

# Future approach to quality regulation: Analysis of consultation responses

**A report by Pye Tait Consulting for the  
Office for Students**

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# Executive summary

## Background

The Office for Students (OfS) is consulting on proposed changes to the way it regulates and assesses the quality delivered by registered higher education (HE) providers in England. The consultation outlines both the current regulatory approach and a set of proposals for a future, more integrated system.

Currently, the OfS sets requirements for quality and standards through its 'B' conditions of registration, which set baseline expectations for all providers and courses. The OfS also undertakes targeted quality assessments where concerns arise. Alongside this, the Teaching Excellence Framework (TEF) incentivises HE providers to improve and deliver above the minimum requirements, with the most recent exercise in 2023.

The OfS is thus proposing reforms to its current approach to quality regulation that will ensure it is integrated, drives sector-wide improvement, and provides a clear view of the quality delivered by different providers, including to:

- assess and rate all OfS-registered providers through the future TEF on a cyclical basis
- extend the scope of the TEF to postgraduate taught (PGT) provision after the first cycle of assessment
- generate an 'overall' TEF rating automatically based on the lower of the 'student experience' and 'student outcome' ratings
- align the scope and ratings criteria for the student experience aspect with the requirements of conditions B1, B2 and B4
- revise and simplify condition B3 on minimum requirements for student outcomes, and integrate into the future TEF an assessment of whether a provider meets them
- introduce a strengthened set of incentives and interventions that vary according to the level of quality and risk.

The OfS launched a public consultation on 18 September 2025 which set out its initial proposals on its future approach to quality regulation; it closed on 11 December 2025. During this time, the OfS also ran four feedback events. Pye Tait Consulting was commissioned to undertake an analysis of the 220 unique consultation responses and the feedback events. This report presents the findings from the analysis of all responses received.

The executive summary takes a thematic approach to draw together key issues emerging from across the consultation. Chapter 2 contains detailed findings structured by each consultation proposal and question. The full consultation documents are available in Appendix 2.

## Key findings

### Views on the overall proposals

Broadly, respondents welcomed the proposals and saw these to offer a more coherent system that will give a clearer picture of quality, by using an approach that is risk-based and proportionate – and they put forward various helpful considerations.

Respondents felt the proposed approach would create efficiencies for providers through the integration of condition B3 and elements of Access and Participation Plans (APPs) into the TEF assessments. They believed this would reduce duplication by streamlining evidence

and lessen the financial and administrative burden on providers, although they still saw some overlap between TEF and APP requirements. Respondents largely favoured the removal of the progression indicator from condition B3, due to limitations in available data, although some wished to retain this to demonstrate the importance of, and commitment to, onward employability and careers. Meanwhile, a large minority requested that balance is retained between compliance and quality enhancement, to avoid the TEF shifting towards being a tool of compliance.

Respondents welcomed the shift to assess all providers, saying this would ensure all students reap the same benefits of quality assurance and ensure consistency. However, they noted that small and specialist providers may be unduly burdened, and suggested requirements are scalable and supported by OfS briefings, peer networking, and mentoring.

The phased approach to start with undergraduate provision before including PGT in later TEF rounds would, respondents felt, give a clear picture of providers' offer, and many requested an additional consultation to understand the nuances of PGT provision and to agree appropriate assessment metrics. Over half highlighted risks associated with including apprenticeships in the TEF, discussing potential regulatory overlap with Ofsted as creating additional burden.

## **Views on student outcomes and student experience aspects**

Respondents favoured the proposal to have an overall rating and ratings for student outcomes and student experience as this was seen to present a balanced picture of quality. Respondents also welcomed the proposal not to rate the student outcomes aspect where there is insufficient data, although some felt this could unfairly disadvantage certain providers.

There was strong support for including the student voice within the student experience aspect, and for including other student sources where National Student Survey (NSS) data is lacking. Meanwhile, there was reasonable support for the proposed approach to rating the student outcomes aspect and the ratings criteria, although some queried including a salary measure, and others queried the removal of educational gains.

Respondents discussed various potential data limitations, for example linking to:

- gaps in NSS coverage relating to college-based HE students or to modular delivery
- Longitudinal Education Outcomes (LEO) data presenting an incomplete picture of graduate earnings
- small cohorts resulting in data volatility and 'spikes' in datasets
- data lags that may result in a distorted picture.

Respondents thus argued it was important for the narrative submission to more accurately represent a provider's context, and made suggestions for additional or alternative evidence that could be submitted. Some mentioned that a risk of limiting contextual factors may disadvantage small and specialist providers.

Respondents welcomed the approach to publishing outputs and outcomes while ensuring accessibility for different audiences. They stressed it was important to ensure sufficient contextualisation and clarity when communicating information (for example relating to data lags, or why there was no student outcomes aspect). Many welcomed the OfS's suggestion to share best practice, for example through thematic summaries or case studies.

Whatever approach is taken when publishing ratings, respondents requested a clear explanation of the difference between a Bronze rating under the old and the new TEF.

## Views on ratings, incentives and interventions

Around one in six respondents felt the repositioning of the Bronze rating as provision that meets minimum requirements could cause confusion for prospective students and the public, compared to its current definition. Respondents felt this could encourage providers to become risk-averse, for example by minimising innovation, or reducing support for widening participation, to avoid a ‘downward spiral’ in ratings.

There was only lukewarm support for the proposed incentives and interventions. Respondents more commonly viewed these as being more compliance than improvement-focused and would instead welcome a more context-driven system. Many felt that Bronze-rated providers could be unfairly impacted for meeting minimum quality requirements and saw the risk of this creating a two-tier system – they believed that restricting student growth could undermine a provider’s ability to develop and enhance provision, thus preventing improvements the OfS expects of them. Some respondents also felt that linking degree awarding powers (DAPs) to the TEF was inappropriate as they saw these as distinct areas.

While some welcomed restricting representations to Bronze and Requires Improvement ratings, more favoured opening this to all ratings to allow opportunities for constructive dialogue, particularly with what was ‘at stake’ in terms of the proposed incentives and interventions.

Around a quarter also discussed how linking TEF ratings with a fee uplift (as determined by the Department for Education (DfE)) could affect a provider’s financial sustainability and cause reputational damage both at provider and sector level.<sup>1</sup>

## Views on implementation

Most supported the proposed approach to scheduling and assessment cycles. Respondents saw this as a sensible, risk-based approach with its built-in flexibility, although some would welcome 12 rather than six months’ notice of assessments.

In terms of scheduling, respondents would welcome consideration of other exercises, with Research Excellence Framework (REF) submissions and Ofsted assessments frequently cited. There was no clear consensus on whether the TEF and APP submissions should be aligned, but respondents agreed that clear communication would help providers prepare and plan.

Meanwhile, the timelines for implementation were viewed as sensible, albeit with limited room for slippage.

There was general support for students to act as assessors, alongside academic experts, and for assessors to reflect a range of provider types and sizes. Suggestions to enable participation included flexible, modular training, assessor pairing, and financial remuneration.

## Other comments

Respondents sought clarity on various aspects, including definitions of particular terms (such as clearer differentiation between the ratings, and the associated incentives and interventions), the relative weighting of certain elements within an aspect that would be used to determine the rating, and practicalities of implementation.

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<sup>1</sup> It should be noted that, while this consultation was live, the DfE published its Post-16 Education and Skills White Paper, that stated the government’s intention to “link the fees that providers can charge to judgements on quality” – a proposal that was not included in this OfS consultation.

Clarity was also sought on the methodology used to derive the proposed assessment fee, with respondents noting the burden for smaller providers and suggesting the approach is scaled to institutional context.

# 1. Introduction

## 1.1 Background

The Office for Students (OfS) is the independent regulator of higher education (HE) in England. The OfS seeks to ensure that students from all backgrounds benefit from high quality HE, delivered by a diverse, sustainable sector that continues to improve.

The OfS is consulting on proposed changes to the way it regulates and assesses the quality delivered by registered HE providers in England. The consultation outlines both the current regulatory approach and a set of proposals for a future, more integrated system.

The OfS is consulting initially on proposals for the principles, scope and structure of a revised system. It expects to undertake a second consultation, later in 2026, on the detailed content, methods, data and guidance.

### 1.1.1 Current approach to quality regulation

Currently, the OfS sets requirements for quality and standards through its B conditions of registration, which set baseline expectations for all providers and courses. These include requirements for:

- appropriate and effectively delivered course content (B1)
- sufficient resources, staffing and academic support to enable students to succeed; and sufficient student engagement in provision development (B2)
- sufficiently positive student outcomes both in and beyond their studies (B3)
- effective and reliable assessment that maintains credibility of awards over time (B4)
- appropriate setting and application of the standards for awards (B5).

Providers are assessed against these conditions at registration and on an ongoing basis.

The OfS also undertakes targeted quality assessments where concerns arise. The OfS takes a risk-based approach to prioritising these assessments, which comprise two forms: qualitative assessments through targeted visits; and quantitative assessments that focus on positive student outcomes.

Alongside this, the Teaching Excellence Framework (TEF) incentivises HE providers to improve and deliver above the minimum requirements. The TEF does this by assessing and rating universities and colleges for excellence in student experience and student outcomes. The most recent exercise in 2023 rated undergraduate provision based on data indicators produced from national datasets, and evidence from provider and student submissions. Participation in the TEF is mandatory for universities and colleges with 500 or more undergraduate students; small providers can choose whether to participate. 227 providers participated in the last TEF exercise. The ratings awarded last for four years, or until the next exercise supersedes these (whichever is longer).

### 1.1.2 Proposed reforms to the current quality regime

The 2024 independent public bodies review of the OfS recommended bringing quality activities together into a more integrated assessment system and further recommended placing greater emphasis on driving improvement in quality across all providers.<sup>2</sup>

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<sup>2</sup> [Department for Education, 2024, Independent Review of the Office for Students](#)

The OfS is thus proposing reforms to its current approach to quality regulation that will ensure it is integrated, drives sector-wide improvement, and provides a clear view of the quality delivered by different providers. These proposals were informed through the OfS's engagement with providers and students, and evaluation of its current approach.

Some of the most notable proposals include suggestions to:

- assess and rate all OfS-registered providers through the future TEF on a cyclical basis
- extend the scope of the TEF to PGT provision after the first cycle of assessment
- generate an 'overall' TEF rating automatically based on the lower of the 'student experience' and 'student outcome' ratings
- align the scope and ratings criteria for the student experience aspect with the requirements of conditions B1, B2 and B4
- revise and simplify condition B3 on minimum requirements for student outcomes, and integrate into the future TEF an assessment of whether a provider meets them
- introduce a strengthened set of incentives and interventions that vary according to the level of quality and risk.

The full list of 15 proposals is available on the OfS's website.<sup>3</sup>

The OfS launched a public consultation on 18 September 2025 which set out its initial proposals on its future approach to quality regulation; it closed on 11 December 2025. The consultation was open to anyone interested in responding, either as an individual, organisation or group.

During this time, the OfS also ran four feedback events – three online webinars and one in-person event. One of the online webinars was for students and student representatives, one for staff at a university or college that has not participated previously in the TEF, and one for staff at a university, specialist education provider or college that has participated in the TEF. Attendees could register for the events through the OfS's website, and a total of 181 participants attended. The sessions were facilitated by OfS members of staff.

Pye Tait Consulting, an independent research agency, was commissioned to undertake an analysis of the consultation responses and feedback events. This report presents the findings from Pye Tait's analysis of all responses received to the consultation.

The OfS will publish its own response alongside this analysis report which will set out how it has considered responses to the consultation in making its decisions, alongside other relevant information and factors that may not be mentioned in this report.

## 1.2 Aim and objectives

The overarching aim of this research was to analyse all responses received as part of the consultation and to report the findings to the OfS. Specific objectives were to:

- conduct an objective and comprehensive qualitative analysis of all responses to the consultation
- identify and categorise themes, focus areas or questions
- report on the findings.

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<sup>3</sup> [OfS website, Consultation on the future approach to quality regulation](#)

## 1.3 Methodology

### 1.3.1 Consultation approach

The OfS developed the consultation questionnaire which comprised 32 questions to seek views on different aspects of its proposals for the future approach to quality regulation. The consultation questions can be found in Appendix 2, and the structure of this report mirrors that of the consultation.

The consultation was open from 18 September to 11 December 2025. The main route through which to submit responses was the OfS's online 'smart survey' portal. In total, 257 responses were received, of which 253 were received through the online portal, and four offline responses were received as documents by email.

The OfS shared all consultation responses with Pye Tait Consulting in line with OfS's privacy notice and data sharing agreement. The OfS also shared anonymised notes from the four student and provider webinars and events. Pye Tait Consulting then undertook onward analysis of all responses and event notes.

In addition, the OfS held feedback sessions with representatives from other stakeholder organisations. The OfS will consider the feedback from these stakeholder engagement activities – which is not included in this report – alongside this report as it develops its response.

### 1.3.2 Approach to the analysis

Before undertaking a detailed analysis, Pye Tait Consulting first reviewed and cleaned the 257 responses by checking for blank responses, duplicates, errors, or coordinated responses, and removed 37 responses, leaving 220 unique, substantive responses for analysis.

Pye Tait Consulting analysed responses at an overall level and undertook sub-group analysis to explore any notable differences by respondent type. Details of the grouping can be found in Appendix 1.

Pye Tait Consulting then conducted qualitative analysis and reporting of the cleaned data in four successive stages.

- a) A review of all responses to identify broad themes and sentiment.
- b) Identification of key themes in relation to each question. Based on this, Pye Tait Consulting developed a coding framework, incorporating checks for inter- and intra-coding consistency, and finalising in collaboration with the OfS.
- c) A comprehensive review to code each response to each question according to the coding framework, to identify the frequency of themes overall and by respondent sub-group, and to identify out all substantive points made by respondents for the OfS's onward consideration.
- d) A write-up of each question on the basis of the codes and themes identified.

On completion of each stage, Pye Tait Consulting discussed outcomes with the OfS before moving forward to the next phase.

### 1.3.3 Interpretations and limitations

An open consultation of this nature does not seek to be a representative sample of the whole population. The implication of self-selection bias is that an assessment of views can only be made for the respondents who choose to participate and will not represent the entire target

population, but rather a small subset. As such, the findings should be interpreted with caution.

It should be noted that institutional/organisational responses represent the views of one organisation and that a single collective response may have received contributions from multiple individual or organisation members. Furthermore, it should be noted that some responses were received from sector bodies which therefore reflect the views of their memberships. These organisational responses, including those from sector bodies, have not been weighted in the analysis. This means each response has an equal weight. The reader is advised to bear these points in mind when interpreting the report.

The structure of this report mirrors that of the consultation, with analysis broken down by consultation proposal and by consultation question. Some themes arise under multiple proposals and questions; however, the analysis does not set out the total number making a specific point across the entire consultation. Instead, each sub-section outlines the number of respondents providing views in response to that particular question. Numbers and percentages quoted relate to each consultation question being discussed, not to the overall total number of respondents.

Furthermore, where a percentage is given to indicate a positive or negative sentiment, it cannot be inferred that all remaining respondents hold the opposite sentiment. For example, if 10% of respondents verbalised their support for a specific element of the proposals, it is not to say that 90% of respondents oppose this; rather they have not voiced any opinion on this.

It should be noted that some comments and suggestions are repeated within the report to give a true representation of responses made, even where these show a misunderstanding of a proposals, or a suggestion to include something that is already in the proposals – for example, that there is a second consultation planned with more detailed information.

Some respondents provided comments which covered more than one of the themes that Pye Tait Consulting identified as most commonly arising within each question and analysis. Responses for each theme or code were counted, meaning some responses were counted more than once per question as more than one theme or code was covered. The result is that numbers in the report may not sum to 100% due to cases where a respondent discusses multiple aspects within the same proposal.

Themes arising in response to each question are generally presented in order from most to least frequently mentioned, with the descriptors ‘most’, ‘many’ and ‘some’ being used in descending order to represent the prevalence of opinion from most to least prevalent for each sub-section.<sup>4</sup>

## 1.4 Respondent profile overview

Of the 220 responses analysed, the large majority (206, 94%) were submitted as institutional/organisational responses (i.e. responses that represent the views of one organisation that may have received contribution from multiple individual or organisation members), 13 responses (6%) were from individuals and one did not specify.

