey and that this could cause confusion.

### **Expansion of the current core survey criteria to include wider issues**

23. A small number of respondents commented that the criteria for including questions should be expanded to include issues such as student safety, wellbeing and co-curricular activities. Some suggested there should be scope to add additional questions about a range of issues which, while outside of a provider's direct control, nevertheless affect students' academic experience. Others took the view that the NSS should focus only on the academic experience, as not all elements of students' experience are within a provider's control, for example local transport, sports and societies, and accommodation.

### **General comments on proposals**

24. A number of responses to this proposal addressed wider points. These have been considered under the relevant proposals and within the overarching themes as appropriate. These include points in relation to the students' union question, the bank of questions on 'learning community' and the criteria for the survey population.

### **Our response**

25. We recognise that there is value in preserving the stability of the criteria over time because this helps to ensure the survey maintains its focus and impact and meets its core purposes across the UK.

26. When developing and testing the questionnaire as part of the proposals outlined in the consultation, this included testing of the questions across all modes of study, including with part-time and distance learning students.<sup>3</sup>

### **Uses of the NSS for regulation**

27. The three purposes of the NSS have remained stable since the inception of the survey in 2005 and have been reviewed during each major review of the survey, including the first phase of the current review. Phase one of this review specifically addressed the survey's use for regulatory purposes. It examined concerns that the NSS may have been used historically as a proxy measure for teaching quality rather than a measure of students' perceptions of their academic experience. However, the Royal Statistical Society recognised that using the NSS as a survey of students' perceptions of their academic experience and as part of a wider set of measures could be a valid approach.<sup>4</sup>

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<sup>3</sup> Findings from cognitive testing are available alongside this report at [www.officeforstudents.org.uk/publications/consultation-on-changes-to-the-national-student-survey-analysis-of-responses-and-decisions/](http://www.officeforstudents.org.uk/publications/consultation-on-changes-to-the-national-student-survey-analysis-of-responses-and-decisions/).

<sup>4</sup> Available at [www.officeforstudents.org.uk/publications/nss-review-phase-one-report/](http://www.officeforstudents.org.uk/publications/nss-review-phase-one-report/).



28. The NSS has been used in the regulation of providers across the UK since its introduction in 2005. It remains a central part of the regulation of quality for providers across all four UK nations. We therefore consider that the statement within the consultation document 'public accountability is delivered through various mechanisms, including the use of NSS outcomes in the regulation of individual providers' accurately reflects one of the uses of the NSS across the UK since its inception and so does not represent a reinterpretation of the original purpose of the survey, in England or elsewhere. In reaching our decisions we have sought to ensure that the survey continues to meet the public accountability needs of the funders/regulators in all nations, including wherever possible, through a move to direct questions to give more precise, robust results.
29. Furthermore, in England the OfS's regulatory framework<sup>5</sup> (at paragraphs 132-146) sets out our approach to general monitoring, including the use of lead indicators and data. Paragraph 146 is explicit that we would use lead indicators from the NSS. Use of data from the NSS as regulatory intelligence has therefore always been part of the regulatory framework that was consulted on with the sector and others. We do not therefore agree with respondents who suggested that our approach to general monitoring is not set out in the regulatory framework.
30. We use indicators, including data from the NSS, to identify where there might be a risk of a breach of one or more of a provider's ongoing conditions of registration. As set out in the regulatory framework, we would not normally expect to make decisions about whether a condition of registration has been breached only on the basis of a lead indicator and would expect to undertake further assessment before reaching a view.

### **The academic experience**

31. In the review of the NSS, we have not sought to define the student academic experience for the purposes of the NSS. There is no single agreed definition within the academic literature. We have listened to thousands of students and providers as part of the review and heard their view of what constitutes the student academic experience and what does not.
32. Given divergent interpretations of the 'student academic experience', there will be topics and issues which do not fit neatly within this definition. The two additional proposed questions on freedom of expression and mental wellbeing provision were seen by some as integral to that experience and by others as outside it. Responses to the consultation reflect this.
33. However, we do not suggest adding the questions on freedom of expression and mental wellbeing to the 'core questions' (as we discuss further below). Although there was also some support for their proposed inclusion in the survey more widely, we have decided including them as 'additional questions' after the core questions have been asked.
34. The design and structure of a questionnaire is important as it can influence how a respondent draws on their experience to answer it. The core questionnaire has previously been focused on provision at a course level, including wider support services such as library and IT provision, and the students' union. To reflect this, we have decided to add questions on freedom of expression and mental wellbeing after the core set of NSS questions. Their addition after the

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<sup>5</sup> See [www.officeforstudents.org.uk/publications/securing-student-success-regulatory-framework-for-higher-education-in-england/](http://www.officeforstudents.org.uk/publications/securing-student-success-regulatory-framework-for-higher-education-in-england/).

core questions also creates a useful break to aid in student comprehension and could improve completion of the survey.

### **Expansion of the core question criteria to include wider issues**

35. We recognise that factors beyond their academic experience can influence the overall higher education experience of students. Some of these are within a provider's control and others may be outside it. Providers can also influence issues that may not be in their direct control. These factors include, for example, public transport, accommodation, co-curricular activities, extracurricular activities.
36. We have considered the diversity and breadth of services likely to be offered by different types of provider and whether extending the criteria would be applicable to the broad student audience completing the survey, for example by adding questions on placement provision. We also recognise that there are issues that are important to students which are out of scope of our proposals, including the safety of students. Previously, the optional question banks have sought to address issues like these and are available to providers to add to the main NSS questionnaire. We currently plan to revise the optional banks for 2024 onwards. This will enable providers to choose to adopt questions relevant to their context and services provided.

### **Decision**

37. The current criteria remain for purpose and will be retained.

## Proposal 2: Changes to the survey questions to include a move to direct questions

### Consultation question:

2. What are the consequences – both positive and negative – of changing to the use of direct questions for the NSS?

38. By 'direct questions' we mean questions which elicit respondents' views on an issue of interest by asking about it directly. The questionnaire response options are tailored specifically to match the question.

39. We sought views on the concept and the appropriateness in principle of using direct questions, recognising that there may be some technical changes to the questions because of ongoing testing.

40. We explained that further testing and piloting work was planned for the launch of the 2023 NSS and the final survey would be guided by responses to this consultation and the piloting and testing outcomes. We explained that if the questions are changed, the changes would not affect the subjects or concepts being tested but could see drafting changes to the questions to ensure a question focuses only on a single concept.

41. We also proposed further changes to questions to improve existing questions and make sure they are still fit for purpose.

42. These changes included:

- improved wording to aid student understanding of the question
- changes to questions which ask about two different things at once (double-barrelled questions)
- adding new questions on existing concepts or updating questions to reflect current practice and/or changes to the regulation of quality.

### Responses relating to proposal 2

43. Respondents were broadly supportive of proposals to move to direct questions. Some respondents commented that it would make the survey easier to understand for students and would improve the accuracy of results, with greater concept validity and reliability

### Interruption of trend data

44. Around a third of respondents commented on the loss of trend data. They took the view that a change to the question design, to use direct questions, would mean that year-on-year comparisons between different versions of the survey would not be possible. A number of these respondents thought that this would have a negative impact on evidence for the Teaching Excellence Framework, as well as for providers' own quality assurance and

enhancement mechanisms because there would be less trend data to draw upon and therefore it would be difficult to evidence improvements over time.

### **Publication and analysis of survey outcomes**

45. Around three-quarters of respondents queried how the move away from a scale consistent across all questions would work in practice in relation to the publication of NSS results and the impact on providers in relation to their use and analysis of survey outcomes. There were a number of comments about moving away from the existing response scale, which is currently consistent across the questionnaire, and replacing this with direct questions which use a different response scale for each question. Some took the view that this would make analysis more challenging and harder to interpret, and could undermine efforts to draw conclusions across questions. For example, would the highest response point for each of the different response scales still be equivalent to one another? In the current survey, question results are aggregated to a question scale score for related concepts, for example 'teaching on my course'. Respondents expressed a concern that a move to direct questions would mean this was no longer possible. Furthermore, they thought it would make comparisons across question scales, such as 'teaching on my course' and 'assessment and feedback', more difficult. There was a concern this would limit the usefulness of the survey in providing clear information to potential students and to providers in identifying strengths and weaknesses.

### **Validity and wording of the draft questionnaire**

46. At the time of the consultation, draft question wording was still undergoing testing with students, so we did not ask respondents to comment on detailed wording. However, around a third of respondents did not consider the wording of the draft questions in the document to be suitable, or they did not agree with the scales used.
47. Respondents were not clear about the spacing of the different points in a response scale and suggested that different students may interpret 'very often' and 'often' inconsistently, for example.
48. Other respondents questioned the use of a frequency scale for some of the questions and whether this was a valid measure when seeking to measure quality rather than quantity.
49. There were also points about the potential for misinterpretation of some or all the questions, particularly by international students. We took this to mean that certain groups of students may interpret questions and response scales in different ways, therefore affecting the reliability of the survey instrument. Several respondents suggested that the draft questionnaire should undergo further piloting and cognitive testing to ensure validity of the survey instrument, and that the questions and response scales were being consistently understood to ensure question validity – that is the extent to which a question is accurately measuring the construct it is seeking to measure (in this case, specific aspects of the student experience).

### **Students' union question**

50. More widely, points were made – mainly by students and students' unions – about the current and draft question on students' unions. The current question asks about how effectively a students' union represents students' academic interests; historically this has been a core activity for most students' unions and guilds and is related to the academic experience. The

draft question asked about a students' union's impact on the student experience more widely to encompass the wider range of services and activities unions can offer.

51. Respondents suggested that the current NSS question is too narrow because it does not encompass the full scope of services offered by students' unions, associations and guilds. This includes work to support student communities and sense of belonging, mental health, and sports and societies.
52. The existing NSS students' union question, with an agree/disagree scale, reads:  

'The students' union (association or guild) effectively represents students' academic interests.'
53. The pilot question asked:  

'Has the students' union (association or guild) had a positive impact on your experience?' and offered an 'extent' scale.
54. Some respondents felt this pilot question did not sufficiently encompass the wider aspects of students' union activities and has similar issues to the current question.

## **Our response**

### **Interruption of trend data**

55. We recognise that any changes to the questionnaire will result in a break of trend data (currently since 2017) and that it will not be possible to compare results from the revised survey with previous years. This is the same position as for the original 2005 iteration of the survey which should not be compared with the 2017 revised version. However, we note that – despite this – within some providers, due to the similarity of the questions, comparisons are made across the original and current versions of the survey, something that would not be possible with a move to direct questions. The comparison of questions across different versions of the survey is not to be advised or encouraged due to the impact that the sequencing of certain question can have on responses.
56. Phase one of the current review noted that one of the main benefits of the NSS was monitoring trends over time, particularly as part of a provider's enhancement purposes. This is also reflected in some of the responses to this consultation. This is a relevant consideration for us in determining any changes to the survey.
57. However, we consider that the improvements we have decided to make to the questionnaire – moving away from an agree/disagree scale – will outweigh these concerns for the reasons we outline below.
58. Phase one of the review suggested a strong desire from providers to update the questionnaire. They considered that the current NSS questions could be improved to reflect current pedagogic practice and to reflect diversity of provision across the sector. Furthermore, feedback from providers suggested the positive impact of the NSS on driving improvement in providers over its lifetime had plateaued in recent years, and that this was due in part to too many questions remaining unchanged.

59. Moreover, since its inception 15 years ago, the NSS has featured in multiple quality assessment frameworks across all four nations of the UK. Therefore, it is likely that its validity or ability to measure the concepts it originally sought to test will have waned.
60. It is important to note that any changes to the current survey would result in a loss of trend data over time. This would be the case for minor updates to the current Likert questionnaire. This means that the only way to preserve uninterrupted trend data would be to make no changes. We take the view that this is not an appropriate principle because of the concerns raised with the currency of the current survey and its continued ability to measure student perceptions of their academic experience accurately and robustly.
61. We consider these points about the currency of the current survey and the need for the survey to continue to drive improvement in providers to be significant. In addition, the weight of academic evidence in support of the use of direct questions is strong. Feedback from a survey expert group to the NSS review highlighted the limitations of the current Likert scale approach. This view is supported by survey research, which discusses the agree/disagree scales' susceptibility to issues which could diminish data quality. For example, there is evidence of a tendency for agree/disagree scales to produce acquiescence bias, where respondents become more likely to disproportionately agree with a statement in a question. Others point to a disconnection between generic agree/disagree response options and the concept that a question seeks to measure as a potential issue for data quality.
62. Survey researchers suggest using an item-specific response format or direct questions, where response options are designed specifically for the question being asked. Such response scales are considered less likely to lead to divergent readings of the same questions, resulting in higher quality data. There is also some evidence that item-specific scales encourage respondents to engage more thoughtfully. We therefore consider that the benefits of the move to direct questions, as proposed in proposal 2, outweigh the impact that a loss of year-on-year comparison data would be likely to have.
63. However, we recognise the benefit of comparison data to providers and, as part of proposal 6, we were seeking to create stability in the survey over time by minimising year-on-year changes.
64. On the use of NSS data in the TEF, we note that the TEF draws on indicators constructed from data already collected based on the current NSS survey. This means that any changes to the questionnaire would not affect the next TEF exercise. We would expect to consult in the future on any material changes to the construction of student experience indicators to be used in future TEF exercises.

### **Publication and analysis of survey outcomes**

65. Respondents to the consultation were keen to understand in more detail the impact the change in response scales would have on the way they are able to draw conclusions from the data and make comparisons across it. Below we outline how we have tested this and the outcomes of that testing. Further details can also be found in the 2023 pilot outcomes report<sup>6</sup> and Annex E.

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<sup>6</sup> See [www.officeforstudents.org.uk/publications/national-student-survey-2022-pilot/](http://www.officeforstudents.org.uk/publications/national-student-survey-2022-pilot/).

66. The first pilot looked at the distribution of responses to each question, both alone and in comparison, to the main questionnaire. We were looking for cases in which the pattern of responses suggested that a response option was anomalous. We did not find any such cases. In the second pilot, we have asked students to respond to questions using a 100-point scale, as well as the response options. Similarly, we used this to understand the extent to which the different responses are comparable.
67. Respondents were also concerned about how comparisons could be made between different questions and banks (or scales) of questions, for example 'teaching on my course', if the response scales for those questions were not the same. The Likert questionnaire does not lend itself to comparisons as much as some of the responses suggest. We currently compare the student experience across question areas or scales – such as 'teaching on my course' – rather than individual questions. We are cautious about comparing responses across different individual questions – we would be interested in big differences, and warier about smaller ones. There is no reason to suppose that similar caution would not be necessary with direct questions.

### **Wording of the draft questionnaire**

68. The draft questions included in the consultation have been subject to rigorous testing, piloting and refining with groups of students. We are therefore confident that they work well with students. A description of the process can be found in Annex E of the consultation document. The direct question version of the questionnaire was still undergoing further testing and refinement at the point of consultation, following the results of the spring 2022 NSS pilot. Comments from the consultation have also been taken into consideration as part of the iterative development process. This was necessary to ensure questions are robust. Questions have been subject to iterative cognitive testing with students to assess comprehension and to understand what students were thinking about when responding to a question.<sup>7</sup> This testing included students from a range of subjects, modes of delivery, ages, ethnicities and those whose first language is not English. Questions were also tested in Welsh.
69. Most comments on the specific wording of questions, and the direct questions in particular, related to the response scales within the draft questionnaire; specifically, whether frequency was an appropriate scale for some of the questions for teaching on my course and therefore measuring quantity not quality. Other respondents asked about the spacing of the points along the response scales, and if these are evenly spaced. We have considered these points as we further tested and refined these scales and they have been reflected in improvements to the scale in the final questionnaire, which includes testing alternatives to the frequency scale. The outcomes of the testing of the scale and final pilot have been published alongside this document. The second pilot also found the four-point scale to generally be evenly spaced, except for the extent scale which found little or no difference in 'hardly at all' and 'never'. This has been reformed in the final questionnaire in response to comments here and the testing of the six-point scale whose wording offered a robust alternative.
70. The 2022 pilot found that the four-point scale used as part of the direct questionnaire resulted in a more positive response overall compared with the five-point Likert.<sup>8</sup> The question scale

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<sup>7</sup> See a summary of findings from cognitive testing: [www.officeforstudents.org.uk/publications/consultation-on-changes-to-the-national-student-survey-analysis-of-responses-and-decisions/](http://www.officeforstudents.org.uk/publications/consultation-on-changes-to-the-national-student-survey-analysis-of-responses-and-decisions/).

<sup>8</sup> See [www.officeforstudents.org.uk/publications/national-student-survey-2022-pilot/](http://www.officeforstudents.org.uk/publications/national-student-survey-2022-pilot/).

subsequently underwent further testing and piloting. As part of this work, we tested a six-point scale and a four-point scale alongside a percentage point response. Results indicate that a six-point scale did not provide more granular detail and skewed results even further to the positive. Furthermore, a six-point scale felt more arbitrary to respondents, with little or no differentiation between the points on the scale. With both scales, cognitive testing showed students tend to look at the extremities of the scale and pick a place between.

71. Furthermore, the six-point scale increased confusion among respondents, particularly for telephone interviews. It would also likely increase the cost of the survey. Therefore, with limited tangible benefit and given we have a tested and working four-point scale, we propose the use of a direct questionnaire with a four-point scale. The final questionnaire can be found in Annex D.

### **Students' union question**

72. Issues with the current students' union question were highlighted during the NSS review. We found through that process that the current question was poorly understood by respondents and heard the view there also that it did not encompass the full range of services offered by students' unions. Therefore, as part of the review process we sought to test alternatives.
73. During the question development process, we sought input from students and students' unions, including those from providers that we found were less likely to have formal students' unions. Several iterations of the question were tested; these included ones which specifically listed different services and a generic question about the students' union as a whole.
74. After comprehensive testing, none of these options tested as well for comprehension and understanding as the current question. Furthermore, we found a huge diversity of provision offered by students' unions across the sector so devising a question which is applicable to most respondents was challenging. We have published a summary of question development and testing outcomes alongside this report.<sup>9</sup>
75. However, we recognise the value of this question to students' unions and providers, so we intend to retain a direct question form of the existing question as part of the core survey. We will also consider the addition of revised optional bank for students' union provision in the future, which can be tailored to reflect the diversity of services offered across the sector.

### **Decision**

76. The survey will move to asking direct questions with a four-point scale from 2023.
77. The survey will use direct questions from 2023 onwards with question-specific response scales. This will necessitate an interruption in the trend data for a single year; any further changes to the questionnaire would not be expected until at least the next review, to ensure stability and consistency over time. The final questionnaire can be found in Annex D.

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<sup>9</sup> Available at [www.officeforstudents.org.uk/publications/consultation-on-changes-to-the-national-student-survey-analysis-of-responses-and-decisions/](http://www.officeforstudents.org.uk/publications/consultation-on-changes-to-the-national-student-survey-analysis-of-responses-and-decisions/).



78. The direct questionnaire will use a four-point, question-specific scale. This is the product of further testing and piloting which has been informed by the comments to this consultation as outlined above.

79. The students' union question will move to a direct question, in line with the wider survey, and ask about student academic interests based on the outcomes of our testing:

'How well does the students' union (association or guild) represent students' academic interests?'

- Very well
- Well
- Not very well
- Not at all well
- This does not apply to me.

## **Proposal 3: New summative question for Scotland, Wales and Northern Ireland and removal of the summative question for England**

### **Consultation questions:**

3. What are the consequences – both positive and negative – of removing the summative question for England only?
4. Should we retain the current summative question for Scotland, Northern Ireland and Wales or move to the revised question with a focus on quality not satisfaction?

## **Responses relating to the removal of the summative question for England**

### **UK-wide survey**

80. Most respondents argued that the same NSS core questions should be asked across the UK. They saw the maintenance of a UK-wide survey as important for both student recruitment and external perceptions of quality assurance.

### **Support for the removal of the summative question**

81. However, around a tenth of comments supported the proposal to remove the question in England. Some of those respondents took the view that responses to the current question reflected student experiences beyond the scope of the survey, that students drew on wider experiences – such as accommodation, car parking or sports and societies – when reaching an overall rating. They also argued that the current question was too nebulous and did not necessarily align with aspects of quality or the academic experience. Furthermore, its removal would allow for a more nuanced response from students. These respondents thought that the summative question tended to dominate engagement with the survey in providers and in public reporting, distracting from the questions they considered more specific and useful. Some of those who took this view also argued that the same approach should be taken across the UK.