Pye Tait Consulting manually assigned responses to a respondent category in agreement with the OfS. Around three in five responses (139, 63%) were institutional or organisational responses from HE providers, and these respondents were further split into three categories:

- university – institutional/organisational responses (92, 42%)
- specialist provider – institutional/organisational responses (25, 11%)

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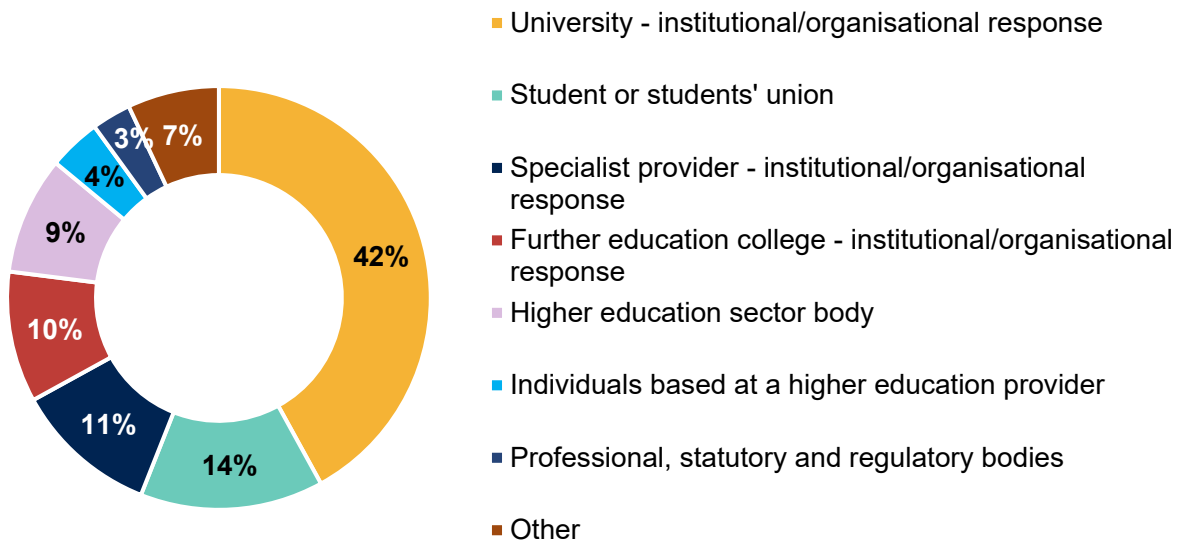
<sup>4</sup> Typically, ‘most’ is used where over 50% of respondents raise a point, ‘many’ is used where over 40% of respondents raise a point, and ‘some’ for points raised by 25% of respondents or fewer.

- further education college – institutional/organisational responses (22, 10%).

A further eight (4%) responses were from individuals based at HE providers. Thirty responses (14%) were from students or students’ unions and 20 (9%) were from HE sector bodies. Seven (3%) were from professional, statutory and regulatory bodies, while 16 responses (7%) were categorised as ‘other’ – these included responses from societies, academic partnerships, charities and other organisations.

Differences in views between respondent categories are presented at relevant points within the report. Where no comment is made about views by respondent category, the reader should assume that there is no notable differences in views between different groups of respondents.

**Figure 1: Breakdown of respondent types**



Base: 220 respondents. Source: OfS consultation, 2025.

## 2. Key findings

### 2.1 Overall quality system

#### 2.1.1 Proposal 1: A more integrated quality system

The OfS proposes to modify the overall quality system to ensure that it is integrated, drives improvement across the sector, and provides a clear view of the quality delivered by different providers.

It should be noted that the two questions associated with this proposal sought views on the overall quality system. Specific aspects are discussed in more detail under each relevant proposal later in this report.

**Respondents were first asked for their views on the proposed approach to making the system more integrated.**

202 comments were received.

#### Levels of support

Three quarters (151, 75%) supported or agreed with the OfS's proposal in principle.

Just over a quarter (52, 26%) said that a more integrated system could create efficiencies for providers through integration of B3 conditions and elements of Access and Participation Plans (APPs) into the TEF assessments. Respondents felt this would help to reduce duplication by streamlining evidence and drawing on similar datasets.

'As a further education (FE) college delivering HE, we support a more integrated quality system where the TEF, B conditions and APPs speak to each other and use a common evidence base. Integration should simplify the landscape for students, give a clearer picture of quality across all types of provider, and avoid parallel processes.' – FE college

One in five (41, 20%) believed the proposals will foster a more coherent system that gives a clearer picture of quality within HE. One in six (34, 17%) highlighted a particular benefit for students, with alignment of B conditions and APPs providing greater clarity on how providers deliver and evidence quality and equal opportunity. A few (nine, 4%) said they find the existing system can be confusing, for example when a provider attains a high TEF rating while facing scrutiny under a B condition.

Maintaining a risk-based, proportionate assessment model was supported by some (16, 8%) as reflective of the diversity of HE providers and to ensure regulatory action is focused where appropriate, thus reducing burden on providers that demonstrate good performance.

Seven (3%) welcomed the OfS's commitment to explore compliance with European Standards and Guidelines (ESG) for quality assurance. Respondents felt this would support the UK's international standing in HE, create new opportunities for international partnerships, and increase confidence in the quality system overall. Most of these responses are from mission groups and thus representative of the views of larger groups of providers.

Other areas of support or agreement included the following aspects:

- targeted interventions to address poor performance (seven, 3%)
- a rolling cycle to enable continuous quality monitoring (five, 2%)
- future inclusion of postgraduate taught (PGT) provision in the TEF (four, 2%)

- extending the system to smaller and more specialist providers (three, 1%).

### Potential risks

Despite widespread support, albeit with some in principle, just over half of respondents (118, 58%) highlighted risks associated with certain elements of the proposals.

Just over a quarter (52, 26%) wished to see a balance between compliance and quality enhancement. One in six (32, 16%) commented that integrating B3 conditions has the potential to shift the TEF towards being a tool of compliance. Respondents felt that the proposed interventions for lower performing institutions may cause the enhancement part of TEF assessment, such as showcasing planned improvements, distinctive strengths and innovative teaching practices, to become sidelined.

‘The new system’s proposed disincentives and interventions to support compliance may create financial challenges for providers that make their pursuit of quality enhancement considerably more challenging. As a result, we believe there is a tension between quality enhancement and compliance which may make the integration in the proposed system incoherent and ineffective at supporting overall teaching quality across the sector.’ – HE sector body

Respondents also discussed the potential burden on small and specialist providers (46, 23%) if they are to be included in future TEF assessments. They highlighted considerations around:

- limited financial (20, 10%) and administrative (18, 19%) resources to engage with the TEF
- smaller datasets that are more variable or sensitive to change and that do not align with undergraduate-orientated metrics (11, 5%).

Event attendees also discussed the challenge of designing a system that accounts for diversity within the sector, with one questioning whether the burden on very small providers of participating outweighs the benefits.

One in ten (21, 10%) reflected on the OfS’s proposed rating methodology and specifically the redefining of Bronze as reaching minimum requirements. Respondents saw this as potentially harming providers’ reputations, and suggested that Bronze should continue to signal performance above the minimum.

A similar number (20, 10%) queried the appropriateness of linking TEF ratings with a fee uplift (as determined by the Department for Education (DfE)), with 10 (5%) stating this could affect the financial sustainability of institutions and in turn limit the pipeline of skilled graduates, reduce provider competitiveness, stifle innovation or harm reputation. It should be noted that, while this consultation was live, the DfE published its Post-16 Education and Skills White Paper, that stated government’s intention to “link the fees that providers can charge to judgements on quality” – a proposal that was not included in this OfS consultation.

Others (16, 8%) discussed the potential overlap between the TEF, APPs and other frameworks, such as the Research Excellence Framework (REF) and the Quality Assurance Agency for HE (QAA) self-evaluation. Respondents felt that moving to a rolling cycle of assessments would result in unmanageable demands on providers.

Other points included discussion on:

- the OfS’s capacity to manage assessment of an increased number of providers (five, 2%)
- difficulty integrating PGT provision due to factors like data limitations and distance learners (three, 1%)
- alignment with ESG requirements and whether intended benefits would outweigh the potential administrative and financial costs for smaller providers (four, 2%).

'We note that achieving ESG compliance would increase OfS costs and therefore provider fees. This cost must be justified by demonstrable benefits for the sector's global competitiveness.' – FE college

### **Further suggestions and considerations**

Around a third (63, 31%) gave suggestions or considerations for the OfS to consider when developing a more integrated system.

Assessment that accounts for context (28, 14%) was discussed, to ensure that diversity within the sector – such as the range of disciplines, pedagogical models, provider size and level of resources, and institutional missions – is considered. Respondents suggested this contextual approach to assessment may also include:

- allowing qualitative data where metrics do not exist (five, 2%)
- separate benchmarking for different levels of HE (two, 1%)
- module-level feedback (one, 1%).

Ten (5%) urged the OfS to ensure the TEF aligns with other assessments and frameworks to avoid unnecessary burden.

Others (eight, 4%) felt that a significant portion of quality regulation, such as investigation of student experience where concerns are flagged, would remain outside of the TEF.

Respondents suggested that the OfS should ensure these elements of compliance do not become diluted under the new system.

Other suggestions or considerations included the following.

- To understand how quality benchmarking will be used in the TEF assessment, with suggestions that 'absolute values' should be considered alongside benchmarks to determine performance (six, 3%).
- Broadening the definition of 'student experience' to encompass the reasons behind entering HE and choosing a particular provider, rather than just perceptions of teaching quality (four, 2%).
- Retaining student voices within the TEF assessment (four, 2%).
- Continuing on-site visits for smaller providers to allow better insight into their individual contexts (three, 1%).
- Considering the impact of the Lifelong Learning Entitlement (LLE) on the future approach to regulation of modular provision (two, 1%).

### **Further clarity sought**

Around a fifth (36, 18%) sought further clarity from the OfS on certain aspects. Ten (5%) were unclear how aspects of B1 and B2 conditions could be integrated into the TEF. Some mentioned this could be through the National Student Survey (NSS) but were unsure about how they would link to specific questions.

More detail about the possibility of aligning with the ESG (nine, 4%) was requested, with four (2%) remarking that the proposal was vague on this point.

A few (five, 2%) were keen to understand more about how the new integrated system would align with the DfE's Post-16 Education and Skills White Paper. One respondent commented that the White Paper seeks to encourage greater specialisation across the sector, running counter to what they perceived as a standardised approach in the OfS's proposal.

Other areas for clarification included the future role of APPs (two, 1%), and how ratings will be released with a move towards rolling cycles of assessment (two, 1%).

**Under this proposal, respondents were then asked for their views on opportunities to reduce duplication of effort between the future TEF and APPs.**

192 comments were received.

### **Benefits of integration**

Around a fifth (35, 18%) mentioned specific benefits of integrating aspects of APPs into the TEF.

Most of these (25, 13%) said closer alignment would lessen the financial and administrative burden on providers, for example through shared evidence bases or synchronised reporting cycles.

Eight (4%) suggested realigning APPs to primarily focus on access and long-term equality of opportunity would result in a more streamlined system.

Six (3%) stated that alignment would give greater recognition of APP activities, such as efforts to widen participation, allowing providers to demonstrate how these contribute to, and contextualise, the metrics captured in the TEF.

### **Opportunities for reduced duplication**

Around two in five (78, 41%) gave practical suggestions on how the TEF and APPs could be better aligned.

Around a third (59, 31%) suggested the evidence base for both processes overlap considerably, with indicators such as continuation, progression and graduate outcomes used in both processes. Some (29, 15%) added that TEF reporting could involve a unified narrative that allows providers to draw on these datasets in one exercise.

Others (25, 13%) felt future APP and TEF submission cycles could also be synchronised to reduce burden, minimising duplication in data collection and analysis, and promoting coherent planning. Event attendees agreed that the OfS should think about the student lifecycle and avoid requesting APP and TEF submission in different years.

'There are opportunities to reduce duplication between the future TEF and the APP. For example, better sequencing of submissions to allow institutions to prepare one set of evidence that serves both purposes. A shared evidence base and metrics with a single dashboard or dataset to streamline reporting and ensure consistency would also help.' – University

Some (12, 6%) highlighted the potential to establish a more consistent evaluation framework, with standardised benchmarks and methods that complement both processes and reduce the need for providers to evidence their impact multiple times.

A few (four, 2%) suggested the OfS could engage students through a single exercise, potentially co-led with students' unions who contribute to both processes.

### **Risks**

More than half (100, 52%) discussed possible risks of aligning the TEF and APPs.

The most common (68, 35%) risk envisaged was potential dilution of focus on certain elements of APPs, particularly the participation aspect which would become embedded in the TEF. Respondents said the proposals could:

- lose sight of success and progression elements if a refocused APP dealt primarily with access (30, 16%)
- value data-driven metrics of the TEF over the contextual, qualitative aspects of APPs (12, 6%)
- disincentivise APP-related work in favour of achieving regulatory targets (10, 5%)
- exclude elements of the Equality of Opportunity Risk Register, such as focus on mental health or provision of student accommodation (four, 2%).

Some (24, 13%) felt alignment also risked undoing progress made in APP development, which has involved significant time and resources.

A third (63, 33%) questioned the suitability of aligning TEF and APPs due to their distinct purposes. Just over a fifth (41, 21%) highlighted the longitudinal and qualitative nature of APPs, in contrast to the TEF's retrospective, data-driven approach. Six (3%) mentioned that APPs examine disparities between student groups, while the TEF benchmarks may not fully capture these subtleties. Webinar participants agreed that finding where APPs and the TEF align is challenging, particularly as APPs are forward-looking documents.

### **Other suggestions and considerations**

Over a quarter (53, 28%) raised other points for the OfS to consider.

One in ten (19, 10%) disagreed with the proposals and felt the OfS should keep both processes separate. Respondents described APPs as valuable documents which allow institutions to outline steps to tackle access and participation issues. One (1%) commented that, while alignment is possible, the innovation and contextual responsiveness of APP documents should be protected.

If integrated, some (11, 6%) suggested that APPs could act as a source of qualitative, contextual insight that informs the TEF data, especially for small and specialist providers with small cohorts.

Nine (5%) urged the OfS to provide a clear delineation between the TEF and APPs, including the evidence required, to ensure the approach genuinely removes duplication rather than adding burden. The same number (nine, 5%) would like to see student voices, critical to both processes, retained under an integrated system.

Seven (4%) felt the forward-looking elements of APPs could also be integrated into a single submission, with one (1%) stating these are often linked to performance indicators underpinning the TEF.

Other points included requests for:

- further guidance from the OfS on how it plans to align the processes, including use of similar datasets (six, 3%)
- clear mechanisms for monitoring APP commitments within TEF submissions (three, 2%)
- alignment to be framed within the context of government plans to reform regulation of APPs, as outlined in the Post-16 Education and Skills White Paper (two, 1%).

### **Further clarity sought**

Around a quarter (44, 23%) sought further clarity on aspects of the proposal.

Some (24, 13%) await further details or the future consultation, stating there was insufficient detail to comment at this stage.

Others (14, 7%) queried how providers that do not currently deliver an APP, such as postgraduate-only providers, and their student populations, will be affected by the proposals.

Nine (5%) would like to understand how current APP cycles might be impacted, with many institutions in the first of a four-year cycle.

Respondents also questioned how funding linked to APPs will be managed in future cycles (two, 1%), and how alignment will interact with proposals outlined in the OfS's APP regional access partnerships work (one, 1%).

## 2.2 The future TEF

### 2.2.1 Proposal 2: Providers in scope

The OfS proposes to assess and rate all OfS-registered providers through the future TEF, on a cyclical basis, with rolling assessment cycles.

**Respondents were asked for their views on the proposal to assess all registered providers.**

192 comments were received.

#### General levels of support

Over half (108, 56%) supported or agreed with the OfS's proposal in principle.

A few (eight, 4%) disagreed outright and felt eligibility thresholds should remain in place, for example the continuing voluntary participation for providers with fewer than 500 undergraduate students. Six of these eight disagreeing were FE colleges or specialist providers who emphasised the potential burden and requested that assessment is scaled to institutional context.

#### Reasons for support

The most common reason for support (27, 14%) discussed was the benefits for students and prospective students, allowing them to compare the outcomes and teaching excellence across a more diverse range of providers, and to ensure that students being taught at small and specialist providers can reap the benefits of quality assurance.

Some (24, 13%) welcomed the increased consistency of quality regulation with more providers coming into scope of the TEF, while others (21, 11%) saw that assessment of all providers will support transparency in the sector.

One in ten (19, 10%) felt the proposal could create a fairer, level playing field, with eight (4%) adding this would ensure all registered providers are held to account for student experience and outcomes.

The potential for sector-wide quality enhancement was mentioned by eight (4%) who felt the approach will help reinforce the principle that all HE students deserve a high quality experience.

'This approach would ensure consistency, transparency, and comparability across the HE sector. It would provide students with a clearer picture of quality and outcomes, regardless of provider size or type, and reinforce the credibility of the TEF as a genuinely sector-wide exercise.' – Other

Other reasons for support included:

- increased public confidence in England's HE system (five, 3%)
- targeted improvements where experience and outcomes are insufficient (three, 2%)
- cyclical assessment will allow sufficient focus on each provider (three, 2%)
- maintaining the value and credibility of OfS registration (two, 1%).

#### Considerations for small and specialist providers

Nearly two in five (74, 39%) felt the TEF assessment should be tailored to providers' context and avoid a one-size-fits-all approach, with over a third (67, 35%) suggesting that small or specialist providers may be disproportionately burdened. This point was raised by a wide range of respondents including larger providers and HE sector bodies. Event attendees

generally agreed, acknowledging that the principle of assessing all providers was reasonable but suggesting that assessment of smaller providers with 500 students or fewer could be difficult, and that consideration of context would be key.

Respondents felt small or specialist institutions may also face difficulties preparing for the TEF assessment due to limited financial resources (41, 21%) or constrained administrative capacity (32, 17%). They believed that the proposals inadequately address cost implications, emphasising that many providers are already experiencing significant financial pressures. A few (five, 3%) added that these challenges may have an adverse effect for students, for example if providers increase fees or courses become less viable. This point was largely raised by students or students' unions.

A quarter (48, 25%) emphasised that assessment of providers should recognise individual context, such as:

- provider type (35, 18%), for example recognising the small cohorts and specialised student populations at colleges and specialist institutions (postgraduate respondents specifically sought clarity on how postgraduate provision would be accommodated)
- institutional mission (12, 6%) – this was often raised by small or specialist providers. One respondent commented that FE colleges often have community-focused drivers and must not be disadvantaged by a methodology that assumes larger cohorts and diverse subject mixes.

Eight (4%) sought further clarity on how the OfS intends to support small providers (five, 3%), and how the OfS will approach providers that fall under multiple regulators (e.g. Ofsted) (three, 2%).

Over one in five (44, 22%), many of whom were small or specialist providers, felt the OfS should consider data limitations, particularly for small and specialist providers. Respondents specifically queried:

- whether small datasets, which are often more volatile and statistically uncertain, could feasibly inform TEF scores (17, 9%)
- the appropriateness of comparing smaller providers to larger institutions within the proposed ratings methodology (six, 3%)
- whether some institutions would meet the data thresholds for publication (three, 2%).

Three (2%) mentioned that small and specialist providers have less developed student representative structures and may struggle to deliver an independent student submission. The same number discussed the limited participation of FE colleges in previous TEF rounds and suggested that students at these institutions are less interested in experience-related metrics.

'Inclusion of all registered providers is accepted, but the OfS must define proportionality and burden clearly for small postgraduate institutions. Regulatory processes should be scalable, avoiding expectations that assume the resources of a large university. Submissions and evidence requirements should recognise the realities of small teams and non-sabbatical student representatives. Small and specialist providers may not meet publication thresholds for data, rendering a metrics-based approach inoperable.' – Specialist provider

Six (3%) disagreed that provider context should be considered during assessment, and felt all providers should be assessed in the same way to avoid a "two-tier" approach. Two (1%) stated that having a contextualised approach per institution could also lead to additional complexity in assessment design.

### **Further considerations**

Some (15, 8%) questioned whether the OfS will have sufficient capacity to conduct assessments – particularly if a greater volume of assessments is required, given that more

providers may receive a Bronze rating (due to its redefinition) – in terms of both overall staff levels and the necessary expertise to capture nuances of more specialist providers in a desk-based exercise.

Under proposal 9, the OfS outlines its intention not to rate the student outcomes aspect of the TEF if data is insufficient. For some (10, 5%), this casts doubt on the validity and certainty of TEF ratings. One respondent commented, in their view, this could lead to providers with poor student outcomes receiving a Gold rating, potentially undermining the overall process.

Other considerations included that:

- the ratings methodology may be more suited to assessing larger providers, possibly leading to reputational damage and disproportionate impact on smaller providers (three, 2%)
- a system tailored to all providers may lead to less accurate judgement, and potentially incentivise providers to 'game' data if underperformance in the TEF threatens the sustainability of an institution (two PSRBs, 1%)
- there was a risk of undermining equality of opportunity for underrepresented groups, since increased financial and administrative demands could fall hardest on smaller providers (two, 1%).

**Under this proposal, respondents were then asked for suggestions on how the OfS could help enable smaller providers, including those that have not taken part in the TEF before, to participate effectively.**

**167 comments were received.**

### **OfS guidance and support**

Over half (93, 56%) mentioned different types of guidance and support the OfS could offer. Half (83, 50%) believed the OfS should adopt a proportionate approach to assessing smaller providers or those new to the TEF. Respondents requested streamlined or shorter submission requirements (34, 20%) and a commitment to assessment that accounts for provider size (27, 16%). Just under a fifth (31, 19%) urged the OfS to allow the submission of qualitative evidence where numerical data is unavailable, such as through focus groups, facilitated discussions, case studies or other contextual information to supplement gaps in data.

Over a quarter (45, 27%) of respondents suggested the OfS organises events, such as online briefings, webinars or workshops, or one-to-one training or mentoring, to help providers better understand the framework and the necessary requirements. Respondents felt this would help increase confidence for newer providers engaging for the first time. FE colleges showed particular interest, with around half of the 22 respondents who commented seeing value in this form of support.

Just over one in five (35, 21%) recommended submission templates to aid small providers and set clear evidence expectations. One in six (28, 17%) suggested including exemplars or best practice case studies.

**'To enable smaller providers, including those new to the TEF, to participate effectively, we recommend a structured approach that recognises the distinct challenges they face. Sharing best practice and lessons learned from providers with similar size, mission, and composition would be highly valuable in supporting engagement.'** – FE college

One in ten (16, 10%) felt providers could benefit from a mentor or point of contact at the OfS to guide them throughout the process, potentially supporting with data analysis where providers lack sufficient expertise. Five (3%) of these respondents believed the OfS should continue on-site visits during assessment for less experienced providers.

Some (14, 8%) felt the OfS could afford certain providers an extended window for the TEF submission. As one respondent discussed, this would reduce administrative burden and ensure a quality response, especially for small providers that have limited staff and financial resource.

Eleven (7%) suggested the OfS provides funding or incentives to smaller providers to support the resources needed for the TEF assessment. Examples mentioned include a small grant scheme for providers with fewer than 500 undergraduate students, or reduced assessment fees to offset administrative costs.

Others (17, 10%) sought clear guidance on how the OfS manages small datasets and what evidence smaller providers should supply when numerical data is unavailable. One respondent commented that the TEF's 'data-driven' emphasis could be unsettling for small providers, as small samples are easily skewed and risk producing inaccurate conclusions.

Phased participation (13, 8%) in the TEF was also mentioned, with respondents recommending that small providers enter later in the first cycle, or to allow an ungraded outcome for first-time participants. Similarly, event attendees suggested allowing smaller providers to submit a 'TEF-light' option, which would involve a TEF statement rather than a full submission, to ease them into the process.

Others (12, 7%) raised queries about charging a flat fee (the proposal sets out this would be in the region of £25,000) for assessment. Respondents suggested fees should operate according to provider size, questioning the fairness of charging small providers the same as large institutions (see also section 2.5.2).

Additional suggestions for support, raised by a small number, included the following:

- making data submissions processes as simple as possible and ensuring that new data dashboards are easy to navigate (nine, 5%)
- liaising with sector bodies that work closely with small and specialist providers (eight, 5%)
- ensuring fair interpretation of data, recognising that small providers may have lower data confidence due to size (seven, 4%)
- consulting the sector further regarding support for small and/or new providers, including design of assessment frameworks (six, 4%)
- ensuring sufficient OfS assessors with relevant expertise (six, 4%)
- aligning the TEF with other submissions such as the REF and APPs (six, 4%)
- providing clear timelines for the TEF submission (four, 2%)
- including explanatory notes to clarify reasons behind TEF ratings (four, 2%)
- further clarity relating to procedural fairness, such as how panels will weigh qualitative and quantitative evidence, and how to evidence satisfaction of B condition components (four, 2%)
- retaining the minimum student number threshold for small providers to participate in the TEF (three, 2%)
- developing quality benchmarking that enables comparison between similar providers (two, 1%).

### **Peer networking and collaboration**

One in five (35, 21%) suggested the OfS could help facilitate peer networking for small providers and those new to the TEF, to encourage collaboration and knowledge sharing.

Some (29, 17%) suggested that this support could involve collaboration with other providers, for example to establish a 'buddy system' with a smaller provider experienced in the TEF to share best practice, forming peer support groups for first-time participants to discuss and compare approaches, or engaging with mission groups and sector bodies to access additional expertise.

## 2.2.2 Proposal 3: Provision in scope

The OfS proposes to assess undergraduate provision in the first cycle of assessments and to extend the scope to include postgraduate taught (PGT) provision in the second cycle.

**Respondents were asked for their views on what provision should be in scope for the first cycle (including views on including apprenticeships, and the proposal to look separately at partnership provision).**

186 comments were received.

### General levels of support

Around three in five (109, 59%) expressed full or in-principle support for elements of the OfS's proposal.

Within this, nearly a third (59, 32%) supported the proposed approach to assessing partnership provision, either fully or in principle. Regarding apprenticeships, over a quarter (50, 27%) fully supported their inclusion, or agreed in principle but highlighted associated risks.

### Limiting the first cycle to undergraduate provision

Over a quarter (51, 27%) agreed that the first cycle should focus solely on the quality of undergraduate provision, with one in ten (19, 10%) suggesting that other provision, such as postgraduate and non-degree apprenticeships, follow in future cycles.

Some (14, 8%) commented that undergraduate provision benefits from a stronger data infrastructure – such as the NSS – compared with much lower response rates seen in postgraduate surveys like the Postgraduate Taught Experience Survey (PTES). (Further comments on expansion to PGT are covered below.)

Thirteen (7%) said a phased approach would also grant the OfS time to develop appropriate assessment frameworks for other types of provision.

### Inclusion of apprenticeships

Around a quarter (50, 27%) supported including apprenticeship provision in the first cycle.

Of these respondents, some (12, 6%) felt the TEF could cover aspects of quality regulation that are not picked up by Ofsted, such as student outcomes. Nine (5%) said it was important to regulate quality for apprentices, stating they are often overlooked. Six (3%) of these added that apprenticeships should be recognised and quality assured at the same level as other forms of provision. A few (six, 3%) mentioned degree apprenticeships specifically, which in their view should be incorporated into the first cycle given their increasing prominence in government and regional skills agendas.

'Apprenticeships are a vital and growing part of the HE landscape, combining academic study with practical skills and directly linking provision to employer and labour market needs. Including them would ensure they are subject to the same expectations of quality, outcomes, and student experience as traditional programmes, while recognising their distinct features.' – Other

Six (3%) suggested apprenticeships should be included on the basis that related data is sufficient to ensure a fair assessment and minimise the risk of inaccurate judgements.

Others suggested that including apprenticeships would:

- reflect the diversity of HE provision (four, 2%)

- support students by ensuring quality and capturing their experiences (three, 2%)
- recognise the role of employers in the HE system (three, 2%).

In contrast, more than half (104, 56%) highlighted risks associated with including apprenticeships, with most of these (97, 52%) suggesting it could lead to dual regulation, with apprenticeship provision currently assessed by Ofsted. Respondents felt this could cause additional, unnecessary burden on providers. Notably, this was mentioned by 19 of the 22 FE colleges who responded to the question.

One in ten (19, 10%) called for clear alignment with Ofsted to prevent duplication. A similar proportion felt apprenticeship provision should be regulated by a single body, with 17 (9%) suggesting it should be excluded from the future TEF. Seven (4%) sought detail on how the OfS is working with other regulators and authorities, such as Ofsted and the DfE, to ensure coherence in quality regulation of apprenticeships.

‘Apprenticeships require a distinct approach. These programmes already operate within a complex regulatory environment involving Ofsted, the OfS, the DfE and multiple PSRBs. Adding the TEF to this landscape risks duplication, confusion and increased burden for providers and employers unless the purpose and added value of the TEF in this space are clearly articulated. Any inclusion of apprenticeships should therefore prioritise clarity, avoid overlap with existing frameworks, and ensure that employer engagement is not complicated by competing requirements.’ – University

A fifth (37, 20%) commented that including apprenticeship provision could add complexity to assessment design as it differs significantly from classroom-based learning, involving distinct delivery models and employer partnerships.

Similarly, some (13%) pointed to what they saw as limitations in using apprenticeship data. They felt apprentices have unique outcomes – often progressing into roles with sponsoring employers – giving providers less control over measures like satisfaction and completion. Respondents also stated that the combination of low completion rates with high employment outcomes may lead to confusing judgements.

Three (2%) suggested that apprenticeships could continue to be included on an opt-in basis, allowing providers to decide whether inclusion is appropriate.

### **Approach to partnership provision**

Around a third (57, 31%) agreed with the OfS’s general approach to assessing partnership provision.

Just under a quarter (45, 24%) supported the proposal to present data separately. Some (19, 10%) emphasised the advantage this brings for students by ensuring that quality of both the lead and teaching providers are fully transparent and reflective of contributions each partner brings to the provision.

Some (24, 13%) went further and suggested partnership provision should be assessed and rated separately and argued this approach would offer more transparency for students, as well as safeguarding quality by ensuring appropriate oversight of teaching, thus maintaining accountability.

However, a small number (13, 7%) agreed with the OfS proposal that overall ratings should not be separated – seven (4%) believed lead providers should take responsibility for quality if they hold degree awarding powers, while three (2%) agreed with the OfS’s comments regarding potential cost and complexity. Another three (2%) added that separate ratings would confuse students, particularly where ratings differ significantly.

There was some disagreement (24, 13%) with the OfS’s proposal for ‘material differences in quality...to have a limiting effect on a provider’s ratings’. Respondents felt this could lead to unfair skews in data (13, 7%) or misleading judgements (10, 5%). Five (3%) suggested that

the effect on TEF ratings could deter lead providers from entering or continuing partnerships. Three (2%) sought detail on the criteria for determining 'material differences' in quality between partners, and how this relates to the proposed ratings methodology.

Some (23, 12%) requested more detail about the OfS's assessment approach, particularly for partnership provision, as they were unclear regarding the respective responsibilities and data requirements of lead and teaching providers.

Some (11, 6%) asked that the OfS identifies and acknowledges different types of partnership provision, such as franchised and validated, suggesting each may suit a unique assessment approach. Sixteen (9%) were unsure about the OfS's approach to assessing providers with multiple partners and the implications on TEF ratings, while nine (5%) felt providers with multiple partners should not be assessed more than once through the TEF. One noted this could move the TEF from a whole provider framework towards a more subject-level assessment model.

### **Other comments**

Six (3%) sought further detail on the OfS's plan to assess modular provision and those studying under the LLE.

A few (five, 3%) supported the OfS's proposal not to extend assessment to transnational education, highlighting the complexity of the sector and potential regulatory overreach. An event attendee also mentioned the risks of dual regulation across different countries.

### **Under this proposal, respondents were then asked for views on the proposed approach to expanding assessments to include PGT provision in future cycles.**

**191 comments were received.**

Roughly a quarter (45, 24%) supported the proposal, with a further 57 (30%) supporting with caveats. Only one respondent explicitly disagreed.

### **Reasons for support**

Of the 45 (24%) who supported the proposal, benefits for students were mentioned by some (31, 16%), with one in ten (19, 10%) saying quality assurance was important for PGT students and 12 (6%) stating it would promote a more informed choice of provider.

Some (24, 13%) felt the inclusion would lead to a fuller, more comprehensive TEF that gives a clearer picture of HE provision and providers' offerings. Others (15, 8%) said there would be greater recognition of PGT provision to place it on a more equal footing with undergraduate provision.

A few (11, 6%) agreed with the OfS's proposal to rate undergraduate and PGT provision separately, with both forms said to have distinct features.

Eight (4%) would like to see PGT assessed in the first cycle, stating that its priority for inclusion outweighs any risks. If delayed, two (1%) believed this could disincentivise resources dedicated to PGT provision, adversely affecting student experiences.

### **Considering distinct features in assessment design**

If the TEF were to expand and include PGT provision, just under a third (61, 32%) felt the OfS must consider its distinct features when designing an assessment approach. Respondents raised the following points.

- **Cohort size:** Courses typically involve small numbers of students (34, 18%).
- **Course length:** Students normally study on shorter, intensive courses – respondents highlighted challenges in generating reliable data and capturing meaningful student engagement (29, 15%).

- **Student motivations:** Students are often already employed and seeking career advancement rather than new roles, potentially making TEF metrics such as continuation, completion and progression less suitable (28, 15%).
- **Mode of study:** Many students study part-time and at a distance, with less engagement at the provider (20, 10%).
- **Specialised courses:** This provision could benefit from more discipline-specific, qualitative evidence in contrast to the broader metrics captured in the TEF (12, 6%).
- **Distinct student cohorts:** PGT provision includes a higher proportion of mature and international students, who are said to engage less with student surveys. Respondents also noted the limited availability of outcome data for international students, many of whom return to their home countries after graduating (11, 6%).

'It is important to note that postgraduate and undergraduate courses are at two very different ends of the spectrum. Postgraduate courses are often shorter, intense and specialised. Postgraduate students often also have different goals from an undergraduate student. This could be career change, academic progression to a PhD or their own professional development. Many students also balance a job or family responsibilities, for example. Evidence therefore should be tailored to postgraduate learners.' – Student or students' union

Some of these features, particularly the smaller cohorts in PGT provision, led roughly one in five (40, 21%) to highlight the potential for insufficient data to inform TEF metrics. Some (18, 9%) also mentioned historically low response rates of current PGT surveys, such as the PTES.