### **Retention of the summative question for England**

82. Most of the responses disagreed with the proposal to remove the summative question for England. Many thought this was a useful question that enabled students to feedback holistically on their experience. Most providers find the summative question useful and would like to retain it. Sector organisations, including mission groups of providers with UK-wide membership, made similar points. Within the devolved nations, some providers – particularly specialist providers – stated that they use the question to benchmark their performance with other providers across the UK.
83. Funding bodies in the devolved administrations suggested that there would be a negative impact on their activities if the summative question were not used in England. This is because use of the question in England supports benchmarking, particularly by smaller specialist providers. They see the summative question as important to their approach to quality assurance and feel the removal of the summative question could detrimentally impact their

providers. They also suggested that removing this question would have a negative impact on the international reputation of UK higher education. This is because prospective students – and in particular those outside the UK – do not recognise the devolved delivery of higher education across the UK nations and therefore could draw negative conclusions about an absence of data because they are not able to make comparisons across the results of the summative question.

### **Information for students**

84. Linked to the previous point and the international reputation of UK higher education, around half of respondents suggested that not asking the summative question in England could reduce the information available to students to allow them to compare provision across the UK. They suggested that less robust datasets could emerge to replace the summative question. Some respondents suggested that providers and league table compliers could create their own measures in the absence of a summative measure, and these could be misleading.

### **A new summative question for Scotland, Northern Ireland and Wales**

85. Respondents were asked if we should retain the current summative question for Scotland, Northern Ireland and Wales, or move to the revised question with a focus on quality not satisfaction.

#### **Current question with focus on satisfaction with five-point agree/disagree Likert scale**

‘Overall, I am satisfied with the quality of the course.’

- Definitely agree
- Mostly agree
- Neither agree nor disagree
- Mostly disagree
- Definitely disagree
- Not applicable.

#### **Revised question example with focus on quality**

‘Overall, how would you rate the quality of your course?’

- Very good
- Fairly good
- Not very good
- Not at all good
- I don’t know/This does not apply to me.

### **Responses to proposal 3 – a new summative question for Scotland, Northern Ireland and Wales**

86. There was no strong consensus about what should happen to the summative question in Scotland, Wales and Northern Ireland if it were not used in England. Around half of respondents expressed a preference to retain the current question. Others saw the proposed new question as an improvement on the current question because it focused on quality and because it followed the proposed direct question format of the wider questionnaire. These respondents took the view that it would make sense to have a summative question which aligned with the style of questions in the rest of the questionnaire. For example, if the current Likert scale was retained then the summative questions should follow this format; if the

questionnaire moved to direct questions, the summative question should have a question-specific scale.

87. However, many were also concerned that changing the questions would undermine direct comparison between different versions of the NSS questionnaire. This would mean a break in continuity and trend data, which was seen as the main benefit of retaining the current question. The current summative question has remained the same over its lifetime although with a break in trend data in 2017 because of wider changes to the survey. Respondents from the devolved nations stated that the summative question is used as a key indicator in the quality assurance processes across Scotland, Wales and Northern Ireland, and their approach benefited from continuity and the time series of results this was also reflected in the response from the Higher Education Funding Council for Wales (HEFCW) and the Scottish Funding Council (SFC).
88. There were also points made about the wording of the proposed revised question and its focus on quality. Some asked whether students were able to evaluate quality, leaving the question open to a subjective interpretation by students. There was concern that the term 'quality' is a broad technical concept which students do not understand, and that this complexity would mean a lack of consistency in the way students answered the question. Furthermore, students often only experience a single provider and therefore some questioned if students were qualified to comment on the quality of their course.

## **Our response – Removal of the summative question for England**

### **UK-wide survey**

89. The OfS recognises the importance of a UK-wide survey and understands the value to providers and our partners in the other UK funders and regulators in their quality improvement work of being able to compare responses with those for other providers. The changes we proposed in the consultation, if all implemented, would mean that there would be around 25 questions asked of all students across the UK, providing an opportunity to benchmark and compare those responses.

### **Retention of the summative question for England**

90. The NSS has a clearly defined role in the regulation of quality in England, Scotland, Wales and Northern Ireland. The summative question is used in different ways in each of the nations.
91. In England, the OfS regulatory framework (at paragraphs 132-146) sets out our approach to general monitoring, including the use of lead indicators and data. We use indicators, including data from the NSS, to identify where there might be a risk of a breach of one or more of a provider's ongoing conditions of registration. As set out in the regulatory framework, we would not normally expect to make decisions about whether a condition of registration has been breached only on the basis of a lead indicator, and would expect to undertake further assessment before reaching a view.
92. In Scotland, participation in the NSS is a condition of SFC funding, and NSS outcomes inform all five elements of the Scottish Quality Enhancement Framework. They form a key dataset for discussion at the Quality Assurance Agency's Enhancement Led Institutional Reviews with providers. The NSS overall satisfaction question is used as a key performance indicator (variance from NSS benchmark) in the SFC's Outcome and Impact Framework, with providers required to commit to improvement against this measure in their annual Outcome and Impact

Framework agreements. The SFC also uses analysis of NSS outcomes at provider and subject level to inform its Outcome Agreement Managers' discussion with providers on enhancing their performance, in its assessment of their risk and university engagement levels, and to inform its policy developments and interventions. The SFC also uses NSS outcomes, alongside a range of other quantitative and qualitative evidence, to account to the Scottish government for the effective use of public funding for undergraduate fees for Scottish-domiciled students, and in discharging its statutory responsibility to ensure the quality of higher education provision in Scotland.

93. In Wales, HEFCW considers a range of data, including NSS outcomes, in relation to its regulatory responsibilities. Analysis includes the identification of trends in data (at both provider and subject levels) and comparison with benchmarks together with providers' track records. This analysis includes the current summative question and informs HEFCW's institutional risk review process and other decision making.
94. In Northern Ireland, the Department for the Economy Northern Ireland (DfENI) currently assesses the quality and standards of the higher education providers it funds through the annual provider review (APR) process. One of the key elements of the APR is the scrutiny of key pieces of data, which includes the results from the NSS, including the summative question. The process draws together a variety of data and other information about each provider and presents this in an 'APR dashboard,' which then informs the overall judgement process.
95. Regulating quality in the interests of students is at the heart of the OfS's strategy. The questions we proposed in the consultation provide an opportunity to explore where students are positive or negative about different aspects of the quality of their courses. This granular detail is important for our approach to the regulation of quality because it allows us to construct indicators for general monitoring purposes that relate to aspects of our quality conditions. Question 27 on 'student satisfaction' does not relate to the scope of any condition of registration and does not contribute to our understanding of the aspects of quality that are within the scope of those conditions. We take the view that the alternative summative question proposed in the consultation for use in the devolved nations would similarly not relate to the scope of any condition of registration and would therefore add little to the insights to be gained from the individual questions.
96. Our view is that the benefits that some respondents identified in maintaining the same summative question across the UK are outweighed in England by the need to ensure clear links between the information provided by the NSS and the aspects of quality that are subject to regulation in English providers. We consider that, in England, the importance of focusing on the more granular questions, as set out above, rather than a summative question outweighs any benefits of retaining a summative question in England that does not relate clearly to the OfS's regulatory requirements. This view is supported by those responses that agreed with the removal of the summative question in England because too much focus is placed on a single question which does not reflect the full range of aspects of the student experience reflected in the other questions.
97. Taking a different approach to the summative question in different UK nations will ensure that the questions asked of students studying in a particular nation properly reflect that nation's approach to quality. At the same time, retaining the same questions across the UK for the rest

of the questionnaire will continue to offer substantial opportunities for benchmarking and comparison.

98. We have considered whether we should make provision for providers in England to opt-in to a summative question as part of the non-published optional banks. However, any opt-in survey question is likely to generate partial results because not all providers in England would choose to opt in. This would significantly limit the usefulness of the responses in England for benchmarking purposes and would not therefore deliver the outcome respondents were seeking. Therefore, we have decided not to retain a summative question in any form for England.

### **Information for students**

99. The NSS is an important source of information for prospective students. It is clear through the responses received that a UK-wide survey is seen as important for this survey aim.
100. The OfS considers that asking questions about aspects of quality that are subject to regulation in England means that future students would have access to the views of their predecessors in relation to the particular areas the OfS considers important. This means that the choices of future students can be informed by this important information. We consider that this information is appropriately represented through the individual questions rather than through a single summative question. This is because a single question cannot reflect the multiple aspects of students' experience that can be understood from the other questions. Furthermore, we cannot be confident, as some respondents suggested, that the current summative question reflects students' academic experience rather than wider aspects of their experience. This makes it difficult for a student using the NSS data to make choices about what and where to study to understand what previous students had in mind when they responded to the summative question. Students across the UK will be able to continue to make comparisons of providers across the UK on the basis of the core questions via Discover Uni and the Discover Uni widget on provider course pages.
101. We recognise that providers and other users of the NSS data could create their own measures to replace the summative question, but this is also the case with the current survey. There are existing mechanisms to protect students from providers making misleading claims, whether derived from the NSS, a provider's own surveys or more widely. All providers are subject to consumer protection law and by the OfS's condition of registration C1. In addition, the OfS requires all providers to display the Discover Uni widget on course pages to display reliable data, including NSS responses, in a standardised way for all providers.

### **Summative question for Scotland, Northern Ireland and Wales**

102. The funding councils of Scotland, Wales and Northern Ireland have taken the view that most consultation responses were in favour of retaining the current summative question for use within those countries. They have also decided that concerns about the use of the term 'satisfaction' are not relevant in those countries. They have each therefore decided to maintain the current agree/disagree summative question which asks about students' overall satisfaction.

## Decisions

103. The funding bodies in Scotland, Wales and Northern Ireland have decided to maintain the current summative question:

‘Overall, I am satisfied with the quality of the course.’

- Definitely agree
- Mostly agree
- Neither agree nor disagree
- Mostly disagree
- Definitely disagree
- Not applicable.

104. The summative question will be removed for providers in England.

## Proposal 4: New additional question on freedom of expression

### Consultation question:

5. Should a question on freedom of expression be offered as an additional question after the core questionnaire?

105. The draft proposed question in the consultation document was:

‘During your studies, how free did you feel to express your ideas, opinions and beliefs?’

- Very free
- Fairly free
- Not very free
- Not at all free
- This does not apply to me.

### Responses relating to proposal 4

106. There was a mixed response to this proposal. Some respondents saw this as a positive addition, addressing an important issue within higher education and providing a focus for activity within providers. Some of those respondents saw this issue as critical for a sense of belonging and academic success and progression for students.

### Rationale for the proposal

107. Around half of respondents took the view that the rationale provided in the consultation to support the inclusion of this proposed question was not sufficiently strong. Many of the respondents felt that the evidence that there was a widespread and serious issue about freedom of expression in UK higher education did not exist. For example, some quoted the 2022 HEPI/AdvanceHE Student Academic Experience Survey which found that only 14 per cent of students disagreed that they felt comfortable expressing their views on campus even if peers do not agree with them. YouGov polling found 18-24 year olds were the age group least likely not to express their views on political and/or social issues because of fear of judgement or fear of negative responses from others. Respondents referred to reports that suggest event cancellations were often due to administrative issues and not inappropriate limits on freedom of expression. Other respondents considered it was inappropriate for the NSS to reflect debates about freedom of speech in higher education and that this was a politicised issue contrary to the NSS core question criteria.

108. However, some respondents supported its inclusion and took the view that freedom of expression was an important issue which should be reflected in the NSS. They pointed to fear from academic staff about in expressing lawful views to students and took the view that university should be an environment in which the widest range of issues and topics could be discussed.

### NSS core criteria

109. Some of those who disagreed with the inclusion of this question argued that the question did not meet the criteria for NSS core questions because freedom of expression was not



something providers could influence. They explained this view: that it was not reasonable to expect universities to be able to address wider cultural issues relating to freedom of speech which underpin a wide range of expectations and behaviours both within and outside the classroom. They also suggested that perceptions about how freely students can express themselves are complicated where students have moved into a new social environment by transitioning to university, with a shift in the cultural norms and behaviours they may have been used to in their 'home' context, nationally and internationally.

## **UK-wide**

110. There was some difference in responses across nations, with respondents in England and Scotland more likely to agree with the proposal than those in Wales and Northern Ireland.

## **Students' interpretation of the question**

111. While the consultation did not seek views specifically on the wording of the proposed question, respondents made points about how students would interpret the question. They asked whether a single question could capture the complexity of this issue and wondered what experiences respondents would be drawing on when responding. Some respondents suggested that more explanation or guidance for students would be required so that they respond to the question in the way intended.

112. Some respondents suggested there was some similarity between the proposed additional question on freedom of expression and the current questions on learning community. As part of the wider changes to the questions in proposal 2, we had proposed to move or remove some of these questions.

## **Use of answers to the proposed question**

113. There was concern from some respondents that the results from the question could be misrepresented by politicians and the media, in particular adding to concerns that freedom of expression was a bigger issue within higher education providers than respondents perceive it to be.

## **Our response**

### **Rationale for the proposal**

114. Freedom of expression was a theme consistently raised by stakeholders as part of phase one of the NSS review and our stakeholder engagement during phase two. The points raised include: concerns about self-censorship; that students feel unable to express certain points of view or political views for fear of recrimination or alienation by their peers; the extent to which students are confident to express their views as part of their course. Many stakeholders, as part of the stakeholder feedback and consultation responses, including students, saw freedom of expression as essential to a sense of inclusion and belonging. Those working in providers regarded it as an important element of academic freedom.

115. The views of stakeholders are consistent with the importance placed by the law on freedom of expression in higher education. The Education (No. 2) Act 1986 requires providers to 'take such steps as are reasonably practicable to ensure that freedom of speech within the law is secured for members, students and employees of the establishment and for visiting speakers.' In addition, it is unlawful, under section 6 of the Human Rights Act 1998, for public

bodies to act incompatibly with Article 10 of the European Convention of Human Rights which protects the right to freedom of expression.

116. Freedom of speech and academic freedom are also 'public interest governance principles' referred to in the OfS's regulatory framework. As set out in the consultation, this is an area in which we receive notifications – including from those who identify a 'chilling effect' on their ability to express their cultural, religious or political views without fear of repercussions.
117. The Higher Education (Freedom of Speech) Bill currently before Parliament proposes further duties for higher education providers, constituent institutions and students' unions in this area, and changes to the functions of the OfS in respect of freedom of speech and academic freedom.
118. We have set out in our strategy that, subject to Parliament's decisions, we intend to develop a new regulatory approach in relation to freedom of speech and academic freedom and will engage with students to help them understand what freedom of speech within the law means within the context of higher education. Our regulatory remit would include regulation of providers, regulation of students' unions and the introduction of a complaints scheme which will inform our oversight of these matters.
119. The responses to our consultation capture the fact that there is disagreement about the scale and pervasiveness of this issue in the higher education sector. Inclusion of this new question in the NSS will help inform discussion in this area and improve the ability of the OfS and providers to track changes over time and variability between providers.

### **NSS core questionnaire criteria**

120. Phase one of the review and responses to proposal one suggest support for the inclusion of wider issues into the NSS. The NSS is the principal mechanism by which providers and the UK higher education funders and regulators gather students' views on their experience. It also acts as a catalyst for positive change in the sector. Therefore, there is often a desire to add new questions on each new priority or issue. This adds to the burden on respondents and risks diluting the power and purpose of the survey. This was the principal rationale for the creation of the core survey criteria in 2017.
121. The additional questions proposed in our consultation would be asked of all respondents after the core survey. They were proposed as a way of balancing wider higher education priorities, ensuring the survey can stand the test of time while preserving the focus of the core survey.
122. In considering which new concepts to measure through the NSS, we also considered what existing mechanisms were in place to measure these. The creation of new surveys is costly and potentially burdensome for students, providers and UK funders and regulators; therefore, streamlining these wherever possible is preferable where no current mechanisms exist.
123. Given the range of different interpretations of the 'student academic experience', we expect that there will be topics and issues which some consider do not fit neatly within this definition. The proposed freedom of expression question was seen by some as integral to that experience and by others as outside it. Responses to the consultation reflect these different views and point to its inclusion as an additional question rather than a core question.

124. The design and structure of a questionnaire is important as it can influence how a respondent draws on their experience to answer it. The core questionnaire has been focused on provision at a course level or directly related to the delivery of a course, for example services such as library and IT provision, and the students' union. To reflect this, we have decided to add the new question on freedom of expression after the core set of NSS questions. This approach also facilitates the addition or removal of additional questions without disruption to the core questionnaire time series.

### **Students' interpretation of the question**

125. Several iterations of a freedom of expression question were tested with students. These included two different formulations of 'agree/disagree' question:

- a. 'My university/college ensures that freedom of speech within the law is upheld for students, staff, and visiting speakers.'
- b. 'My university/college provides an environment for the free expression of ideas, opinions and beliefs.'

126. During testing, the first of these produced some inconsistency in the way students used the response scale.<sup>10</sup> The second version showed more promise so was taken forward as a potential question for the item-specific version of the questionnaire as follows:

'During your studies, how free did you feel to express your ideas, opinions, and beliefs?'

- Very free
- Free
- Not very free
- Not at all free
- This does not apply to me.

127. This question was cognitively tested with a sample of undergraduate students.<sup>11</sup> The testing showed that most students considered how comfortable they felt contributing to discussions in their academic seminars or tutorials, particularly in terms of sharing academic 'opinions and beliefs' in relation to their course. A few respondents considered teachers' attitudes and how this made them feel about speaking up during tutorials or lectures. Some thought about how they felt when expressing their personal beliefs around topics such as religion or politics. A smaller number considered if their teachers had asked them for feedback on their teaching methods. Only a few students were confused by the notion of 'ideas, opinions and beliefs' and 'during your studies.' Overall, the question was broadly well understood.

128. Cognitive testing and piloting allow us to assess students' understanding of the question and, where necessary, to add further explanation or guidance. However, guidance should only be used in exceptional circumstances as it adds to the burden on the respondent and therefore can reduce completion and/or comprehension. Results from our testing show that students

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<sup>10</sup> See Report on 2021 cognitive testing of the National Student Survey question revisions, at [www.officeforstudents.org.uk/publications/consultation-on-changes-to-the-national-student-survey-analysis-of-responses-and-decisions/](http://www.officeforstudents.org.uk/publications/consultation-on-changes-to-the-national-student-survey-analysis-of-responses-and-decisions/).

<sup>11</sup> See National Student Survey cognitive testing 2022, at [www.officeforstudents.org.uk/publications/consultation-on-changes-to-the-national-student-survey-analysis-of-responses-and-decisions/](http://www.officeforstudents.org.uk/publications/consultation-on-changes-to-the-national-student-survey-analysis-of-responses-and-decisions/).

are interpreting and answering the question in line with the concept/definition of freedom of expression we wish to test; therefore, we do not propose adding further explanation at this stage.

### **Learning community question**

129. The current question on learning community drew on research on learning communities and their impact on student engaged learning.

Current question:

'I feel part of a community of staff and students.'

130. The question was not designed to measure aspects of freedom of expression or sense of belonging, as some of the responses to the consultation suggested. We did however find that some respondents were also interpreting the current NSS question on 'belonging to a learning community' to be about their wider sense of community. Feedback from students suggested this was particularly true of students from some ethnic groups. Distance learners also poorly understood this question. As such, we have decided to remove this question from the questionnaire.

### **UK-wide**

131. There has been a number of high profile cases involving freedom of speech in higher education. The OfS believes that freedom of speech and academic freedom are fundamental characteristics of higher education. Providers in England are subject to legal and regulatory responsibilities in this area and we consider it appropriate to gather data through the NSS that would allow us to understand students' perspectives on these important issues.
132. The funders in Scotland, Wales and Northern Ireland do not consider that the proposed question has value for providers in those countries and have decided not to include it as an additional question.
133. We plan to route this question for students at providers in England and this means that students on courses provided by OfS-registered providers will be asked this question after the core survey and any UK-wide additional questions for both the online and telephone questionnaire.

### **Use of the answers to the question**

134. Some respondents suggested that the answers to this question could be used by politicians and the media to highlight concerns about an issue these respondents felt was not widespread in higher education. The question has been comprehensively tested to check students' understanding of the question and therefore to ensure the question and the results it produces are robust. The NSS is an official statistic with consistently high response rates; it can give an accurate picture of student perceptions of their experience both at a sector level and at a more granular level. We therefore consider the inclusion of a question on freedom of expression will provide high quality insights into the issue of freedom of speech within higher education.
135. Some respondents took the view that freedom of expression is an important issue within higher education and the proposed question would provide a focus for providers in tackling this issue. Historically, we have seen that the introduction of NSS questions has a positive

effect on providers' behaviour. For example, phase one of the review found the biggest impact of the NSS had been on improving 'assessment and feedback' within providers when these questions were introduced. We would therefore expect the introduction of a question on freedom of expression to have a positive effect on providers' behaviour.

## Decision

136. The new question on freedom of expression will be adopted in England as a routed additional question from 2023. The new question will be:

'During your studies, how free did you feel to express your ideas, opinions, and beliefs?'

- Very free
- Free
- Not very free
- Not at all free
- This does not apply to me.

## Proposal 5: New additional question on mental wellbeing provision

### Consultation questions:

6. Should a question on mental wellbeing provision be offered as an additional question after the core questionnaire?
7. What are the unintended consequences of asking questions to students on the awareness of mental wellbeing services where no support to respondents can be offered?