Similarly, over a fifth (44, 23%) indicated the OfS should adopt a phased or piloted approach to PGT inclusion, to allow a robust data infrastructure to develop, ensuring TEF metrics can be easily gathered and suitably benchmarked. Respondents also suggested this would allow the OfS adequate time to design an assessment framework.

### Risks

Eleven (6%) flagged additional resource burden, especially on smaller providers. Respondents said that many institutions are already under significant resource pressure, and that adding PGT provision could divert critical support away from students and undermine the quality of their experience.

A few (four, 2%) suggested the timelines for incorporating the provision into the second TEF cycle is tight and may not allow for the development of robust datasets.

### Development of PGT student survey

Some (14, 7%) explicitly agreed that this should be piloted and reviewed for effectiveness, before it begins to inform TEF assessment. Nine (5%) also said the survey must be tailored to postgraduate students to recognise their distinct characteristics. The same number urged the OfS to begin development and piloting of this promptly, to maximise the availability of data for future cycles.

Others (eight, 5%) suggested reviewing the PTES, which could help inform the survey's development. One respondent pointed to PGT-specific areas, such as views on community and the sense of belonging among postgraduate students, which could be incorporated.

Identifying an appropriate time of year to run the survey was mentioned by seven (4%), as PGT provision typically involves multiple intakes across the academic year.

Other comments relating to the survey included the following:

- ensuring sufficient response rates (four, 2%)
- expanding the NSS to incorporate different cohort levels, rather than creating an equivalent survey (three, 2%)

- replacing the PTES, which was not seen as fit-for-purpose (two, 1%).

### Further clarity

Some (34, 18%) believed the OfS should consult the sector further on the assessment framework design. Specifically, respondents would want to offer views on:

- the proposed evidence base for assessing PGT provision, including specific indicators and metrics captured (20, 10%)
- the design of the PGT student survey (13, 7%)
- the OfS's evaluation and benchmarking approach (11, 6%).

Others (eight, 4%) sought further clarity on the ratings methodology and whether ratings for undergraduate and PGT would be kept separate, or whether they would be combined into an overall judgement.

Six (3%) felt the timeline for introducing PGT provision was not obvious from the proposals and requested clarity on this.

Other areas where clarity was sought included:

- which category of provision an Integrated Master's Degree will fall under (as this combines both undergraduate and postgraduate study) (four, 2%)
- whether the PGT cycle will require a separate assessment fee (three, 2%)
- how the OfS plans to assess modular and/or LLE provision (three, 2%)
- how the proposed alignment of APPs will impact PGT assessment (two, 1%).

### Other comments

Three (2%) felt the OfS should evaluate and learn from the changes made to quality regulation of undergraduate provision before expanding to PGT provision.

Another three (2%) supported future inclusion of transnational education – for greater transparency and to address the unique aspects of the provision – but acknowledged that this will take time to embed.

Two (1%) suggested that providers with minimal PGT provision should enter the TEF on an opt-in basis, while one (1%) said that alignment with existing data sources will be essential to limit burden on providers.

## 2.2.3 Proposal 4: Assessment aspects and ratings

The OfS proposes to assess and rate providers for 'student experience' and 'student outcomes', and to generate 'overall' provider ratings based on these two aspect ratings.

### Respondents were asked for their views on the proposal to assess and rate student experience and student outcomes.

203 comments were received.

#### General levels of support

Around two thirds (132, 65%) supported the proposal to assess and rate student experience and outcomes.

Just over half (103, 51%) expressed support for assessing both aspects to present a balanced picture of quality, recognising the value of incentivising excellence in both and providing continuity in terms of previous iterations of the TEF. One in ten (20, 10%) commented on alignment with B conditions, noting that this is a logical step.

'We support the proposal to assess and rate student experience and student outcomes as indicators of educational quality. A focus on these areas is essential for ensuring that HE institutions are delivering value to students, both during their studies and in their post-graduation trajectories.' – University

Some other suggestions were made on the proposed approach to assessing and rating student experience and student outcomes – for example, there was a view expressed by a students' union that the student experience should carry greater weight. In addition, another respondent suggested a weighted approach.

'One possible approach would be to adopt a weighted aggregation model, where both aspects contribute substantively to the overall judgement but are not allowed to cancel each other out. In such a model, stronger performance in one aspect could offset marginally weaker performance in the other, while still allowing genuinely poor performance to be clearly signalled. This would preserve the two-aspect structure, maintain regulatory clarity, and provide a more accurate and context-sensitive reflection of institutional quality.' – University

### **Factors to consider**

While there was broad support overall, respondents reflected on a range of factors that they considered important when assessing and rating student experience and outcomes. The most frequent observation related to a request to ensure assessments are not exclusively based on standardised metrics. Around three in ten (59, 29%) would welcome consideration of context and equity in making these assessments to ensure that the diversity of provision is taken into account.

Respondents noted that assessments and ratings should consider different provider types and missions (32, 16%) and diverse student populations (29, 14%). Respondents from smaller and specialist providers were particularly keen to note that context for assessments reflects student diversity, for example socio-economic background and minority ethnic groups. Similar points were made by participants in the events hosted by the OfS.

Seven (3%) made specific reference to widening participation and external factors affecting student outcomes such as regional economic disparities.

'It is essential that the OfS recognises and takes account of the diversity of provision, its mode, type and the diversity within student cohorts. In addition, the OfS should also take account of the fact that one university may also operate across several geographic locations. This has the potential to make more challenging the achievement of consistency of student experience and outcomes and makes it even more important that universities should be able to provide context and explanation in respect of any disparities in these outcomes.' – University

Some (17, 8%) said it was important for the assessment methodology to be clear so that students can understand how the assessment has been derived and make their decisions accordingly. Eleven (5%) queried how the two aspects of experience and outcomes would be weighted to arrive at an overall assessment.

'Separating these aspects ensures that excellence in delivering a rich student experience is recognised alongside excellence in outcomes after study. It is possible for an institution to excel in teaching practices even if outcomes (which can be influenced by external factors) are more modest, and vice versa. The TEF should continue to make both dimensions visible.

We would encourage the OfS to publish detailed rubrics or descriptions for each rating level under each aspect.’ – Student or students’ union

### **Data considerations**

Respondents commented on the range of data that is currently used to evidence student experience and outcomes. Some (38, 19%) remarked on the limitations of current data in evidencing student experience, especially gaps in NSS coverage (26, 13%) including in relation to college-based HE students, modular delivery and out of scope learning programmes. Some (15, 7%) also discussed how small cohort sizes mean that NSS data may not always be a reliable indicator.

Data timelines were discussed (30, 15%) especially issues around lagged outcomes data (24, 12%) which respondents felt could result in an inaccurate reflection of a provider’s current position. One respondent commented that the difference in the time lag between experience and outcomes data means in their view that the two assessments are inconsistent in their approach as they cover different student cohorts.

### **Evidencing student outcomes and experience**

There was uncertainty about the proposed outcomes metrics, particularly in terms of salary as a proxy for success (14, 7%). Respondents commented that external factors, such as fluctuations in the labour market, could have an influence here, and identified this could be an issue for the creative sector in particular (14, 7%) as salaries tend to be lower and portfolio careers more common. Salary as a proxy was also discussed by participants in the events hosted by the OfS who queried its suitability for all types of provision and student profiles.

Other considerations made by individual respondents included the view that for some students the primary motivation was learning rather than earning a high salary (one, 1%), and signs that the use of AI in certain industries is having an impact on graduate prospects (one, 1%).

One in ten (20, 10%) suggested broader success measures. For example, there was a view that success measures should consider aspects of student life beyond academic pursuits including enrichment and extra-curricular activities. Providers delivering medicine and dentistry (and related) courses thought it would be important to capture student experience and outcomes while on placement.

### **Considering additional or alternative evidence**

Some (25, 12%) thought it was important that additional or alternative evidence could be used to illustrate the student experience or evidence outcomes. Twelve (6%) said it was valuable to consider narrative evidence and written submissions alongside other qualitative evidence (seven, 3%) and to adopt a holistic approach to assessment (four, 2%) – they felt that institutional narratives provide important context for the outcomes data, queried a wholly data-led approach, and requested consideration of wider aspects of the student experience such as the quality and accessibility of non-academic support. This was seen as particularly important given the wider implications around linking fees to quality (not a proposal within this OfS consultation but as suggested by the DfE in its Post-16 Education and Skills White Paper), and consequently the extent to which students perceive provision as value for money.

One in ten (20, 10%) thought it was important to include the student voice in the context of the TEF, particularly via the student submission (16, 8%). The inclusion of a student submission (for example from the students’ union) was felt to be valuable in ensuring that a range of student experiences was considered within the TEF – this was also highlighted in the feedback events.

In terms of the proposal not to include an additional aspect to assess how effective a provider is at quality improvement, nine (4%) expressed a preference for including this element on the basis that this would demonstrate how providers actively reflect on areas for improvement and could provide a more effective way of incentivising quality improvement.

**Under this proposal, respondents were then asked for views on the proposed approach to generating 'overall' provider ratings based on the two aspect ratings. 198 comments were received.**

### **Levels of support**

Around one in six (29, 15%) expressed support for retaining an overall provider rating, believing that this provides simplicity and clarity for students, policymakers and the public, and assists in making comparisons between providers.

Many (84, 42%) disagreed with the proposed mechanism to determine an overall rating. Some (33, 17%) commented that the mechanism was too blunt or rigid and lacked context. In addition, some (39, 20%) felt that individual aspect ratings were more useful or that an overall rating was not required as it ran the risk of hiding the differences between experience and outcomes (18, 9%).

'We have significant concerns about the proposed approach, where the overall rating would default to the lowest aspect rating. This method risks presenting an overly simplistic and potentially misleading picture of institutional performance. It could dilute areas of excellence, which students are most interested in, and fail to recognise the complexity and diversity of provision across different dimensions.' – University

A smaller proportion (seven, 4%) expressed support for the proposed mechanism to default to the lowest aspect rating when determining the overall rating. Those in support valued the simplicity and transparency this would bring in contrast to the previous TEF approach which some felt could be subjective. The reduction in assessor workloads was also appreciated; however, some of those disagreeing with the rule-based approach did not feel that a reduction in assessor workload was a strong enough rationale for making this change.

### **Continuation of the existing approach**

Just under a third (64, 32%) discussed the existing holistic approach, with some (33, 17%) stating a preference for panel judgement as this was more likely to encompass and account for other influences and context. Some (30, 15%) said it was important to consider narrative evidence and contextual factors, and others (13, 7%) preferred a continuation of the weighted or best fit approach. There was a general view that combining data alongside panel judgement resulted in a more balanced assessment.

Some (15, 8%) also commented on the extent to which external factors could influence outcomes for providers, such as 'non-traditional' graduate journeys or those providers with a strong widening participation remit. There was a view that the proposed approach may not sufficiently account for this in terms of determining the student outcomes rating and consequently the overall rating.

### **Unintended consequences**

Just over half (109, 55%) raised potential unintended consequences that could arise in relation to adopting an overall rating, particularly using the proposed rules-based approach. A quarter (50, 25%) felt this mechanism could disadvantage providers with mixed profiles; for example, if they were strong in one area this would not be reflected under the proposed approach.

A similar proportion (45, 23%) reflected on the potential for financial or reputational damage resulting from the overall rating received. Some (30, 15%) referred to the negative implications of overall one-word ratings and gave the example of Ofsted.

'The implicit reputational risk for any provider in a single, overall rating is significant. This philosophy runs counter to the Ofsted approach which has removed the 'single word judgement' in an explicit attempt to make assessments fairer and provide a more complete picture of performance. Ofsted has also recognised that single word judgements are not effective in raising standards, which is better achieved through measures against each of the sub-categories.' – Specialist provider

There was a view that a rules-based approach to the overall rating in conjunction with a downgrading of the Bronze category could have a negative impact on perceptions of the sector and lead to reduced confidence, for both home and international students. Smaller and specialist providers commented that a one-word rating could have a disproportionate impact for them in affecting reputation, recruitment and financial stability; this was related to the variability in the reliability of statistical measures when applied to smaller cohorts and their subsequent use in arriving at an overall rating. Participants in the events hosted by the OfS also frequently commented on and queried the proposed rule-based mechanism and the consequences of this for provider reputation and links to funding and sustainability.

### **Ratings categories**

Respondents reflected on the interpretation and definition of ratings (34, 17%). Some (26, 13%), including six (3%) HE sector bodies that represent the views of larger groups of providers, felt the proposed change to reposition the Bronze rating – as provision that meets minimum requirements – could cause confusion for prospective students and the general public, compared with its current definition. Three (2%) added that this was because the word 'bronze' is normally viewed to denote positive outcomes or good performance, for example in the context of medals and awards.

'There will likely be confusion as to what is meeting requirements and what is the expected 'benchmark' (which is in effect Silver). This will almost certainly mean a higher number of providers at Bronze and Requires Improvement, distorting public perception (who will not be aware that the goalposts have simply been moved) of quality of HE. This will not drive improvement in the sector but instead add to pressures (especially financial) and challenges already faced by the sector.' – University

Some (24, 12%) queried the proposed redefinition of the Bronze rating believing that not only could it be misleading for students but it could also have a negative impact on a provider's reputation. Six (3%) envisaged that the proposed approach could result in providers adopting risk-averse behaviour by minimising innovation or reducing student recruitment of certain student groups, to avoid a 'downward spiral' in ratings (whereby a lower rating leads to fewer resources and consequently to lower ratings). This was discussed in the context of new ratings having an impact on access to funding and fee caps whereby providers may be more likely to choose safe strategies to reduce the risk of achieving a Bronze rating.

A few (nine, 4%) believed that a Bronze rating should represent 'high quality' and made comments suggesting the OfS's proposal for the requirements set out in the B conditions to represent the minimum level of quality required as a significant shift from the previous ratings system. These respondents believed the proposal to redefine Bronze (to no longer represent 'high quality') risks undermining confidence in the sector and could misrepresent actual provider quality. Four (2%) highlighted a potential scenario where providers are comfortably above B3 thresholds (for example by 10 to 20 percentage points) but are

awarded Bronze for student outcomes, which they felt could create an inaccurate reflection of quality.

Other reflections (four, 2%) on ratings categories included the potential for the Requires Improvement rating category to be confused with the Ofsted equivalent ascribed to FE colleges which could have reputational consequences. Other suggestions (nine, 4%) included amending the rating scale to include additional categories, for example, a 'Meets Minimum Standards' category to sit between Bronze and Requires Improvement.

Linked to earlier points around consideration of provider context in determining ratings, there was a view that it could be challenging for some providers to achieve the consistency that the OfS would be looking for across the Silver and Gold categories.

'[We are] concerned about the expectation that to be awarded Silver and Gold ratings providers will need to demonstrate consistency across diverse student cohorts and subject areas. For smaller or newer providers without comprehensive datasets, achieving this consistency will be extremely challenging and may disadvantage providers because of systemic limitations.' – Individual based at a HE provider

### Further clarity

Around a fifth (35, 18%) requested further clarity on the proposed approach, including on how the overall rating would be determined (20, 10%) such as the weightings of the individual elements that would make up the final provider rating and the two aspect ratings. Nine (5%) queried how the issue of missing data would be handled in this context – this was notable particularly for FE colleges where outcomes datasets may be incomplete.

A few (six, 3%) queried how the proposed mechanism to arrive at an overall rating would work for providers delivering within partnership arrangements or multiple campuses as this generated an additional layer of complexity in determining ratings when delivery is shared between providers or on different campuses with the same provider.

## 2.2.4 Proposal 5: The student experience aspect

The OfS proposes to align the scope and ratings criteria for the student experience aspect with the requirements of conditions B1, B2 and B4; and to assess the student experience on the basis of provider submissions, an expanded set of NSS-based indicators, and additional evidence from students.

### Respondents were asked for their views on the proposed scope of the student experience aspect, and how it aligns with the relevant B conditions of registration.

188 comments were received.

### Levels of support

Over half (106, 56%) supported or agreed in principle with at least one aspect of the OfS's proposal.

One in five (36, 19%) agreed with the overall proposed scope of the student experience aspect and welcomed the changes. Over a third (67, 36%) expressed support for alignment with the B conditions. One in ten (20, 11%) supported, in principle, the proposed role of the NSS. A few (nine, 5%) said they broadly agreed with the scope and supported limited changes that were in keeping with the existing approach. Those in support welcomed the more joined-up approach the proposals would bring, to reduce duplication for providers while ensuring that the student experience is central to effective provision.