### Reponses relating to proposal 5

137. Around half of respondents supported the introduction of a question on mental wellbeing provision as an additional question, with a third not agreeing and the remaining respondents unsure. Respondents saw this as an important issue in higher education and society. Most respondents also considered that the inclusion of a question on mental wellbeing would be a good addition to the NSS for both public accountability and for student information and enhancement of provision.

### NSS core questionnaire criteria

138. There was less agreement on whether a question on mental wellbeing conformed to the inclusion criteria for the survey, specifically whether it related to the student academic experience and whether it was something providers could directly influence. Some respondents said that mental wellbeing was integral to students' academic success and progression and therefore should be included, while others said it was likely to be influenced by factors beyond a student's course. Several respondents suggested that capacity issues in local NHS services could have a knock-on effect on the perception of students about provider-level services, even though this is something they considered outside a provider's control.

### Onward use of the question

139. A small number of respondents were concerned about the possible use of results for this question, particularly for student information and public accountability. Some thought the question should be included within the optional banks only; others wanted more information about how the results might be used within the regulatory framework in England. Some argued that other surveys already covered this topic, including the HEPI student experience survey and their own internal surveys, and therefore its inclusion within the NSS would be a duplication.

### Focus on awareness of provision

140. A number of respondents commented on the appropriateness of the focus of the question: students' awareness of services rather than an evaluation of the services themselves. Some considered this too narrow and that there was little point being aware of a service which is inadequate or that is difficult to access. Others took the view that the question would improve the visibility of services which would in turn lead to improvements in awareness and investment in services.

141. Some respondents also asked about the relevance of the question to the general student population, arguing that some students may not be aware of services or able to comment on them if they had not needed to access them. There was a concern this would lead to high numbers of 'do not know'/'does not apply to me' responses by students. A few respondents also thought the question would not apply to distance learning students or those on placements who could not access support.
142. Furthermore, a few respondents asked if responses would be influenced by NHS provision rather than the mental health provision offered by a provider.
143. While the consultation did not seek views specifically on the wording of the question, a few responses offered alternative wording to the draft question including how a course had contributed to a student's mental health and adequacy of provision.

### **Ethical implications of the question**

144. On the ethical implications and appropriateness of asking a question on mental wellbeing, most respondents considered that a question focused on students' awareness of services would be unlikely to cause a negative response. However, some took the view that a question on mental wellbeing provision may come as a surprise to some respondents in a survey of their academic experience and so would need careful framing. Appropriate signposting to support was also seen as important.

## **Our response**

### **NSS core questionnaire criteria**

145. Phase one of the review and responses to proposal one suggest support for the inclusion of wider issues into the NSS. The NSS is the principal mechanism by which providers and the UK higher education funders and regulators gather student views on their experience. It also acts as a catalyst for positive change in the sector. Therefore, there is a temptation to add new questions on each new priority or issue. This adds to the burden on respondents and risks diluting the power and purpose of the survey. This was the principal rationale for the creation of the core survey criteria in 2017.
146. The additional questions proposed in our consultation would be asked of all respondents after the core survey. They were proposed as a way of balancing wider higher education priorities, ensuring the survey can stand the test of time while safeguarding the integrity and focus of the core survey.
147. The design and structure of a questionnaire is important as it can influence how a respondent draws on their experience to answer it. The core questionnaire has been focused on provision at a course level, including wider support services such as library and IT provision, and the students' union. To reflect this, we have decided to add the new question on mental wellbeing after the core set of NSS questions. Their addition after the core questions also creates a useful break to aid in student comprehension and could improve completion of the survey. It also facilitates the addition or removal of additional questions without disruption to the core questionnaire time series.
148. In the consultation responses, some took the view that mental wellbeing was influenced by factors beyond students' academic experience and that this often required a multi-agency

response and was not within a provider's control. We considered these factors in designing the proposed question, seeking to assess students' understanding of what is within a provider's control and so is likely to influence the academic experience.

### **Onward use of the question**

149. We recognise there has been an increased focus on mental wellbeing in higher education in recent years and that this is reflected in questions asked by surveys such as the HEPI/Advance HE student experience survey. While this provides a valuable picture at sector level, it does not provide insight at a more granular level, for individual providers, in the way a large scale census survey like the NSS can achieve.
150. In considering which new concepts to measure through the NSS we also considered what existing mechanisms were in place to measure these. The creation of new surveys is both costly and potentially burdensome for students, providers and UK funders and regulators; therefore, streamlining these wherever possible is preferable where no current mechanisms exist.
151. The OfS does not currently impose regulatory requirements in relation to student welfare or support systems at individual universities and colleges. But we have an important role in aiming to ensure that every student, whatever their background, is supported to access, succeed in, and progress from higher education and our work in this area covers three broad areas:
  - i. Providing funding for higher education providers to develop practical and innovative approaches and solutions.
  - ii. Challenging providers to address the outcomes for different groups of students through our regulation of access and participation.
  - iii. Working with a range of partners to develop and disseminate sector-wide effective practice.
152. We take the view that students' responses to this new question will provide important intelligence to inform further development of our work in this area.

### **Focus on awareness of provision**

153. Several different questions about mental wellbeing have been considered over the course of the review. The consultation responses which suggested alternative wording broadly reflect our earlier thinking about the question, including the adequacy of services and routing. One respondent suggested an alternative relating to how a course had contributed to a student's mental health. It is our view – and that of stakeholder feedback and responses to the consultation – that many factors influence students' mental wellbeing, including factors beyond their course. Furthermore, given our activity in this area, we were seeking to test how providers support students' mental wellbeing rather than how they contribute to students' wellbeing through their course.
154. In 2021, we offered two versions of an agree/disagree type question for testing with a sample of undergraduate students. The first asked about the communication of information to students about mental wellbeing services:



'The institution has made me aware of how to access services to support my mental wellbeing.'

155. This question succeeded in prompting students to consider how their provider had communicated about mental wellbeing services. However, those who had not accessed these services were confused about how to respond. Others pointed to the conflation of issues of access and awareness. The question was reformulated as:

'How well communicated was information about your university/college's mental wellbeing services?'

156. Cognitive testing confirmed that students understood this question well and were more likely to focus on a provider's communications.<sup>12</sup>

157. The second question asked students to offer an evaluation of the adequacy of mental wellbeing services:

'Services to support the mental wellbeing of students are appropriate for my needs. If you did not require these services, please select 'Not applicable'.'

158. Cognitive testing confirmed that students understood this question well and were more likely to focus on a provider's communications.<sup>13</sup>

159. When asked about the adequacy of services, students considered the range of services on offer. However, many respondents had no experience of using these services which led them to draw on anecdotal experiences from their peers, or to make assumptions based on emails they had received but not read in depth. Our 2022 pilot work found that a later iteration of this question, which focused on ease of access to services, was only applicable to 34 per cent of the sample. We therefore consider that this question is not sufficiently applicable to the general student population, and so we did not propose to ask students about the adequacy of services. Given the support of consultation respondents for its inclusion, and results from the pilot and cognitive testing, we consider awareness of mental wellbeing provision to be the most widely understood and applicable aspect of mental wellbeing for the NSS.

### **Ethical implications of the question**

160. While concern was low in consultation responses about the impact the question could have on respondents, we recognise that having a question on mental wellbeing could possibly create difficulties for vulnerable respondents. Therefore, we will seek to flag the inclusion of the question at the start of the survey and before the additional question. We will also signpost students to sources of support. Telephone respondents will continue to be supported by the survey contractor in line with market research best practice guidelines.<sup>14</sup>

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<sup>12</sup> See National Student Survey cognitive testing 2022, at [www.officeforstudents.org.uk/publications/consultation-on-changes-to-the-national-student-survey-analysis-of-responses-and-decisions/](http://www.officeforstudents.org.uk/publications/consultation-on-changes-to-the-national-student-survey-analysis-of-responses-and-decisions/).

<sup>13</sup> See National Student Survey cognitive testing 2022, at [www.officeforstudents.org.uk/publications/consultation-on-changes-to-the-national-student-survey-analysis-of-responses-and-decisions/](http://www.officeforstudents.org.uk/publications/consultation-on-changes-to-the-national-student-survey-analysis-of-responses-and-decisions/).

<sup>14</sup> See [Code of Conduct | Market Research Society \(mrs.org.uk\)](http://www.mrs.org.uk).

## Decision

161. The new question on mental health services will be included in the NSS as a UK-wide additional question from 2023.

The new question will be:

'How well communicated was information about your university/college's mental wellbeing support services?'

- Very well
- Well
- Not very well
- Not at all well
- This does not apply to me.

## Proposal 6: A four-year review cycle should be established to ensure the NSS continues to meet demands

### Consultation question:

8. Do you agree that we develop a process where the NSS is reviewed on a four-year cycle? Is the proposed timing between reviews a sensible balance between developing insight and maintaining capacity to change?

### Responses relating to proposal 6

162. Most respondents supported the principle that the survey should be reviewed on a periodic basis. They thought this would help ensure the survey remains fit for purpose and that it reflects current practice while avoiding any disruption that unplanned reviews could cause. There was some concern that regular reviews could disrupt the time series of results – which were seen as particularly useful for making improvements to the student experience.
163. Despite support for a review cycle, there was no consensus about the period between reviews. A general theme was that it should align with wider regulatory and enhancement cycles, such as the TEF, although non-English respondents thought that the TEF was only relevant for England. Some considered four years too short to create sustained change and improvement, suggesting five or six yearly reviews instead. Others thought four years was too long if there was a known issue with the survey or if there was a significant shift in the higher education landscape.
164. Some respondents suggested that potential volatility in questions caused by reviews would reduce the usefulness of the survey and the comparisons that could be made over time. There were also suggestions that the process of reviewing the survey should be the responsibility of a formal review group, involving sector bodies.
165. Some respondents to proposal 1 thought that adopting a planned review cycle could lead to the survey being more susceptible to transient policy interests, with questions being added and removed based on the political priorities of the day rather than topics of enduring importance.

### Our response

166. We recognise that there is value in preserving the stability of the NSS questions over time and so an appropriate balance needs to be struck between ensuring the survey remains fit for purpose and providing appropriate stability and continuity to monitor trends over time. The proposed review period would result in trend data for a minimum of four years and aligns with the cycles for other regulatory activity, for example the TEF. Four years also reflects the length of a full-time undergraduate course in Scotland. Increasing or decreasing the period would mean that trend data could potentially have breaks across an assessment period making it harder for regulators and providers to demonstrate excellence and improvement over time. We consider that a four year review cycle would provide an appropriate balance between these factors. We also note that a four year period sits between the most common alternative suggestions made by respondents of three or five years.

167. The development of the NSS is discussed by the UK Student Information Group, made up of the four UK funding councils and regulators and their respective government departments where applicable. During the current review we have discussed our proposals with sector stakeholders (through an external advisory group), survey experts and other stakeholders. Many of these groups have their own sector representatives or expert groups. As such, we do not currently plan to set up an additional group for the governance of the NSS.
168. Adopting a four-year review cycle does not prevent us changing aspects of the survey where we consider that appropriate, for example if there were a significant policy shift in the sector. However, we would seek to limit changes to the survey outside a planned review process to preserve as far as possible the stability of the survey over time.

## **Decision**

169. We will normally review the survey every four years but would depart from this schedule where we consider that to be appropriate.

## Proposal 7: Shortening the main survey period

### Consultation question:

9. What would be the impact on students and providers of the fieldwork period running from mid-February to the end of April for all providers?

### Responses relating to proposal 7

170. The NSS survey window currently allows responses from early January to April. This proposal was intended to provide greater alignment with the collection of data through the Data Futures programme in a way that reduces the data collection burden on providers.<sup>15</sup>

#### Positive change

171. More than half of respondents saw this as a positive or neutral change. Many of the providers commented that they already start fieldwork around mid-February. This reflects patterns we have observed in start dates over recent years. Some saw it as positive that a shorter survey window would reduce contact from the survey contractor to students, which they regarded as a burden for students. Those supporting the shorter survey period thought that a shorter campaign could be more effective in encouraging responses. Many providers considered the current January start date to be too early. Respondents also thought the benefits of the implementation of Data Futures would outweigh any potential negative impact or burden arising from changes to the NSS data arrangements.
172. Some respondents considered that a later start would also allow students to make a more informed response since they would be further into their final year of study.

#### Response rates

173. Around a third of respondents suggested that a reduction in the survey window could have a negative impact on response rates. They thought that any reduction in response rates would disproportionately affect smaller providers or courses that would be less likely to reach reporting thresholds. However, other respondents considered that this risk could be mitigated and that a concentrated campaign could increase students' responses. Some emphasised the importance of the contractor working with providers on the design of the campaign.
174. For the last two years, there has been no requirement in England for providers to promote the survey: some providers in England also suggested that the requirement to promote the survey should be reintroduced.

#### Flexibility of start dates

175. A minority opposed the proposed change to the fieldwork period. Some saw the removal of the flexible start dates as reducing the current flexibility which allowed providers to avoid having the survey live during student placements and assessment periods and considered it useful for providers with non-standard term dates. Others commented that the proposed start

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<sup>15</sup> See [www.officeforstudents.org.uk/publications/data-futures-and-data-collection-analysis-of-responses-to-part-one-of-consultation-and-decisions/](http://www.officeforstudents.org.uk/publications/data-futures-and-data-collection-analysis-of-responses-to-part-one-of-consultation-and-decisions/).

date would clash with assessment and placement activities when students' thoughts may be elsewhere. There was a concern this could disproportionality affect smaller providers. We took this to mean because some smaller providers have non-standard term dates, for example January starts. However, others thought the same start date for all providers would be fairer.

176. Some providers thought that a change of start date would represent a burden initially, as it would involve changing a provider's own internal processes.

## **Our response**

177. We have seen a shift in recent years to providers opting to start the NSS later. Our analysis suggests this does not have a material effect on response rates, with a provider being neither more nor less likely to achieve threshold response rates as a result. In our consultation on aspects of the Data Futures programme, there was a preference from respondents for a later NSS start date. The respondents to the Data Futures and data collection consultation who advocated the first Data Futures reference period ending on 1 December cited a better fit with providers' internal processes and improved data quality, because providers were typically still registering new students during November.<sup>16</sup>

## **Response rates**

178. In-year collection of data through the Data Futures model will start in the 2024-25 academic year. We do not envisage introducing a shorter NSS survey window until the associated in-year data is available in that year. This allows us to test different approaches to mitigate the risk of any drop in NSS response rates, including for smaller providers and small course cohorts. This could include looking at the timings of contact with students and how we promote the survey.
179. Providers in England are no longer required to promote the survey to their students; however, they may choose to do so. Promotional material is made available to all providers. Feedback from the NSS survey suggests a provider's own promotion is still the most common way students hear about the survey, which reflects the importance of internal promotion. However, we recognise that not all providers and their students' unions will have the capacity or resource to promote the survey extensively to their students; as such this will continue to be optional for providers in England.

## **Flexibility of start dates**

180. Responses to the consultation suggested that the current start is not ideal for some providers or some courses. In reaching our decision we have sought to have a survey window appropriate for most provision. We recognise that a single start date for all may not be the preference of all providers and for all patterns of study. We will continue to explore the feasibility of introducing a degree of flexibility in start dates, but we would expect this to be more limited flexibility that is currently available. We consider that any downsides to a reduced survey window are likely to be outweighed by both the reduction in burden for all providers of using in-year data collected through the Data Futures return to generate the

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<sup>16</sup> See [www.officeforstudents.org.uk/publications/data-futures-and-data-collection-analysis-of-responses-to-part-one-of-consultation-and-decisions/](http://www.officeforstudents.org.uk/publications/data-futures-and-data-collection-analysis-of-responses-to-part-one-of-consultation-and-decisions/).

target list, and the improvements to data quality resulting from a later end to the first Data Futures reference period.

181. We recognise that these changes to the timing of the survey will necessitate a shift in providers' activity which may represent a burden for some. However, we anticipate that the changes, once introduced, will provide benefits which outweigh any initial burden. With a planned two-year lead in time, we expect providers will be able to plan appropriately for the changes and so minimise their impact.

## **Decision**

182. The survey period will be shortened from 2025 onwards. We will continue to work with the survey contractor to identify any further possible flexibility for the start date.

## Welsh language

### Consultation questions:

10. In relation to the design and use of the NSS in Wales, what effect (if any), positive or negative, will the proposals outlined in this document have on:

- opportunities for persons to use the Welsh language?
- treating the Welsh language no less favourably than the English language?

11. In relation to the use of the design and use of the NSS in Wales, how could the proposals be changed so that the policy decision would have positive effects, or increased positive effects, on:

- opportunities for persons to use the Welsh language?
- treating the Welsh language no less favourably than the English language?

### Responses to Welsh language questions

183. There were limited responses to section five, with the majority of those who did respond commenting that the questions did not apply to them.

184. Of the responses we did receive, the majority of responses were positive. Some of these responses did question if the survey had been tested sufficiently in Welsh. A very small number of responses suggested we introduce a question related to Welsh identity and the Welsh language.

### Our response to Welsh language questions

185. In line with legislation in Wales, the survey must be available in all forms (online, telephone and paper) in the Welsh language. In the development of the survey, we have considered throughout changes to the survey in both Welsh and English with the questions being tested in both languages as part of the cognitive testing and pilot activity. We are therefore confident that the survey works in both languages.

186. In the development of the questionnaire, we engaged extensively with stakeholders to scope existing and potential new questions for the NSS; the Welsh language and identity did not emerge as a theme. However, we recognise that for providers in Wales this may be something they wish to include and therefore we will consider this suggestion as we develop the optional bank questions in conjunction with HEFCW.



## Consultation approach

### Consultation questions:

12. Did you find any aspects of the proposals unclear? If so, please specify which, and tell us why.
13. In your view, are there ways in which the objectives of this consultation (see paragraph 7) could be delivered more efficiently or effectively than is proposed here?

### Consultation timing

187. Some respondents made comments relating to the OfS's approach to consultations and in particular the timing of the current consultation in relation to the academic year. Respondents considered that five weeks was too short, including because many staff within providers were on annual leave, students are on holiday, and normal governance meetings do not take place in August.

### Onward use of results

188. Some respondents said they could not give a comprehensive response to the proposals, particularly those relating to the use of direct questions, without understanding how the NSS results were going to be used and published.

## Our response

### Consultation timing

189. In determining the timing of our consultations, we are mindful of the potential challenges for providers in responding at certain times of year. We take this into account in deciding when we should open and close our consultations, and the length of time for which our consultations remain open. We also consider any requests for extensions to consultation deadlines. In determining the timing and arrangements for consultations, we must balance the demands that these place on providers with the interests of students in progressing the introduction of a revised survey. We consider that the consultation timing afforded sufficient opportunity for consultees to consider and respond to the proposals and this is reflected in the high number of substantive responses we received.

### Onward use of results

190. In the consultation we set out our intention to consult further on how NSS results are disseminated and published. We recognise that this an important matter in relation to which stakeholders will want to contribute views. However, it is not possible to present proposals on these issues without first making decisions about the questionnaire itself. We currently expect this further consultation to take place in summer 2023.

## Implementation of proposals

Proposal	Decision	Implementation
<b>Proposal 1: The criteria for the core NSS should remain as agreed in 2017</b>	The current criteria remain fit for purpose and should be retained.	The core criteria will continue to be in place and reviewed in line with the timings for the next review in 2026.
<b>Proposal 2: Changes to the survey questions to include a move to direct questions</b>	The survey should move to direct questions with a four-point scale from 2023.	The questions will move to direct questions from the 2023 survey onwards.
<b>Proposal 3: A new summative question for Scotland, Wales and Northern Ireland and removal of the summative question for England</b>	The summative question should be removed in England from 2023. There will be no change to the question in the other countries of the UK.	The summative question will be removed in England from 2023. It will remain in other UK nations.
<b>Proposal 4: A new additional question on freedom of expression</b>	The new question should be adopted as an additional question from 2023 in England.	The new additional question will be asked of all respondents in England for the 2023 survey onwards.
<b>Proposal 5: A new additional question on mental wellbeing provision</b>	The new question should be adopted as an additional question from 2023.	The new additional question will be asked of all respondents for the 2023 survey onwards.
<b>Proposal 6: A four-year review cycle should be established to ensure the NSS continues to meet demands</b>	We would normally expect the survey to be reviewed every four years but with scope for ad hoc reviews if required.	The four-year review period will start from 2023 and the next review will be due to start in 2027.
<b>Proposal 7: Shortening the main survey period</b>	The survey period will be shortened from 2025 onwards – working with the sector and contractor to see if some flexibility of start date is feasible.	Changes to the survey period will be introduced in line with wider Data Futures changes currently scheduled for academic year 2024-25.