'We consider the proposed scope to be broadly appropriate, as the B conditions represent the OfS's articulation of quality, and a consistent definition across regulatory exercises is logical and desirable. We support the student experience aspect to be assessed based on the NSS indicators, provider and student submissions.' – University

Those who explicitly supported alignment with the B conditions (67, 36%) emphasised the value of an integrated approach to quality regulation and a reduction in duplication that is grounded in previous best practice. Similar support levels were voiced by participants in the webinars and events hosted by the OfS.

'We broadly support the proposal to retain and strengthen the student experience aspect, as the overall approach remains familiar, enhancement-focused, and strongly aligned with B1, B2 and B4. Aligning the TEF criteria with existing quality conditions improves coherence across the regulatory system and reduces duplication for providers.' – Specialist provider

### **Compliance versus enhancement**

Some (15, 8%) queried the relationship between the compliance requirements of the B conditions and the enhancement dimension of the TEF. It was felt (nine, 5%) there was a risk of the TEF being used as a compliance tool, and that the TEF should be maintained as enhancement-focused to retain a distinction between the regulatory baseline and excellence. The relationship between compliance and enhancement was also mentioned in responses to other proposals (including 2, 6 and 13). Five (3%) would like to see duplication avoided between the requirements of the TEF and demonstration of B conditions, while another five (3%) believed the B conditions are not suitable as indicators of excellence, due to the tension between minimum requirements and excellence.

'We note that the B conditions were designed as minimum requirements for registration or ongoing demonstration of compliance with the Regulatory Framework, and not as indicators of excellence. Aligning the student experience aspect too tightly with these conditions risks blurring compliance and excellence, undermining the TEF's purpose as an enhancement-focused exercise.' – University

### **Additional detail sought**

Some (11, 6%) requested further clarity around the weighting of different evidence sources such as submissions, student input, and NSS data. Others (seven, 4%) queried what quality safeguards would be put in place to safeguard against evidence being 'cherry-picked' either by panels, within student submissions, or by student assessors.

Eight (4%) commented on assessment practicality, particularly the potential limitations of desk-based evidence or of relying on metrics alone (seven, 4%), and to a lesser degree the provider evidence burden (two, 1%). Further clarity was sought on how the process could be designed to be sufficiently robust in the context of the financial implications for providers.

**Under this proposal, respondents were then asked for views on the criteria for the student experience rating (including comments on whether the ‘course content and delivery’ (as outlined in Annex H of the consultation documents) should be framed differently for a provider-level assessment; and whether there is clear enough differentiation between each level and how this could be improved).**

**181 comments were received.**

### **Levels of support**

Just over a fifth (39, 21%) expressed support for Annex H. These respondents viewed it as a useful starting point, providing a reasonable foundation for evaluating the student experience, but with an expectation that further guidance will be made available on how panels will evaluate criteria objectively.

‘Overall, we welcome the approach that has been set out to provide a more structured set of criteria for the student experience rating. We consider that there is scope to use language which reflects the appropriateness of the provision to the provider’s mode of delivery and student population.’ – University

### **Rating definitions**

A third (59, 33%) commented on the differentiation between ratings. Nearly a quarter (43, 24%) felt the language used was too vague – a point also raised in webinars and events. Definition of key terms such as ‘optimal’ or ‘sufficient’ team sizes would be welcomed, along with the distinction between ‘high quality’ and ‘outstanding’ teaching practices, as well as clarification of which elements would be judged primarily by quantitative indicators, and which will rely on narrative or qualitative evidence. The point around differentiating between a high quality and a satisfactory experience was also related to defining consistency between providers operating in different contexts, for example those with partnership arrangements or widening participation initiatives.

Some (16, 9%) commented specifically on the distinction between Silver and Gold, including how the ‘assessment’ element would be differentiated and a view that the language was too generic to provide clear distinction. Others (15, 8%) sought clarification on the difference between Silver and Bronze ratings for similar reasons. Seven (4%) commented on the Requires Improvement rating and suggested a separate column indicating the criteria for this level. Similar points were made in the OfS-organised feedback events.

‘There is inadequate differentiation between performance levels, particularly between Silver, Bronze and RI [Requires Improvement]. Annex H uses broad qualitative descriptors that are not sufficiently distinct. Without clearer differentiation, the same evidence could result in different outcomes when assessed by different assessors resulting in more subjectivity in judgements. More clarity is required in what constitutes consistently high quality vs satisfactory vs minimum experience.’ – HE sector body

Some discussed the redefining of the Bronze rating (14, 8%), suggesting that the language used could cause confusion particularly in the context of the proposed approach to incentives and interventions.

‘The draft criteria are helpful, but the differentiation is not sufficiently clear. For instance, the criteria for Bronze clearly indicates the acquisition of a minimum acceptable set of standards. However, discussion about the potential implications for a Bronze rating imply that a provider with such a rating isn’t meeting expectations. It is difficult to comment further without seeing the detail of how assessors would be guided to approach the application of these criteria.’ – University

### **Provider versus course-level assessment**

Around a quarter (48, 27%) commented on the provider versus course-level framing of the proposed approach, with a general request to refine the criteria for provider-level assessment. Some (29, 16%) felt there should be focus on wider provider systems as opposed to individual courses – for example, for course content and delivery, respondents believed the focus should be on institutional systems and approaches to curriculum design and teaching quality assurance rather than on individual courses. Examples included institution-wide curriculum review processes, mechanisms for student engagement in course design, and data on teaching staff qualifications and professional development.

Nine (5%) queried the inclusion of B4 as described in Annex H, arguing this does not align with the measurement system and ratings in the TEF.

### **Consideration of provider context**

Around one in five (32, 18%) felt that any application of the Annex H criteria would benefit from consistency and contextualisation. Some (15, 8%) suggested including evidence that reflects the context of small and specialist providers, regional and disciplinary differences in student experience, and other factors shaping the student experience. Some (14, 8%) felt the criteria had been written with 'traditional' HE delivery models in mind. Respondents from FE colleges queried the applicability of some of the criteria including staff team sizes and the definitions of 'appropriately qualified staff' given that staff in FE can have a more diverse range of qualifications. Other considerations included the applicability for postgraduate study and other forms of provision such as apprenticeships. Respondents further commented that the criteria as they stand may make objective comparison difficult, as they felt that the staff qualifications and team sizes required to deliver a high quality learning experience are contextual and should reflect the diversity of the student population. Differences in student groups included apprentices, students from diverse or disadvantaged populations, or those with additional learning needs, all of whom may have different needs which may be reflected via variations in staff qualifications and team sizes.

'In Annex H, point 6 about staff team sizes – this is not an appropriate measure for college-based HE, where staff are teaching across both FE and HE. Teaching teams are often small, as befitting the small cohort sizes – but this doesn't mean 'sufficient' quality or lower. We would be interested to see the definition of 'appropriately qualified' and 'well qualified' staff; as well as how the OfS classifies the difference between 'high quality' and 'outstanding' teaching practices. The annex seems to be written for typical HE providers and research-heavy institutions. Do staff need a PhD to teach a Level 4 HNC? Would teaching qualifications and Advance HE fellowships contribute to being highly qualified? Missing is the 'work readiness' aspect that the government is pushing HEIs [higher education institutions] to provide, and the employer engagement aspects.' – FE college

A few (three, 2%) reflected on potential burden for providers, commenting that the Annex H criteria for course content and delivery risked imposing an expectation that every course must demonstrate such evidence.

Finally, four (2%) queried how the assessment of course content and delivery would work in the context of providers in a partnership delivery model.

**Under this proposal, respondents were then asked for views on the evidence that would inform judgements about this aspect (including comments on issues such as what evidence could demonstrate the requirements of condition B1 are met at a provider level; whether the submission page limit should be reduced; and the proposed inclusion of indicators based on the ‘Learning opportunities’ theme of the NSS).**

186 comments were received.

### **Submission page limit**

Around a quarter (50, 27%) expressed a preference for retaining the current page limit, while around one in five (40, 22%) disagreed with any reduction in the page limit, arguing that the student experience elements of the TEF are expanding to a broader range of B conditions. It was felt that the submission page limit should thus be retained to enable providers to present robust, comprehensive evidence, particularly in the light of proposed interventions. This would also allow providers to submit contextual evidence and supplementary data if they were out of scope for the NSS or had smaller cohorts. There was a view that the page limit should be the same for all providers to ensure fairness.

In contrast, one in ten (19, 10%) believed the submission should bear in mind provider size, suggesting that larger providers may find it harder to cover all their subject areas within the limit, and that smaller providers may not have the capacity and systems of larger providers to draw upon.

‘While we would not reduce the submission page limit for providers, it may be preferable to encourage reuse of existing evidence and proportionate expectations for smaller providers.’ – FE college

Some (17, 9%) would welcome seeing clearer templates to aid with the submission – such directive guidance, it was felt, would help enable providers to develop a more succinct response while still covering the core requirements.

### **Use of NSS data**

A quarter (46, 25%) believed that NSS data was useful but perceived limitations, for example low response rates, and the subjective, perception-based nature of survey responses.

Twenty (11%) expressed support for its proposed role, while a similar proportion (22, 12%) commented that the NSS does not cover all B conditions. For example, there was a view that the suggested NSS themes do not provide sufficient, specific evidence for B1, B2 or B4.

Linked to this, some (30, 16%) suggested alternative and additional student experience data sources, including references to student submissions and other forms of evidence such as student focus groups (although the potential for focus groups to be non-representative was mentioned). Some (26, 14%) felt consideration should be given to both subject and provider context – for example, it was suggested that students on creative courses did not feel the NSS questions captured the full range of experience. More generally, it was commented that NSS questions, including some of those within the ‘Learning opportunities’ theme, can be open to different interpretations by students. Respondents also referred to practice-based learning and felt this was harder to compare to other subject areas. As a consideration for future TEF cycles, postgraduate students were cited as a student group that may have a different type of experience and be less likely to engage in feedback processes.

Around one in ten (23, 12%) thus cautioned against over-reliance on NSS data. Further, some (15, 8%) stated that small cohorts could compromise NSS data reliability, and others (11, 6%) discussed issues created by data lags (10, 5%).

‘The proposed evidence base relies heavily on NSS-derived indicators, supported by provider submissions and additional student input where NSS data is limited. For many London providers, particularly those with small

cohorts or significant PGT populations, NSS data will be incomplete or unavailable. In these cases, internal evidence will carry more weight, yet the consultation gives limited clarity on how this will be assessed or balanced against national datasets.’ – HE sector body

Just under a third (59, 32%) supported the inclusion of the NSS ‘Learning opportunities’ data as it offers a broader perspective on course and subject quality. Some (12, 7%) highlighted the alignment of this data with condition B1; however, views were mixed as to how well this maps to B1, and some suggested that adding the ‘Organisation and management’ theme as well would provide additional evidence on aspects of the student experience. Discussions in the feedback events also queried whether additional, if not all, themes within the NSS might be considered for inclusion.

Some (11, 6%) stated that not all HE was captured by the NSS and this should be considered. These themes were also raised within the feedback events.

‘It is not clear how the NSS, even with an additional theme, is an adequate representation of conditions B1, B2 or B4, even if one accepts that a notoriously subjective survey can be a reliable indicator of provider performance. Students have no point of comparison to determine if the course content is appropriate; that staffing enables them to succeed (and indeed the survey ignores students who haven’t succeeded); or whether assessments effectively and reliably maintain award credibility over time.’ – University

Some (13, 7%) requested worked examples to help providers submit suitable evidence – for example to provide transparency in how NSS questions will be mapped to the rating criteria. Respondents also emphasised that examples or scenarios would be useful in helping panels and providers to interpret the criteria in a consistent way.

### **Additional or alternative evidence to inform judgements**

One in ten (19, 10%) felt that internal provider surveys and feedback would be a useful addition, particularly where NSS data is limited or unavailable. Some (14, 8%) also saw value in considering qualitative evidence, for example input from employers and industry and evidence from external examiners (13, 7%). Other types of evidence mentioned included student feedback from placements, module and programme evaluations, course representative reports, and committee minutes. Eight (4%) also mentioned case studies or worked examples.

Some (12, 7%) highlighted additional criteria or considerations, including a preference to reflect wider provision types, such as apprenticeships or courses with a vocational focus (five, 3%), or to recognise professional standards (two, 1%). Two providers of medicine and dentistry courses (1%) wished to include the student experience of placements, while one (1%) small and specialist provider noted institutional context should be considered; another (one, 1%) would like to include those with a strong widening participation remit.

‘Aligning the TEF with these B conditions provides structure, but important parts of the student experience sit outside them that students still view as essential in a quality provision: particularly belonging, financial strain, digital access, and wellbeing. For widening participation providers, these areas are central to the student journey. The scope needs to capture the full reality of how students access and experience their courses.’ – Student or students’ union

Around one in six (27, 15%) mentioned that it was important to include the student voice via student submissions or students’ union-led submissions. Respondents would like to see the option for evidence to reflect students’ lived experience alongside institutional data. Students’ unions were seen as an important part of this process in offering an independent

perspective; however, some noted that students' unions may benefit from more support to enable them to contribute fully. One respondent (1%) requested the approach achieves a balance between maintaining a focus on the student voice and minimising the burden of lengthy submissions. Another (one, 1%) discussed the key role that students' unions can play, but commented that not all providers have this capacity (for example, some FE colleges do not have an active students' union or have a student population that is less likely to engage with surveys).

'We believe that a student submission should be a mandatory component of the TEF and that representative bodies (such as students' unions, associations, or Guilds), where present, should have an independent method of contributing to a provider assessment. Where representative bodies are not present, we feel that it is important that provision be made for students to contribute directly. In both cases, we believe this should be administered as a separate submission and that respondents should be supported to share authentic feedback free from pressure from the provider.'  
– Student or students' union

There was also a view, particularly from students' unions, that where student submissions are not feasible this could potentially be viewed as a failure to comply with condition B2 and proxy evidence as such should not be used as a substitution for the submission.

Some (21, 11%) – including students and students' unions – believed that wider aspects of the student experience should be considered. Six (3%) referred specifically to sense of belonging and student wellbeing as part of the experience, particularly student experiences of online delivery and the isolation that can be associated with this. However, it was acknowledged that clarity on how to measure these elements objectively and consistently would be helpful. The wider social framework and extra-curricular dimensions were also suggested as contributors to the overall student experience. Some (21, 11%) reflected on a preference to ensure the student experience is assessed consistently across different provision types but also recognised that a one-size-fits-all approach is challenging given different contexts – such as apprenticeships, part-time learners, mature students, and providers with a partnership delivery model.

Meanwhile, 10 (6%) – including students' unions – sought clarity on what student input was required, what 'sufficient' looks like and how a provider can move from 'sufficient' to 'widespread' engagement.

Around one in six (27, 15%) supported the approach to use and triangulate multiple evidence sources and welcomed consistency with previous rounds of the TEF. While nine (5%) explicitly mentioned that they felt the evidence base is appropriate, some (14, 8%) believed it to be insufficient and suggested assessment could include evidence from extra-curricular student experience, samples of documentation and in-person visits. There was a view that if the process were too 'light-touch', in the context of the proposed ratings and interventions, this could have negative repercussions for providers.

'We have previously argued for in-person visits to allow assessors to get a more holistic feel for the quality of education alongside metrics. For a desk-based exercise, we might offer policies governing various themes as well as examples of implementation, although this adds to the overall burden of the assessment. The stakes are so high with proposed penalties that providers must be given as wide a range of opportunities to prove their quality rather than fail against a narrow set of options. We do not support any reduction in the overall scale of the submission. We welcome support with templates and detailed examples of evidence.'  
– FE college

## 2.2.5 Proposal 6: A revised and integrated condition B3

The OfS proposes to revise and simplify its minimum requirements for student outcomes (condition B3), and integrate into the future TEF an assessment of whether a provider meets them.

**Respondents were asked for their views on the proposed approach to revising condition B3 and integrating the assessment of minimum required student outcomes into the future TEF (including views on removing the progression indicator from condition B3; and how contextual factors would be considered at different stages in the process).**

194 comments were received.

### **Integration of the assessment of whether a provider meets minimum requirements for student outcomes**

Just over a third (65, 34%) expressed support for the integration of condition B3 into future TEF assessments – primarily respondents saw this as simplifying processes across assessments (23, 12%) and helping to minimise duplication (16, 8%).

‘We agree that a more unified regulatory framework can reduce duplication and provide a clearer picture of institutional performance.’ – University

One in six (33, 17%) suggested the OfS considers cohort diversity across institutions in terms of outcomes in future integrated assessments. For example, for specialist institutions with graduates who do not follow ‘traditional’ career paths, respondents commented that existing outcome metrics do not necessarily accurately capture their post-study activities. Similarly, some commented that there are institutions that serve diverse, underrepresented student cohorts where, in their view, there are several factors beyond institution control that impact on continuation, completion and progression.

‘It is essential that subject mix, provider mission and the structure of creative labour markets are treated as core contextual factors when judging whether B3 is met. We also believe it is important the framework recognises the many factors outside providers’ control that shape continuation, completion and progression, especially for diverse and commuter student populations.’  
– Student or students’ union

Beyond this, respondents indicated a preference to ensure that the TEF retains a developmental role rather than becoming a compliance tool. Some (30, 15%) thought there should be a distinction between the two approaches and clarity in how this would be reconciled.

Other points made included:

- a view that there was potential for confusion over the ratings criteria (11, 6%)
- requests for clarity on which courses would be included (two, 1%)
- requests for clarity in how below-threshold performance would be treated (one, 1%) – a topic also raised by webinar participants.

### **Data considerations**

Over half (104, 54%) of respondents detailed considerations around the data that would be used in the integrated assessments of student outcomes. These are also relevant to proposal 7.

Just over a fifth (40, 21%) commented on lags in the proposed data indicators, due to the cohorts the indicators relate to or the point at which the data is collected.

Respondents felt that these lags would mean the data used in the assessments, and therefore the student outcomes rating, would represent historical rather than current performance. Further information was sought about how the data lags would be approached. Other comments suggested limitations in the Graduate Outcomes Survey (GOS) and LEO data, and the measures constructed from them, with 17 (9%) suggesting a more detailed review of outcomes measures.

### **The progression indicator**

Around half (92, 47%) expressed support for removing the progression indicator, and just under a quarter (46, 24%) raised queries or further considerations. Support was stronger among FE colleges (64%) compared with universities (51%) and specialist providers (40%). Considerations highlighted included perceived limitations of the GOS response data used to construct this indicator (such as response rates) and the progression indicator not being reflective of the full range of positive student outcomes, which in their view could lead to inequity in judgements across institutions.

'We strongly support the removal of the progression indicator from B3. As it currently stands, our view is that this overly rewards one career type, in which students are rewarded for short-term financial gain. In addition to the non-financial gain that a number of careers carry (particularly but not exclusively in the arts) we also note that a number of career paths see significantly greater lifetime earnings than others, despite the latter paths having higher earnings 18 months after graduation.' – Specialist provider

The most common reservation expressed around removing the progression indicator concerned respondents' perceptions of the importance of positive career outcomes for students and prospective students (31, 16%). Notably, a third of student or students' unions respondents (seven in total) expressed reservations about the progression indicator's removal, with five saying it was important to consider positive student career outcomes.

Potential implications of removing the progression indicator cited by respondents included a signal to students that employability is not a top priority, that it may negatively impact on institutions' focus on employability, and that removing the indicator may weaken the OfS's regulation of student outcomes. Eight (4%) also felt that it could place too much emphasis on continuation and completion measures (4%). Four (2%) said it may be more appropriate to focus on addressing the issues with the indicator rather than removing it completely. Among those with reservations around removing the progression indicator, there was a broad view that if the indicator was no longer used when considering whether minimum requirements had been met, a continued focus on progression when making student outcomes ratings judgements would be important.

'If progression is removed from B3, it is essential it remains firmly embedded within the wider TEF outcomes aspect, and that providers are expected to demonstrate credible and sustained efforts to support progression, especially for groups that have historically faced barriers. Otherwise, there is a danger that the regulatory signal is misinterpreted as downgrading the importance of what happens to students after they leave, and that attention drifts towards obtaining qualifications rather than realising their value.' – Other

### **Contextual information**

Just under two in five (75, 39%) expressed support for the continued consideration of contextual information in assessments, with notably higher support among FE colleges (59%). This, it was argued, would result in a more equitable approach across institutions, particularly: those with smaller cohorts that impact on the availability and reliability of data

indicators; those offering more practical courses where destinations beyond study are not linear; and those with cohorts that have historically faced barriers beyond institutional control.

Respondents sought more detail on what specifically might be considered as contextual information and how this would be interpreted and weighted (41, 21%). Nine (5%) mentioned at this stage that condition B3 and the TEF are both not course-specific, when variations across courses have a significant impact on both student outcomes and experience. Thus, in respondents' view, these constitute an important contextual factor that would aid understanding of a provider's overall performance. Further to this, six (3%) emphasised that any contextual factors should be considered transparently and consistently across institutions. One respondent suggested other contextual information that could be considered, such as added value, innovation and demonstrable impact on their specific student communities.

However, the proposal to no longer consider actions taken or planned prompted many comments (54, 28%), with most suggesting such actions are still considered in some form, and one expression of explicit support for this proposal. Some (17, 9%) suggested providers should be able to use their own internal data to demonstrate improved actions, particularly in light of the data lags mentioned previously, and that the removal of this consideration would result in a less nuanced picture of an institution's approach to student outcomes (17, 9%). Others (nine, 5%) felt it was difficult to contextualise historical performance without current or planned actions and that the closure of a course should also be considered (six, 3%).

### **Other comments**

Other considerations relating to this proposal included a request for more information on benchmarks and thresholds, particularly how thresholds would be defined and applied and what the benchmarking factors would be (12, 7%). Detail was also sought on how the split indicators would be considered in assessments (two, 1%) and constructed (one, 1%).

Six respondents (3%) felt that there may be a potential contradiction with the government's Post-16 Education and Skills White Paper, due to the removal of the progression indicator from B3 and the potential for more students to be registered for Level 4 and Level 5 qualifications where continuation data may be less relevant.

Other potential unintended consequences related to proposal 6 were raised. Four (2%) foresaw a potential unintended consequence in that institutions may become more risk-averse in their recruitment practices due to the focus on student outcomes – and this might negatively impact student diversity and opportunity (also relevant to proposal 7). One respondent felt that focusing on absolute performance could discourage innovation and providers should also be recognised for added value and innovation. There was also mention of the potential for 'regulatory spirals' following a Requires Improvement rating (five, 3%), and the potential limitations of one-word ratings (see proposal 4).

## **2.2.6 Proposal 7: The student outcomes aspect**

The OfS proposes to rate student outcomes based on benchmarked indicators of continuation, completion and a broader set of post-study indicators, and taking contextual factors into account.

## **Respondents were asked for their views on the proposed approach and initial ratings criteria for the student outcomes aspect.**

171 comments were received.

### **Levels of support**

Nearly half (79, 46%) expressed some degree of support for the proposed approach to rating the student outcomes aspect.

Some (18, 11%) felt this would be more streamlined, provide a structured assessment of institutions, and reduce complexity and regulatory burden. The same number (18, 11%) said the approach would allow for accurate judgements of quality, with one stating that the use of continuation, completion, and post-study outcomes forms a clear and well-reasoned approach, while another (one, 1%) cited that it would reduce burden while improving consistency.

Among the 31 (18%) who explicitly supported the ratings criteria, 14 (8%) felt it to be a fair system, with the proposal being detailed and providing opportunities for providers to achieve these, while two (1%) said the ratings criteria offer consistency with previous TEF exercises. Fifteen (9%) described the ratings criteria as a good starting point, as these are seen to be clear, rounded and aligned with sector expectations.

Six (4%) welcomed the expansion of the post-study indicators to represent a more rounded view of outcomes, citing that this would move towards capturing a wider range of graduate success. Two (1%) believed the approach would be student-centred, particularly for underrepresented students, as the ratings criteria consider outcomes for different groups of students.

Meanwhile, two (1%) did not support the proposal that student submissions should no longer cover student outcomes, while one (1%) explicitly expressed agreement on this.

### **Perceived limitations of the evidence base**

Around half (82, 48%) raised what they viewed as limitations with the proposed evidence base.

Some (28, 16%) felt that salary measures do not explicitly recognise local employment situations or said that early-stage career development does not translate immediately into high salaries.

Others (24, 14%) discussed the proposed removal of consideration of evidence about educational gains, which had been included in the previous TEF, and felt this risked narrowing recognition of innovation and improvement, when in their view this evidence could be a vital aspect to assess student success and progression.

Meanwhile, 10 (6%) suggested changes to the proposed evidence base, such as the ability to allow the provider to make a narrative submission.

### **Consideration of contextual factors**

Around half (82, 48%) thought it was important to ensure that the approach to assessment of student outcomes permits meaningful contextualisation. Event attendees also shared similar views, outlining a preference for providers to be able to submit appropriate context. The following considerations were raised in this regard.

- To consider equity, diversity and inclusion of the student population (27, 16%).
- A suggestion to consider broader contextual factors – such as job satisfaction, happiness, and whether a student's job role is related to their degree (13, 7%).
- A further suggestion that contextual factors (such as region or industry) are considered when reviewing salary data (12, 7%) (to note: the OfS has proposed that benchmarking will take account of regional differences).

- To consider reflections from a provider's students on what they gained from their education within assessments (11, 6%).
- A suggestion for the OfS to recognise the complexity of the employment landscape in its approach (seven, 4%).

A few (11, 6%) commented that contextual factors are very important for small or specialist providers since statistical volatility can make outcomes data appear less stable. Hence, they suggested that contextual factors, such as flexible study patterns and local employment routes, should be considered when interpreting data.

Some collective responses from universities (eight, 5%) also suggested giving greater weight to absolute performance alongside benchmarks, with clear guidance on thresholds for 'very high' outcomes.

### **Comments on ratings criteria**

Some (25, 15%) requested more clarity on the ratings criteria for student outcomes, especially for Gold, to ensure that providers can clearly differentiate between 'high quality', 'very high quality' and 'outstanding'. A few (nine, 5%) also commented that definitions of what constitutes a positive outcome under the ratings criteria could be too narrow, or have insufficient differentiation between the levels, especially in certain contexts.

### **Further clarity sought**

Some (19, 11%) requested clearer definitions of the different concepts set out in relation to the indicators, with particular emphasis on phrases like 'substantial' and 'broadly in line' and 'materially above'.

'Clarification is needed on the criteria for each rating. Currently these are very broad. Specifically [to understand] what 'materially above' or 'materially below' benchmarks mean and how assessors apply materiality tests.' – FE college

Some (10, 6%) thought it was important to ensure that the OfS uses consistent definitions across different aspects within the assessment approach to ensure credibility. Fifteen (9%) requested detail regarding the relative weight placed on each measure for student outcomes, especially with the proposal to include an additional two post-study measures.

A few (seven, 4%) requested clarity in how providers and assessment panels would be supported to have a consistent understanding of how the assessment approach will operate in practice.

Another five (3%) sought further detail on how data would be considered in assessments, how they would be benchmarked, and which contextual factors would be considered.

### **Under this proposal, respondents were then asked for views on the proposed set of employment and further study indicators, and whether there are other measures that the OfS should consider using.**

171 comments were received.

### **Data limitations**

Many (79, 46%) commented on perceived limitations in using LEO data to construct a salary measure.

A quarter (43, 25%) commented that this dataset captures an incomplete picture of graduate earnings as LEO data only covers UK-based graduates. As such, it was felt this approach would distort outcomes for institutions with high proportions of international students or graduates who relocate for employment.

Over one fifth (38, 22%) expressed views regarding the Graduates Outcomes Survey (GOS). Some (20, 12%) felt this provides valuable data, while others (18, 11%) highlighted what they considered as limitations. Two main limitations were discussed: firstly, that the GOS often captures graduates in transition, particularly those pursuing structured professional pathways, which could unfairly impact institutions whose graduates are engaged in interim study or professional training before entering the workforce. Secondly, limited response rates from international students could also undermine its reliability and robustness, and risk inequitable treatment of institutions with substantial international cohorts.

Around one in six (30, 18%) expressed a view that placing increased weight on the set of indicators could disadvantage small or specialist providers. Some commented that this was because small cohorts could result in issues with data availability or reliability, for example, if small sample sizes lead to data being suppressed, or to high levels of volatility or low levels of statistical confidence in the data.

### **Suggestions of other measures to consider**

Most (127, 74%) made suggestions on employment measures to consider.

- Nearly three in ten mentioned using a longitudinal career progression measure to track employment changes and patterns over time (49, 29%).
- Some suggested considering the extent to which a provider's graduates acquire skills that align with local or national priorities (34, 20%).
- Some suggested that including employer feedback could provide a more rounded approach (25, 15%).
- Some perceived value in including portfolios for those in creative industries as traditional measures could, they felt, be unfair for them (20, 12%).
- Some suggested including degree apprenticeship outcomes as a separate measure (12, 7%).
- Some proposed measures relating to career satisfaction or personal values (eight, 5%).
- Other measures mentioned by individuals included enterprise activity (e.g. start-ups), career support satisfaction, and rates of repayments of student loans (each one, 1%).

Other suggested evidence and approaches to consider included: using all three Graduate Voice questions from the GOS (13, 8%); student engagement (six, 4%); and value-added outcomes (three, 2%).

Eleven (6%) felt that a sole reliance on the proposed data measures would overlook other outcomes that students value, such as personal growth and broader skills development.

### **Comments regarding the construction and suitability of proposed measures**

Just under two in five (68, 39%) felt that it would be important to contextualise outcomes with regional or sector data. Specifically, around a quarter (39, 23%) stated that taking into account student background and diversity would provide contextual information so that regional disparities or socio-economic backgrounds do not affect assessments of the student outcomes aspect or overall outcomes.

Three in ten (52, 30%) discussed the suitability of using a skills measure for assessing quality. Some of these respondents expressed the view that the survey question on which the proposed measure would be based could be misinterpreted (for example, if graduates interpreted it as only referring to specific, disciplinary-related core subject matter, content and techniques used in their current activity as opposed to the broad range of soft skills and competencies they have gained from their higher education). A smaller subset (21, 12%) mentioned that use of a skills measure could be helpful for assessing the transferability of the students' skills gained from education and thus would be important to consider.

Others (46, 27%) discussed how it is not possible to differentiate between full- and part-time work and the measure could therefore potentially penalise institutions where large numbers of graduates are working part-time, as it would underrepresent their full-time equivalent earnings.

Due to the time lag in the data, some (33, 19%) queried the suitability of the use of LEO-based measures within assessments – they felt judgements may not reflect current levels of quality, and suggested that more up-to-date data is used in place of LEO data. Some (23, 13%) queried the inclusion of the salary measure – for example, one commented that salary data may disadvantage vocational HE paths where graduates enter essential but lower-paid roles. One respondent explained that the use of a salary measure could penalise institutions whose graduates enter socially valuable but lower-paid professions or work in regions with below-average salaries, while others felt this measure could undermine local skills agendas and discourage students from pursuing careers in areas of public need.

Some (30, 18%) questioned the appropriateness of the proposed post-study measures for those in certain sectors. A few (eight, 5%) highlighted how measures constructed from GOS responses might not be suitable for those in creative fields. As one respondent explained, GOS data should account for the extended timelines for creative graduates, where successful outcomes can often take longer to materialise. Another commented that because those in teaching or creative sectors tend to undertake postgraduate courses, or freelance work with salary that fluctuates yearly, impact, influence and innovation could be stronger measures than salary.

### **Further clarity**

Some (21, 13%) requested more detail on the indicators including: definitions; contextualisation to reflect diverse career pathways; which students would be included in creating any indicator; and how each measure would be weighted. Respondents felt, for example, that a salary measure may not be meaningful or indicative of progression outcomes without a clear explanation of how this was derived. Others in this group believed the OfS should implement transparent weighting rules that explain how potentially conflicting datasets would be reconciled (for example, students showing high skill-use and low salary), with 12 (7%) saying this may otherwise risk misinterpretation of student outcomes.

**Under this proposal, respondents were then asked for views on the proposal to consider a limited set of contextual factors when reaching judgements about this aspect.**

**175 comments were received.**

### **Reasons for support**

Just under two in five (68, 39%) supported the proposal to consider a limited set of contextual factors albeit with caveats in some instances. Some (23, 13%) said this would provide a well-rounded judgement, as long as the indicators were appropriate, and others that this would ensure fairness and allow examples of institutional excellence in supporting diverse cohorts to success, while providing predictability and clarity.

A few (10, 6%) welcomed the consideration of a set of contextual factors that would take into account students' circumstances. Others (nine, 5%) commented that they understood this limited set of contextual factors was required for regulatory efficiency, but said it would be important to ensure that this set is not overly restricted.

### **Considerations around a limited set of contextual factors**

Further detail was requested on the contextual factors that would be considered and how these would be used, weighted or applied when assessing a provider (31, 18%). Some suggested that the OfS should provide worked examples to illustrate how contextual factors

will influence ratings, which will allow providers to better understand their impact on any judgements made.

Some (29, 17%) believed that limiting the set of contextual factors could risk it being overly restrictive. These respondents felt this approach might oversimplify the complexity and interactions of factors such as providers' student populations, provision models and missions, and student development and achievement, which may not be possible to capture through a limited set of contextual factors. Ultimately, they felt this could run the risk of being counterproductive and undermining the purpose of the TEF.

'Providers should be able to explain their context, with evidence, without any constraints on the type of factors to be included, in order to cover the myriad providers across England. The process would then determine the suitability of any proposals put forward and thus their contribution to any graded outcome. Guidance would help providers to understand the type of context expected but not limited to in the process.' – FE college

Nineteen (11%) said the limited set of contextual factors could disadvantage small or specialist providers and argued that not being able to provide a wide scope of contextual factors and evidence alongside data risked putting these providers at an unfair disadvantage due to their small, volatile datasets, and unique delivery. Furthermore, they commented that a limited set of contextual factors could fail to accurately represent success for providers in the creative industries since these types of providers experience differences in relative salary and employment levels that should be accounted for.