## Annex A: List of consultation questions

1. Do you agree we should retain the current criteria for NSS core questions?
2. What are the consequences – both positive and negative – of changing to the use of direct questions for the NSS?
3. What are the consequences – both positive and negative – of removing the summative question for England only?
4. Should we retain the current summative question for Scotland, Northern Ireland and Wales or move to the revised question with a focus on quality not satisfaction?
5. Should a question on freedom of expression be offered as an additional question after the core questionnaire?
6. Should a question on mental wellbeing provision be offered as an additional question after the core questionnaire?
7. What are the unintended consequences of asking questions to students on the awareness of mental wellbeing services where no support to respondents can be offered?
8. Do you agree that we develop a process where the NSS is reviewed on a four-year cycle? Is the proposed timing between reviews a sensible balance between developing insight and maintaining capacity to change?
9. What would be the impact on students and providers of the fieldwork period running from mid-February to the end of April for all providers?
10. In relation to the design and use of the NSS in Wales, what effect (if any), positive or negative, will the proposals outlined in this document have on:
  - opportunities for persons to use the Welsh language?
  - treating the Welsh language no less favourably than the English language?
11. In relation to the design and use of the NSS in Wales, how could the proposals be changed so that the policy decision would have positive effects, or increased positive effects, on:
  - opportunities for persons to use the Welsh language?
  - treating the Welsh language no less favourably than the English language?
12. Did you find any aspects of the proposals unclear? If so, please specify which, and tell us why.
13. In your view, are there ways in which the objectives of this consultation (see paragraph 7) could be delivered more efficiently or effectively than is proposed here?

# Annex B: Matters to which we have had regard in reaching our decisions

## The OfS's general duties

1. In formulating these decisions, we have had regard to the OfS's general duties set out in section 2(1) of HERA; these are reproduced in Annex C. We consider that our decisions are particularly relevant to general duties (b), (c), and (e), which relate to quality, choice and opportunities for students; competition where this is in the interests of students; equality of opportunity in connection with access to and participation in higher education.
2. In formulating our decisions, we have given weight to (b), and (e): promoting quality, choice and opportunities for students; and equality of opportunity.
3. The OfS's regulatory objectives reflect the things that are important to all students: high quality courses, positive outcomes, and the ongoing value of their qualifications. In reaching our decisions, we have sought to align development of the NSS with the recent changes we have made to our regulation of quality through the B conditions of registration. This means that we could appropriately use NSS outcomes in our general risk-based monitoring of providers in relation to those conditions in a way that continues to promote quality.
4. A key aim of the survey is to provide information to individual providers to support their quality improvement or enhancement activities. We have therefore sought to ensure that the changes to the survey reinforce the incentives for providers to continue to do so, for example by focusing questions on aspects of quality that should be subject to improvement activity where the results suggest this is appropriate. We have also removed the summative question for England which some respondents felt was a distraction from a focus on key quality aspects.
5. Subject to appropriate decision-making, we would normally expect NSS outcomes to be published, at sector level and in relation to individual providers and subjects/courses within providers. We see this as an important set of information that students and their advisers can use to decide what and where to study. Our use of the survey as a tool to support informed student choice means that it should therefore ask questions about the aspects of higher education courses that are likely to be of interest to future students. We take the view that our decisions achieve this by focusing on 'teaching on my course,' assessment and feedback, and learning resources in particular and through the removal of the summative question for England.
6. Our changes to the survey are designed to ensure that students from all backgrounds can provide meaningful answers to the questionnaire and can benefit from the responses provided by previous cohorts of students. For example, when testing and piloting the new questionnaire we have sought to test where interpretation and comprehension of questions may need adjustment to improve the robustness of the survey instrument. This is important to ensure the NSS continues to support equality of opportunity for different groups of students.

## Public Sector Equality Duty

7. We have had regard to Schedule 1, paragraph 21 of HERA, which extends the Equality Act 2010, and therefore the Public Sector Equality Duty, to the OfS. This requires the OfS to have

due regard to the need to eliminate unlawful discrimination, foster good relations between different groups and take steps to advance equality of opportunity.

8. As set out above, our changes to the survey are designed to ensure that students from all backgrounds can provide meaningful answers to the questionnaire and can benefit from the responses provided by previous cohorts of students.
9. The new questions about freedom of expression and mental wellbeing provision are designed in part to elicit views on matters that may affect people who share a particular protected characteristic. We wish to ensure, for example, that people who share protected beliefs can provide feedback on the extent to which they have felt able to express their ideas, views, opinions and beliefs during their course. Providers may wish to understand how well they are communicating information about their mental wellbeing support services because that will allow them to ensure that students, including those who share the protected characteristic of disability, understand the support that is available to them. We have decided to adopt the two new questions in this context.
10. More generally, we have considered whether there may be any tension between the changes to the survey in relation to the NSS and equality matters. Our view is that we are seeking to understand the perspectives of different student groups through a refreshed NSS, and this is likely to have a positive impact on equality. If a subset of students, particularly those who share protected characteristics, is not provided with sufficient opportunity to provide feedback through the NSS, their views will not be available to providers seeking to improve, or to future cohorts of students, who may also share protected characteristics, to inform their study choices. When testing and piloting our proposals we have sought to test where interpretation and comprehension of questions may vary between different groups of students and have considered and addressed where a particular group might respond in a way that may lead to negative provider behaviour through recruitment.
11. Through the consultation process we sought views on any unintended consequences of our proposals, for example for types of provider or groups of students and those with protected characteristics.

## **The Regulators' Code**

12. We have had regard to the Regulators' Code. Section 1 of the code is particularly relevant: Section 1: Regulators should carry out their activities in a way that supports those they regulate to comply and grow.
13. An updated NSS would provide providers with extensive reliable information about the views of their students which they can use to identify areas for improvement. The changes to the survey also ensure that the NSS is aligned with the requirements we impose through our conditions of registration for quality. This means that a provider's NSS results provide it with insights into areas in which the OfS may identify compliance concerns in future. Through its key aim of supporting informed student choice, the NSS provides a mechanism through which providers can improve and potentially grow through increased student recruitment.

## Guidance issued by the Secretary of State

14. We have had regard to the matters set out in the Secretary of State's guidance dated March 2022. We consider that the points relating to quality and freedom of speech are particularly relevant to our planned changes, for example in relation to our new question on freedom of expression and revised core questions on aspects of quality.

## Code of Practice for Statistics

15. We have had regard to the Code of Practice for Statistics through the design of the methods and processes for collecting data on students' perspectives of their higher education experience.

16. The following pillars are particularly relevant for the changes to the NSS:

- **Quality.** Principle Q2.1 requires that the methods and processes should be based on national and international practice, scientific principle or established professional consensus. We have reflected this principle in how we have developed the new questionnaire through a robust process of cognitive testing and piloting to ensure the questions are well understood and interpreted consistently. Our plans to use direct questions draws on current good practice in survey design; this is also reflected in responses to the consultation.
- **Value.** V1.1 Statistics producers should maintain and refresh their understanding of the use and potential use of the statistics and data. They should consider the ways in which the statistics might be used and the nature of the decisions that are or could be informed by them. Our plans seek to update the survey to address current issues, including through reflecting aspects of quality within the OfS's revised B conditions and through addressing concerns within our response raised as part of the consultation process relating to the use of NSS for regulatory purposes and its robustness for this purpose. Our approach is in line with the comments made by the Royal Statistical Society which originally had concerns about its historic use.
- **Value.** V4.1 Statistics producers should keep up to date with developments that can improve statistics and data. They should be transparent in conducting their development activities and be open about the outcomes and longer-term development plans. We have reflected this principle in how we have developed the new questionnaire through a robust process of cognitive testing and piloting to ensure the questions are well understood and interpreted consistently. The use of direct questions draws on current good practice in survey design.

17. We have also had regard to the following pillars:

- **Trustworthiness.** T4.1 Organisations should be transparent about their approach to public engagement with users, potential users, and other stakeholders with an interest in the public good served by the statistics. We have made available the results and outcomes from both the pilot and cognitive testing outcome for scrutiny and transparency. We have outlined responses to the consultation and our responses in detail in this document.

- Trustworthiness. T4.2 A work programme should be established and regularly reviewed. Statistics producers should be open about progress towards meeting priorities and objectives. Users and other stakeholders should be involved to help prioritise statistical plans.

18. We have had regard to these principles through robust piloting and cognitive testing of our proposals and through our comprehensive stakeholder engagement and this consultation process. Our NSS review group included a mix of staff from providers, students and other onward users of the data. We also heard from a group of survey experts in the formulation of our proposals. We are introducing a periodic review process for the survey.

# Annex C: Section 2 of the Higher Education and Research Act 2017

## 2. General duties

1. In performing its functions, the OfS must have regard to—
  - a. the need to protect the institutional autonomy of English higher education providers,
  - b. the need to promote quality, and greater choice and opportunities for students, in the provision of higher education by English higher education providers,
  - c. the need to encourage competition between English higher education providers in connection with the provision of higher education where that competition is in the interests of students and employers, while also having regard to the benefits for students and employers resulting from collaboration between such providers,
  - d. the need to promote value for money in the provision of higher education by English higher education providers,
  - e. the need to promote equality of opportunity in connection with access to and participation in higher education provided by English higher education providers,
  - f. the need to use the OfS's resources in an efficient, effective and economic way, and
  - g. so far as relevant, the principles of best regulatory practice, including the principles that regulatory activities should be—
    - i. transparent, accountable, proportionate and consistent, and
    - ii. targeted only at cases in which action is needed.
2. The reference in subsection (1)(b) the choice in the provision of higher education by English higher education providers includes choice amongst a diverse range of—
  - a. types of provider,
  - b. higher education courses, and
  - c. means by which they are provided (for example, full-time or part-time study, distance learning or accelerated courses).
3. In performing its functions, including its duties under subsection (1), the OfS must have regard to guidance given to it by the Secretary of State.
4. In giving such guidance, the Secretary of State must have regard to the need to protect the institutional autonomy of English higher education providers.
5. The guidance may, in particular, be framed by reference to particular courses of study but, whether or not the guidance is framed in that way, it must not relate to—
  - a. particular parts of courses of study,



- b. the content of such courses,
  - c. the manner in which they are taught, supervised or assessed,
  - d. the criteria for the selection, appointment or dismissal of academic staff, or how they are applied, or
  - e. the criteria for the admission of students, or how they are applied.
6. Guidance framed by reference to a particular course of study must not guide the OfS to perform a function in a way which prohibits or requires the provision of a particular course of study.
7. Guidance given by the Secretary of State to the OfS which relates to English higher education providers must apply to such providers generally or to a description of such providers.
8. In this Part, “the institutional autonomy of English higher education providers” means—
- a. the freedom of English higher education providers within the law to conduct their day to day management in an effective and competent way,
  - b. the freedom of English higher education providers—
    - i. to determine the content of particular courses and the manner in which they are taught, supervised and assessed,
    - ii. to determine the criteria for the selection, appointment and dismissal of academic staff and apply those criteria in particular cases, and
    - iii. to determine the criteria for the admission of students and apply those criteria in particular cases, and
  - c. the freedom within the law of academic staff at English higher education providers—
    - i. to question and test received wisdom, and
    - ii. to put forward new ideas and controversial or unpopular opinions, without placing themselves in jeopardy of losing their jobs or privileges they may have at the providers.