Some (15, 9%) queried the proposal to limit the use of contextual factors when evaluating student outcomes, as the assessment would rely on what they view as outdated data. They commented that continuation and completion indicators lag and thus inaccurately reflect current performance. By restricting the ability of providers to explain this historical data, it was suggested that judgements could be based on data that does not reflect current performance.

In addition, an unintended consequence was highlighted: a limited set of contextual factors may systematically disadvantage widening participation providers that serve more diverse or disadvantaged cohorts (14, 8%). For example, one explained that, for providers with higher proportions of widening participation students (who are more likely to remain closer to home after graduation), these students may enter regions with lower salary levels or industries that do not attract higher graduate wages, creating a divergence between genuine educational quality and the earnings-based indicators used in the assessment.

Some (nine, 5%) suggested that contextual evidence is weighted appropriately within panel decisions. Three (2%) also called for clear published guidance on how to interpret the evidence to ensure there is consistent assessment and confidence in the process.

### **Contextual information to consider**

Several made suggestions of contextual information to consider, including the following.

- Student demographics, with specific examples cited such as students from disadvantaged or less privileged backgrounds (23, 13%).
- Geographic or industry data which they felt could provide more context (18, 8%).
- Subject-level and provision differences as it was perceived volatility could distort overall ratings (12, 6%).
- Size and complexity of different types of HE provider (eight, 5%).
- Unemployment rates as it was suggested these influence employment and further study outcomes but are outside the control of providers (five, 3%).

## Views on educational gains

Some (24, 14%) respondents commented that it should be possible to include evidence of wider educational gains as additional evidence, arguing that this could be useful to provide context, and that this should be considered more closely alongside existing data. In their view, the academic skills, personal development and work readiness that students may gain during their HE study are valuable student outcomes which would be expected of excellent provision. This, it was felt, may be particularly important in demonstrating positive outcomes for certain subjects, areas of provision or student groups which fall below-threshold or benchmark for contextual reasons, and providers may have given detailed consideration of how to evidence this in potential future TEF assessments as this was included in the previous TEF.

### 2.2.7 Proposal 8: Assessment and decision making

The OfS proposes that TEF assessments would be conducted by an evolving pool of academic and student assessors, supported and advised by OfS staff; and it proposes to adopt a risk-based approach for the assessors to give further consideration, when outcomes would have a potentially negative impact on a provider.

**Respondents were asked for their views on who should carry out the assessments (including suggestions for how the OfS can enable more assessors (both academic and student) from small, specialist or college-based providers to take part).**

171 comments were received.

#### Levels of support

Three in ten (52, 30%) explicitly supported the proposal in principle and commonly offered suggestions for the OfS to take note of when considering assessors. Fourteen (8%) were supportive of the suggested approach and pool of assessors, but disagreed that OfS staff should be involved as assessors.

#### Suggestions for who should carry out assessments

Two in five (69, 40%) suggested that students should be included as key assessors, and five (3%) that students' unions should be assessors. Respondents said this would promote balance, transparency and credibility, especially if students are from a range of disciplines and delivery modes (including vocational and practice-based learning). Additionally, they specified that student representatives should reflect the diversity of the student body. Students' unions were also recognised as being some of the closest to on-the-ground issues that students face.

A quarter (42, 25%) commented that assessors should have experience with a range of different providers. They suggested that having a good balance between representatives from different types and sizes of providers, supervised by OfS staff, will allow the panel to have a more holistic, independent and impartial view of the assessment and ensure that no single institutional archetype becomes the baseline against which all others are judged. Additionally, some said assessors should reflect specialist providers, including those in the creative industries or those that provide apprenticeships – if they are in scope.

Some (21, 13%) reflected on the proposal for OfS assessors and indicated a preference that OfS staff only act in a managerial capacity to support and advise on the process, so as to ensure that the process is seen to be free from bias and to avoid the risk of undermining the credibility of the judgements.

Nineteen (11%) advocated for academics to be part of the panel of assessors, pointing to their expertise on pedagogy and standards that they can contribute. Additionally, three (2%) also suggested that academics should be an expert in their discipline, for example those assessing engineering programmes should be engineering academics or industry practitioners so that technical nuance is properly understood.

Seventeen (10%) proposed that professional services staff are part of the panel of assessors, citing their good understanding of institutional quality across the sector.

In terms of other suggestions, nine (5%) mentioned independent education experts and another nine (5%) thought that employer representatives would be a good addition to the panel. Two (1%) recommended quality leads or academic registrars.

### **Suggestions to enable more assessors to take part**

Over a third (63, 37%) thought it was important that the OfS trains, mentors and supports panel assessors. Some suggested that clear, structured training pathways and provisions such as short modular training would help ensure assessors understand the principles of the assessment and are able to deliver them appropriately. Additionally, one suggested that new assessors are paired with a more experienced panel member during their first cycle to allow them to build confidence and ensure that all voices can contribute equally.

A quarter (43, 25%) stressed that assessors should be able to maintain consistency and standardisation. They discussed how assessors should know how to balance procedural consistency while acknowledging contextual sensitivity to ensure that there is standardisation across the sector. It was thus suggested that the OfS could play a supporting role in ensuring consistency across panels rather than being assessors themselves.

*'The OfS should maintain a transparent recruitment and training programme to ensure assessors understand varied pedagogical models.'* – University

Some respondents (24, 14%) commented on assessor recruitment, suggesting that the OfS should contact providers directly, particularly small and specialist institutions, to ensure they are represented in the assessor pool. Separately, respondents noted that assessor diversity and transparent processes are essential for maintaining sector-wide trust in TEF assessments.

At a practical level, some (24, 14%) were cautious about the potential additional burden for assessors who already have limited capacity, such as staff (and students) from small or specialist institutions who often fulfil multiple roles. Flexibility was thus suggested (for example to combine in-person and online panel discussions) to reduce the burden of travel and to work around busy schedules and existing commitments while still enabling participation (23, 13%). Asynchronous training – to allow learning to be done based on the assessors' availability – would also help in this regard. Providing guidance on the anticipated time commitment at the start of the year would also, it was felt, help assessors understand the time required for their role.

A few (13, 8%) felt that assessors should be compensated through financial remuneration, in recognition of the time away from teaching or other duties to engage in panel activities.

Three (1%) suggested improvements in how student feedback is collected to increase engagement, and two (1%) proposed that small or specialist providers could work together to support one another by sharing resources.

**Under this proposal, respondents were then asked for views on only permitting representations on provisional rating decisions of Bronze or Requires Improvement. 169 comments were received.**

### **Reasons for support**

Around two in five (62, 37%) expressed some degree of support for only permitting representations on provisional rating decisions of Bronze or Requires Improvement. Respondents believed this would reduce additional burden for HE providers, as well as giving the OfS more capacity to fully engage with those providers with Bronze and Requires Improvement ratings, and deliver TEF assessment cycles to manage the volume of institutions that will need to be rated under the new quality system.

Some of the 62 in support (21, 12%) felt this approach would increase efficiency and streamline the approach. A few said this approach was proportionate (seven, 4%) and would ensure fairness (six, 4%).

### **Alternative approaches suggested**

Half of respondents (84, 50%) felt representations should be allowed for all ratings, rather than only focusing on Bronze and Requires Improvement. Respondents gave a range of reasons for this, primarily a view that not allowing this representation could undermine confidence in the process and limit opportunities for constructive dialogue and improvement across all providers (19, 11%). Others believed that restricting representations would be at odds with the principles of procedural justice and risked materially affecting a provider's operation in the market. As such, respondents felt representations should be available for all rating levels to ensure fairness and mitigate unintended consequences.

*'If only Bronze and Requires Improvement ratings are open to representations, while a provider that believes it has been misclassified between Silver and Gold has no route to challenge, there is a risk that perceptions of unfairness will accumulate at the margins of those boundaries.'* – Other

One in five (34, 20%) requested more transparency and clarity on the rating decisions, and that decisions will be responsive to institutional complexity. Respondents commented that this would maintain fairness and would be in line with the principle that regulatory activities should be transparent, accountable, proportionate and consistent.

Some (31, 18%) perceived this approach could be unfair for small or specialist providers. They suggested that limiting representations may harm confidence in the fairness and transparency of the process and overlook potential errors in data or benchmarking, especially in smaller institutions where data can fluctuate more. One mentioned a view that, in smaller HE or FE providers, a single outlying datapoint could negatively affect their overall rating, even if they perform well in other areas. These respondents preferred a more inclusive approach that allows representations for a Silver rating if they can show that limited data has impacted this rating.

Further, some (24, 14%) discussed how Silver-rated institutions should have the same right of appeal as Bronze or Requires Improvement providers, particularly given the benefits which are at stake in terms of onward implications.

Four (2%) suggested the four bands of rating is an inappropriate approach due to its perceived reductive nature and perceived over-simplification.

## 2.2.8 Proposal 9: Varying the approach for providers with limited data

The OfS proposes to use an alternative means of gathering students' views, where it does not have sufficient statistical confidence in the NSS-based indicators for a provider; and it proposes not to rate the student outcomes aspect where it does not have sufficient statistical confidence in the student outcomes indicators for a provider.

**Respondents were asked for their views on the proposal for an alternative means of gathering students' views to inform the student experience aspect where the OfS does not have sufficient NSS-based indicators (including comments on the proposed approach to determining whether the NSS data is sufficient (outlined in Annex G of the consultation); the actions the OfS is considering to improve the availability of NSS data for more providers; and how student views could be gathered through an alternative means).**

175 comments were received.

### General levels of support

Just over two in five (71, 41%) expressed some degree of support for the proposed approach to alternative means of gathering students' views, explaining that this would ensure fairness (18, 8%), representation (17, 8%) and be an effective way of filling the gaps where NSS data is insufficient. Respondents from small or specialist providers did, however, suggest that improving the availability of NSS data should remain a priority, and that actions to adapt sampling approaches for smaller providers would allow for a fair assessment.

'We support the proposal to use alternative mechanisms for gathering student views in cases where NSS data is insufficient. This is essential to ensure fairness for smaller or specialist providers and those with atypical provision. The proposed approach in Annex G, where sufficiency is determined based on cohort size, response rate, and representativeness, is a reasonable basis for decision making.' – FE college

Some (11, 6%) held reservations and were less supportive, while six (3%) explicitly disagreed with the proposal as they felt the approach could lead to a lack of reliability, representativeness, and comparability between providers.

'Under the new scheme, around a quarter of providers entered into the TEF would not have sufficient NSS data to obtain a student experience rating. We are concerned that running alternative surveying or focus group provision in such a significant amount of providers is a huge undertaking and will be a test of the OfS's resources.' – Student or students' union

### Suggestions for alternative means of gathering student views

Around three in five (102, 58%) suggested approaches to gathering feedback from students in instances where data is insufficient, with nearly two in five (68, 39%) agreeing that focus groups would be appropriate. Respondents suggested these should be facilitated by independent moderators, and a few also reflected on potentially involving academic experts. Retaining an option to hold groups online was suggested for practicality and to reduce burden on providers with limited resources.

Just under three in ten (51, 29%) suggested student surveys. Formats mentioned included provider-led student surveys using OfS-approved frameworks, graduation exit surveys, and small-scale targeted surveys. It was felt that surveys would assist panel members in gaining a fuller understanding of student perceptions while providing students with an opportunity to engage in a meaningful and reliable way. Others suggested that widening the scope of

existing internal surveys to consider a broader spectrum of the student experience – this could be valuable in offering greater contextualisation to reflect the specific characteristics of a provider's student body. It was felt this approach would enhance the integrity and relevance of judgements by capturing feedback from students who may not be represented in the NSS, such as those on modular or non-traditional pathways.

Some (17, 10%) suggested additional evidence that might be considered from student representatives such as minutes from staff-student committees, students' union reports, or feedback from student representative systems.

### **Considerations when gathering student views**

Around half (84, 48%) discussed considerations which they felt alternative approaches should take into account. Some (34, 19%) asserted that representativeness and robustness of data should be ensured through the agreed methods. Others said it was essential to clarify what criteria and methods the assessors will use to develop a well-informed and data-driven view if alternative methods are used.

Thirty (17%) stated that alternative methods should also ensure comparability in data. It was commented that the use of alternative methods should be standardised across providers to maintain fairness and credibility. Respondents discussed the risk of potential bias and inconsistency, as well as ensuring comparability between institutions, and queried how this would be addressed.

While supportive of using alternative means for gathering student views, transparency in sampling methods would be welcomed by some (25, 14%). These respondents would like to see clear expectations about how students are selected and how diverse groups are represented to provide an inclusive and transparent approach and argued that this would strengthen sector confidence and improving the TEF's credibility.

Some (25, 14%) commented that improving the availability of NSS data should be a priority. To drive this, suggested actions included adapting sampling approaches for smaller providers, promoting student engagement with the NSS, and providing additional guidance to ensure higher response rates to help widen coverage.

A similar number (19, 11%) said that smaller providers will often not have many students in scope of the NSS and thus will have fewer students who engage with the survey. This, it was felt, risked marginalising the voices of some small learner cohorts and thus limiting the TEF's effectiveness in assessing small or specialist providers.

More than a tenth (19, 11%) commented that, if alternative mechanisms were to be introduced, the process ought to be scaled to institutional context and avoid burden, particularly for small or specialist providers with limited resources. Four (2%) highlighted financial burden specifically and suggested that additional costs could be incurred which may disproportionately impact smaller providers. Three (2%) highlighted capacity issues regarding students' unions for smaller providers, and the associated support they might benefit from, to ensure they can provide an authentic, independent student voice.

Some (16, 9%) queried how bias would be minimised if using alternative means such as focus groups to gather student views. Three (2%) stated that providers which lack sufficient data could gain an advantage through qualitative alternatives, as focus groups could produce more positive outcomes if there is selection bias and/or desirability bias in responses. Webinar participants also sought clarity on the OfS's approach to student focus groups, and questioned who would conduct them, whether there would be standardised question sets across providers, and the types of students involved. These issues are discussed further under proposal 10.

Seven (4%) sought clarity on practicalities such as timeframes for submission, and how providers could submit other sources of data to help contextualise or supplement student evidence.

Six (4%) shared their views regarding the potential use of the NSS qualitative comments to inform assessment. Of these, three felt these could strengthen and support the use of NSS data indicators although two of these commented that these should be considered with care (for example to identify any potential biases), while three were uncertain that including such comments would add value to inform the assessment.

Two (1%) felt that there should be clear thresholds published for when the NSS is deemed insufficient, and to provide worked examples for borderline cases.

Additionally, two (1%) highlighted that an absence of a student submission could be viewed as evidence of non-compliance with condition B2, and as potentially requiring regulatory intervention for failure to comply on this.

### **Considerations regarding student submissions**

Around one in six (27, 15%) commented on the OfS's proposal not to consider student submissions for the student outcomes aspect. Some (10, 6%) commented that student submissions represent collective views developed through representative structures and thought this would be an important dataset for the TEF panel. Seven (4%) in this group felt that not considering student submissions could lead to a reduction in the 'student voice'. Others (four, 2%) requested clearer guidelines to help reduce inequities and ensure fairness across the sector.

**Under this proposal, respondents were then asked for views on the proposal not to rate the student outcomes aspect where there is insufficient indicator data (including comments on the proposed approach to determining whether the data is sufficient (outlined in Annex G of the consultation)).**

**167 comments were received.**

### **General levels of support**

Around two in five (64, 38%) expressed some degree of support not to rate the student outcomes aspect where the OfS has insufficient indicator data, suggesting this is a sensible approach that would ensure fairness (19, 11%) and credibility (11, 7%). Others discussed how attempting to rate providers without robust data risked unfairness and could undermine the credibility of the TEF. This was thus seen as a responsible approach from the OfS that would avoid the risk of misrepresentation or misunderstanding of providers' performance among students and other stakeholders.

Some (28, 17%) expressed reservations with the proposal not to rate the student outcomes aspect in certain cases. While a few (five, 3%) explicitly disagreed, most of the 28 suggested this approach could result in inconsistency across the sector and potentially cause confusion for the wider public, or because they believed the lack of rating could give smaller providers an advantage over larger ones.

### **Considerations to take into account**

Just over a fifth (35, 21%) discussed how public perceptions may be skewed by the lack of a student outcome rating and suggested that the OfS should further investigate the potential reputational consequences this might have for providers. One comment suggested that, to help the public understand a provider's performance, a qualitative statement could be included, summarising the reason for data insufficiency, any supplementary evidence provided by the institution, and key insights from student feedback or internal evaluations.