## Annex D: Final questionnaire

Teaching on my course	Four-point scale
1. How good are staff at explaining things?	Very good Good Not very good Not at all good This does not apply to me
2. How often do teaching staff make the subject engaging?	Very often Fairly often Not very often Rarely This does not apply to me
3. How often is the course intellectually stimulating?	Very often Fairly often Not very often Rarely This does not apply to me
4. How often does your course challenge you to achieve your best work?	Very often Fairly often Not very often Rarely This does not apply to me
Learning opportunities	Four-point scale
5. To what extent have you had the chance to explore ideas and concepts in depth?	To a large extent To some extent To a small extent Not at all This does not apply to me
6. How well does your course introduce subjects and skills in a way that builds on what you have already learned?	Very well Well Not very well Not at all well This does not apply to me
7. To what extent have you had the chance to bring together information and ideas from different topics?	To a large extent To some extent To a small extent Not at all This does not apply to me
8. To what extent does your course have the right balance of directed and independent study?	To a large extent To some extent To a small extent Not at all This does not apply to me

9. How well has your course developed your knowledge and skills that you think you will need for your future?	Very well Well Not very well Not at all well This does not apply to me
<b>Assessment and feedback</b>	<b>Four-point scale</b>
10. How clear were the criteria used for marking your work?	Very clear Clear Not very clear Not at all clear This does not apply to me
11. How fair has the marking and assessment been on your course?	Very fair Fair Not very fair Not at all fair This does not apply to me
12. How well have assessments allowed you to demonstrate what you have learned?	Very well Well Not very well Not at all well This does not apply to me
13. How often have you received assessment feedback on time?	Very often Fairly often Not very often Rarely This does not apply to me
14. How often does feedback help you to improve your work?	Very often Fairly often Not very often Rarely This does not apply to me
<b>Academic support</b>	<b>Four-point scale</b>
15. How easy was it to contact teaching staff when you needed to?	Very easy Easy Not very easy Not at all easy This does not apply to me
16. How well have teaching staff supported your learning?	Very well Well Not very well Not at all well This does not apply to me

<b>Organisation and management</b>	<b>Four-point scale</b>
17. How well organised is your course?	Very well organised Well organised Not very well organised Not at all well organised This does not apply to me
18. How well were any changes to teaching on your course communicated?	Very well Well Not very well Not at all well This does not apply to me
<b>Learning resources</b>	<b>Four-point scale</b>
19. How well have the IT resources and facilities supported your learning?	Very well Well Not very well Not at all well This does not apply to me
20. How well have the library resources (e.g., books, online services and learning spaces) supported your learning?	Very well Well Not very well Not at all well This does not apply to me
21. How easy is it to access subject specific resources (e.g., equipment, facilities, software) when you need them?	Very easy Easy Not very easy Not at all easy This does not apply to me
<b>Student voice</b>	<b>Four-point scale</b>
22. To what extent do you get the right opportunities to give feedback on your course?	To a large extent To some extent To a small extent Not at all This does not apply to me
23. To what extent are students' opinions about the course valued by staff?	To a large extent To some extent To a small extent Not at all This does not apply to me
24. How clear is it that students' feedback on the course is acted on?	Very clear Clear Not very clear Not at all clear This does not apply to me

25. How well does the students' union (association or guild) represent students' academic interests?	Very well Well Not very well Not at all well This does not apply to me
<b>Final question (NOT ENGLISH PROVIDERS)</b>	
26. Overall, I am satisfied with the quality of the course.	Definitely agree Mostly agree Neither agree nor disagree Mostly disagree Definitely disagree Not applicable
<b>Mental wellbeing services</b>	<b>Four-point scale</b>
27. How well communicated was information about your university/college's mental wellbeing support services?	Very well Well Not very well Not at all well This does not apply to me
<b>Routed – Freedom of expression (NOT WELSH; N. IRELAND; SCOTLAND)</b>	<b>Four-point scale</b>
28. Looking back on the experience, are there any particularly positive or negative aspects you would like to highlight?	Open text
<b>Open text question – all</b>	
29. During your studies, how free did you feel to express your ideas, opinions and beliefs?	Very free Free Not very free Not at all free This does not apply to me

## Annex E: Pilot of response scales

1. In August 2022, the OfS commissioned a pilot of new NSS questions and response scales. The main aim of this research was to assess whether four or six response options should be used for the new direct questions from the 2023 NSS onwards. Previous piloting suggested that using a four-point scale could reduce the ability to identify differences between points on the scale, by making responses more positive; possibly by removing the middle point of the response scale and pushing respondents towards a more positive response. It was felt that a wider response scale could allow excellence to be identified by, for example, using the highest two responses as the positivity measure.
2. The pilot included 5,051 responses split four ways. A quarter of the respondents were asked to complete a questionnaire containing 31 questions, all with a four-point, item-specific response scale, which predominantly followed the structure of the previous pilot. A further quarter completed the same questions but with a six-point scale, which had been cognitively tested. The remaining half of the sample was again split between four and six response options, but these respondents only completed a selection of the questions and then scored their response on a 100-point numeric scale.
3. The data from this pilot was received at the end of September and, with loading, checking, and cleaning, left a short window for analysis ahead of decision making for the 2023 NSS. The analysis is therefore limited in scope and focused on answering the core question of whether to use a six-point or four-point response scale. Further analysis of this data will be completed after this publication.
4. This analysis seeks to answer the following questions:
  - a. Are all the response options in each scale used by respondents?
  - b. Does the use of a six-point scale rather than a four-point scale lead to lower rates of respondents picking positive options?
  - c. Are all the response options considered as distinct, or are some used interchangeably to express the same view?
  - d. Is there other evidence that one number of response options is better than the other?
  - e. Are there any groups of questions which may need revisiting before the final survey is released?

### Use of response options

5. The stage of the analysis explored whether all response options in each scale were used by respondents.
6. We found that, for both alternatives, all response options were used by at least some respondents: no response option was obviously redundant. Interestingly, we found some evidence that students' responses reflected the position of the response option, rather than the wording attached to it. For example, the proportion of students choosing the upper response option remained roughly the same, regardless of the label.

## Positivity measures

7. The stage of the analysis explored whether the six-point scale would lead to lower rates of respondents picking positive options.
8. To test the scales, a 'positivity measure' was calculated for each question. For consistency, this was using the upper half of response options, for example the upper three of the six-point scale. Broadly, the positivity measures for the four-point version matched those in the previous pilot and were higher, on average, than the agreement rates from the existing agree/disagree response scales. Due to the size of the pilot, comparisons were only possible at a high level, not more detailed breakdowns such as providers.
9. Comparing responses to the four- and six-point scales showed that, for almost all questions, the positivity measure was higher for the six-point response option. This suggests that the six-point does not mitigate concerns about the removal of the middle option by forcing respondents to be more positive. In fact, for most questions this effect increased with two additional response options, from two to nine percentage points. It appears that a six-point scale would only address these concerns if we were willing to regard only the upper two options on the scale as positive.

## 100-point sliding scale

10. This stage of the analysis explored whether all response options were seen as distinct options by respondents, and whether respondents had enough options to fully express their views. It also explores data which could give other evidence for using six response options rather than the four, or vice versa.
11. Half of the sample were given a subset of the questions and asked to also score their response on a 0-100 sliding scale. This allowed us to assess the relative positions of the response options. For each response option we calculated the median value and the upper and lower quartiles, which allowed us to view the average and spread of responses whilst minimising the effect of outliers in the data. There were several key findings from this data:
  - a. All response options were ordered as expected across both versions.
  - b. The four-point scale consistently showed distinct steps between each of the response options with very little overlap between the interquartile ranges, particularly at the positive end of the scale.
  - c. The biggest gap in the range for all questions was in the middle, between the second and third points of the four-point scale and the third and fourth points of the six-point scale.
  - d. Although respondents used the 0-100 sliding scale after making their response, there is some evidence that those who were scoring in the middle tended to have picked the lower of the middle options of the four-point scale. However, for the six-point scale these respondents appeared equally likely to pick the higher or lower middle option. This would account for the higher positivity scores for the six-point scale discussed above.

12. In summary, this analysis shows that the response options are distinct from each other, particularly for the four-point version and most clearly at the positive end of the scale. This provides some evidence that the four points could be used separately, for example the most positive point could be used on its own to identify excellence. This analysis does not suggest any clear advantage to using the six-point response scale.
13. We tested the significance of the differences between the mean scores of each of the response options. In almost all cases, the differences were significant to at least a 95 per cent confidence level. The only cases where the significance was below this level were at the negative end of the scale where there were smaller numbers of responses. We can therefore conclude from this analysis that both response scales provide distinct response options throughout the scale, but specifically at the positive end.

## **Extent scale**

14. This stage of the analysis explores whether some groups of questions may need revisiting before the survey is finalised.
15. The new questionnaire uses a variety of different response scales, and there are unusual patterns relating to the 'extent' scale, which for the four-point scale varies from 'to a large extent' to 'not at all'. Five questions used this scale and each of these performed abnormally when comparing the positivity measure for the four- and six-point scales. None showed a higher positivity measure for the six-point scale and two scored higher for the four-point (three were the same for both scales). This suggests that the wording for one of the scales did not match other scales used.
16. One aspect of this is that all other six-point scales tested were the four-point scales with a more positive option added to one end and a negative option added to the other, for example 'unfair' was added to the negative end of the 'fair' scale. This was not possible for the extent scale as there isn't an antithesis of 'extent'. This meant that the six-point extent scale had the same extreme negative point as the four-point, 'not at all'. The extreme negative point could account for some of the difference.
17. In addition, the 100-point analysis also suggested that the second of four extent options, 'hardly at all' scored more negatively than other scales. This could result in respondents picking a more positive option, particularly if they are unsure. The response option 'hardly at all' was not used in the six-point scale.
18. We therefore recommend an alternative to this response option if the four-point scale is taken forward. We therefore propose taking forward the following wording from the six-point scale: 'to a small extent'.





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