**'How will this approach be interpreted and communicated publicly? Even where the absence of a rating is presented neutrally, there remains a risk that students, employers, or external stakeholders could misinterpret this as a lack of quality or transparency.'** – University

Some (26, 16%) felt that this approach risked misrepresentation and unfairness to providers of different sizes and suggested this could favour smaller or newer providers where insufficient data potentially masks a large spread of uncertainty or any lower metrics. Examples were discussed such as: if a smaller provider were to receive a student experience rating of Gold, this would be its overall score; conversely, a larger provider with a similar average score might receive Bronze or Silver overall despite having a Gold rating for the student experience aspect. A few (12, 6%) also felt this approach could result in a lack of accountability if smaller providers with limited data could avoid a student outcomes rating altogether.

On the other hand, five (3%) suggested that small providers may feel disadvantaged for having insufficient indicator data, leading to a lack of rating – especially FE colleges which tend to have smaller HE cohorts. A few (12, 7%) mentioned that consideration of contextual evidence is crucial for understanding diverse student outcomes, especially for smaller providers. While these respondents understood the rationale for not rating student outcomes, they cautioned that defaulting to the student experience rating could create reputational risk for providers that perform strongly on the student outcomes aspect but lack sufficient data due to structural factors (such as small cohorts, specialist provision, or high proportions of international students excluded from key datasets).

Respondents commented that consistency would help to ensure the approach is successful, with 23 (14%) emphasising that the approach should be fair and transparent, and that ratings state clearly what has been considered, especially in instances where one aspect rating is all that is provided.

Six (4%) thought that ensuring the validity of the data would be beneficial to safeguard the standardisation of the approach.

### **Alternative approaches suggested**

Some (21, 13%) suggested an alternative approach or measures instead, such as developing an alternative student outcomes assessment approach rather than simply not providing a rating. One (1%) suggested that, for small cohorts, this could include allowing aggregated or longitudinal data across multiple years, permitting the use of bespoke institutional surveys validated by independent reviews, or the use of employer rankings within external university rankings.

Three (2%) students or students' unions suggested there should be parity across both aspects, and student experience should be treated the same when there is insufficient data.

### **Comments on the proposed approach to determining whether data is sufficient**

Some (14, 8%) supported the proposed approach on this and felt it struck the right balance between maintaining fairness and ensuring robust evidence-based ratings. A similar number (15, 9%), in contrast, suggested it might be too restrictive, and may fail to show the full picture at a provider.

Clarification was sought on the definition of 'sufficiency of data' (26, 16%). Some (five, 3%) requested that clear thresholds for what constitutes sufficient data is communicated early, so providers can anticipate whether their student outcomes aspect will be rated and plan accordingly.

Three (2%) queried whether providers with limited data could submit qualitative evidence or request a contextualised review, seeking more information on how borderline cases for data sufficiency would be treated. Seventeen (10%) felt it was important to ensure that thresholds for data sufficiency are consistent, suggesting examples linked to response rates and minimum cohort size. Some commented that the approach ought to be transparent to ensure that decisions about data sufficiency are perceived as fair and evidence based.

Some (13, 8%) proposed adopting a more conservative approach when thresholds for determining data sufficiency are applied, commenting that small cohorts may technically meet the data sufficiency criteria yet still produce unstable or misleading results.

## 2.2.9 Proposal 10: Student evidence and involvement

The OfS proposes to include direct student input in the assessment of the student experience aspect for all providers, and to expand the range of student assessors.

**Respondents were asked for their views on the proposed approach to including direct student input in the assessment of the student experience aspect for all providers (including comments on alternative ways of gathering student input where student submissions are impractical).**

186 comments were received.

### Levels of support

Four in five (148, 80%) supported or agreed with the OfS's proposal in principle.

Some (27, 15%) said this approach would ensure that students' lived experience remained central to the TEF and provide richer, authentic and contextual insights. Fifteen (8%) further commented that it should not be limited to those providers whose students can produce a written submission.

'We see the key strengths of the proposal to be the inclusion of student-centred evidence, a clear focus on the student experience and using data that is complementary to the results of the NSS. Direct input from students reflects the lived experience of those studying, ensuring that judgements are informed by authentic experiences.' – Specialist provider

Embedding the student voice was seen as critical to the credibility and legitimacy of the TEF to ensure that assessments reflect lived experiences and not only institutional data or narratives (11, 6%). Four (2%) commented that this approach is well-aligned with best practices in quality assurance and student engagement and will ensure robust and meaningful student involvement. One (1%) felt the inclusion of student input into quality assurance would align more closely with the ESG.

Four (2%) harboured reservations with the proposal – two (1%) said the TEF only happens every few years and felt that student comments would thus be a snapshot in time; one (1%) felt student submissions might not always be practicable; the other (one, 1%) felt that gathering student views should not be limited to focus groups only.

### Alternative ways of gathering student input

Over two in five (82, 44%) suggested alternative ways of gathering student input.

Around a quarter (42, 23%) said the use of OfS commissioned focus groups or similar to facilitate direct student input was appropriate in instances where a provider itself has less well-developed student representation structures.

Some (15, 8%) suggested that direct student input should come from established student voice processes, such as independent, representative, student-led structures, and other internal processes (such as student surveys and course representative meetings), to ensure the TEF reflects the diversity of student experience. A few (eight, 4%) stated that existing engagement mechanisms such as student panels could be used, so long as clear protocols for impartiality are in place.

Fifteen (8%) suggested the use of digital tools such as a recorded PowerPoint presentation to combine text and verbal explanations, video submissions, creative media digital storytelling, blogs, and deploying other tools such as quick polls or apps.

Some (12, 6%) mentioned that providers should be permitted to submit information related to their own review of quality indicators gathered via internal student surveys.

However, ten (5%) commented that formal student submissions are not always practical, and in these instances suggested alternative approaches like structured interviews to allow meaningful input.

### **Considerations when gathering student input**

Some (23, 12%) discussed how student input must be genuinely representative and inclusive but reflected that finding ways to achieve this consistently across different types of institutions is difficult. They mentioned that smaller providers may struggle to produce structured submissions, and that allowing providers to choose which students contribute could lead to inconsistent representation and uneven outcomes; they argued that institutions should support student bodies to provide their own informed, evidence-based input.

The same number (23, 12%) commented that any mechanism used to gather student views should be impartial, structured and proportionate. It was suggested that approaches such as open focus groups may risk bias through self-selection, coaching effects or unequal representation of disciplines and demographic groups.

Twelve (6%) stated that small or specialist providers often lack the resources, structures or students' unions to produce student input. Representation can also vary because student officer roles turn over quickly in larger institutions. To ensure fairness and quality, it was suggested that the OfS supports student leaders and students' union staff so they can contribute effectively.

A similar number (11, 6%) highlighted that providers may face hidden costs if they are obliged to produce detailed student submissions through alternative mechanisms like focus groups or structured interviews.

Where direct submissions are impractical, nine (5%) mentioned that alternative approaches must be guided by clear frameworks to ensure consistency. Discussion also focused on ensuring student input is designed and facilitated in a way to remove the burden from students, particularly for those in the creative arts, studying part-time while also working, and for those with caring responsibilities (nine, 5%).

A few (six, 3%) highlighted that it is crucial that this input is gathered and used in a way that is representative, balanced and fair. Two (1%) commented that expanding student involvement without addressing the potential for desirability bias within responses may risk compromising the authentic student voice.

### **Under this proposal, respondents were then asked how the OfS could help enable more student assessors from small, specialist and college-based providers to take part.**

118 comments were received.

### **Measures suggested to support student assessor recruitment**

Almost half (58, 49%) said it was important to address any practical barriers that may prevent participation, and one effective way to do this could be to offer financial remuneration in recognition of students' time and contribution, and help ensure participation is accessible, inclusive and acknowledges the value of their input.

'If the OfS wants a genuinely representative assessor pool, it needs to design the process in a way that makes participation realistic and accessible

for students from all backgrounds, not just those who can afford to volunteer.’ – Student or students’ union

Almost a third (38, 32%) suggested that student assessors, especially those from smaller or specialist providers, could benefit from extra training to participate effectively. They suggested resources such as introductory guidance on the framework, the evidence they will review, and their responsibilities. Targeted training was felt to be particularly important for specialist disciplines where teaching models and outcomes differ from mainstream provision.

Around a quarter (32, 27%) discussed that students in certain disciplines can have very intensive, inflexible schedules. Fifteen (13%) also discussed the time constraints for postgraduate, creative/arts and mature students; they commented that many of these students work to support themselves and/or have caring responsibilities. It was thus suggested that flexibility, potentially including weekend or evening slots, could mean that students can contribute without disrupting their academic or other commitments. Related to this, 17 (14%) suggested that scheduling of training is worked around students’ timetables. Some (16, 13%) also mentioned facilitating remote participation through digital platforms and said this might enable assessors from geographically dispersed or time-limited contexts to contribute fully.

Sixteen (13%) suggested introducing a structured mentoring scheme, for example pairing new student assessors with more experienced assessors from other institutions and believed this could incentivise more students to participate. Three (3%) proposed creating networks of student assessors to enable peer support and knowledge sharing.

Other suggestions included the following.

- Institutional support mechanisms, such as formal recognition of assessor participation within learning agreements or co-curricular records, which could help smaller providers, in particular, to encourage student engagement (four, 3%).
- Offer a reduced academic workload (four, 3%).
- Back funding for students with students’ union responsibilities (three, 3%).

## **Recruitment**

Around one in five (26, 22%) suggested that a targeted outreach and recruitment approach, for example by working directly with smaller providers and student associations, could help promote opportunities and identify suitable candidates.

Nine (8%) recommended strong engagement with student representative systems such as students’ unions, student voice structures and NUS networks to raise awareness of opportunities. Further to this, two (2%) mentioned site visits, and one (1%) suggested webinars for providers and students.

As a broader consideration, some (16, 13%) suggested that increasing participation from student assessors based in underrepresented provider types is essential to ensure that TEF judgements reflect the full diversity of English HE.

## **Other comments**

Additional points were each raised by a small number.

- Requiring two years’ service from student assessors could affect who would apply and thus the demographic profile of assessors (three, 3%).
- Showcasing the benefits to students of participating in different regulatory processes would help drive interest (three, 3%).
- If increased participation from assessors in small providers is considered beneficial, the same rationale should be applied to ensure assessors from larger providers are equally represented (two, 2%).
- Some form of childcare support should be offered to student assessors (one, 1%).

- Student assessors should be matched to subject areas in which they have expertise (one, 1%).

### 2.2.10 Proposal 11: Assessment cycle

The OfS proposes to assess each provider for the first time within three years, according to a set of priorities; and to link the timing of further assessments to the ratings awarded and its ongoing risk monitoring.

**Respondents were asked for their views on the proposed approach to scheduling providers for their first assessments (including comments on the factors the OfS should consider in scheduling assessments; any types of significant events that should lead the OfS not to schedule an assessment in that year; and the sequencing of TEF assessments and APP approvals).**

164 comments were received.

#### Levels of support

Around half (77, 47%) were broadly supportive of the approach.

Some (24, 15%) specifically highlighted their support for a risk-based approach to scheduling first assessments. Starting with providers that currently have a current rating of Bronze or Requires Improvement was felt to give those providers timely opportunity to demonstrate progress and address the implications of their lower rating.

Fifteen (9%) believed that the criteria for scheduling the first TEF assessment cohort should be transparent. They argued that clear timelines and consistent processes would help providers to plan effectively and maintain confidence in the system, and would be essential to ensure fairness across the sector.

That the proposed approach is flexible and adaptable was also welcomed, so the OfS can respond effectively to changing risks and data (eight, 5%). Others supported the proposed approach for being structured (four, 3%) and proportionate (two, 1%).

In contrast, one in six (28, 17%) did not support at least one element of the proposal, with most of these (23, 14%) stating that the six-month notice period for assessment selection would be insufficient for providers and/or for students to prepare submission, of which 10 (6%) specifically mentioned considerations for small providers with more limited resource. Ten (6%) suggested a lead in time of 12 months, and two (1%) proposed six to 12 months. Four (2%) highlighted that evidence from the TEF 2023 student contact survey findings showed 73% found timeframes challenging even with longer notice.

#### Considerations for scheduling assessments

Twenty-two (13%) commented that advance notice of scheduling decisions would be important to help providers plan ahead and to allocate resources effectively. Eight (5%) discussed how clear communication would enable providers to prepare for assessments, and that adequate advance notice and a published schedule would allow for effective planning.

*'Ultimately, the most important thing for providers is that whatever approach is chosen, adequate notice and clear guidance is given.'* – University

There were mixed views regarding the scheduling of institutions currently without TEF ratings. Fifteen (9%) felt it was in the best interests of those providers and students that an assessment of the level of quality at these providers be undertaken sooner rather than later. In contrast, seven (4%) said those undertaking the TEF for the first time should not be

scheduled in the first cycle of assessments so that there is time for the new framework to be established and good practice to be shared.

Eleven (7%) mentioned that providers assessed in the first year could gain immediate benefits from high ratings (or suffer interventions from low ratings) while others might have to wait two more years, thus creating market distortions potentially affecting student recruitment, institutional reputation and forward planning.

A few (10, 6%) suggested that assessments could be scheduled to align with the availability of sufficient and robust data to ensure meaningful evaluation, and further proposed that, where data is incomplete or unstable, it may be more appropriate to defer assessments.

Six (4%) stressed that it would be important to ensure the process takes into account institutional readiness and the capacity to produce meaningful submissions. The same number (six, 4%) would welcome the OfS's consideration of internal quality cycles, and three (2%) felt flexibility in scheduling would avoid disproportionate pressure.

One (1%) commented that providers with an existing Requires Improvement rating should take priority over those with an existing Bronze rating. Another (one, 1%) suggested large providers go first as they are best resourced for an assessment.

More broadly, five (3%) expressed the view that early cohorts, especially those with smaller teams, will face the heaviest interpretation burden under a new methodology, as those assessed first would not have examples of early submissions to learn from (unlike those assessed later), and that a more mixed initial assessment pool could allow for more learning from providers currently rated Gold or Silver. A few (three, 2%) pointed to the potential challenge of maintaining consistency of assessment over different years of the cycle.

The implementation timeline is discussed further under proposal 15.

### **Sequencing of the TEF and APPs**

Around one in six (24, 15%) felt that the TEF's scheduling should avoid clashing with APP submissions, as these simultaneous requirements would create heavy burdens, especially for small providers. They highlighted that the TEF and APP submissions draw on the same staff and felt that undertaking both in the same year would be unmanageable. It was thus suggested that the TEF and APP submissions are sequenced sensibly rather than occurring simultaneously to help manage burden for providers of all sizes.

In contrast, 11 (7%) said that better alignment between the TEF and APP cycles could help reduce duplication. Aligning or sequencing the two processes could also help create a joined-up view of the student lifecycle, but respondents caveated this by saying that providers should not be mandated to complete both simultaneously, rather that the TEF and APP should remain separate but that their timelines could be coordinated to inform each other.

In addition, nine (5%) felt that aligning the TEF and APP submissions could help institutions engage fully with both processes. This was viewed as important as both rely heavily on understanding the student body, and APPs can provide useful context for TEF assessments.

### **Significant events for the OfS to consider when scheduling**

A fifth (33, 20%) would welcome the OfS ensuring that cycles do not coincide with other major regulatory or evaluative exercises – counter to what is currently proposed. The most commonly cited exercises were Ofsted assessments (21, 13%), REF submissions (14, 9%) and PSRB reviews (eight, 5%). A few others also mentioned the Knowledge Exchange Framework (three, 2%), with individual (one, 1%) mentions each for Athena Swan submissions, other major regulatory interventions, and Research Ethics Committee work.

Some (21, 13%) suggested that the OfS should avoid scheduling an assessment in years where a provider is undergoing a merger as this is a significant event that can be demanding

and disruptive. Seven (4%) proposed deferral options relating to mergers including automatic deferral (usually one year) (five, 3%), or deferral for more than one year (two, 1%).

Some (19, 12%) said the scheduling of assessments should avoid coinciding with leadership changes, of which three commented further that this should be grounds for deferral (arguing that this would materially affect governance, data integrity and HE operations) (two, 1%), or that the indicative timeline should be flexible (one, 1%).

Ten (6%) discussed how the OfS should take account of curriculum reform as they felt this could impact the ability of a provider to participate effectively in a given cycle. Individual comments suggested: assessment is delayed to avoid unfair outcomes (one, 1%); to automatically defer assessment for at least one year (one, 1%); or to allow providers adequate time to effectively embed changes before being assessed (one, 1%).

Four (3%) said a deferral should be permitted only with clear conditions or follow-up requirements, ensuring providers cannot use deferral as a means to deliberately delay their assessment.

### **Under this proposal, respondents were then asked for views on the proposed approach to scheduling providers for subsequent assessments.**

150 comments were received.

#### **Levels of support**

Two thirds (101, 67%) supported or agreed with the OfS's proposal in principle.

Around a third (46, 31%) expressed support for a risk-based approach as they felt it directs attention to providers where concerns are greatest, and agreed that a strong, stable performance should go longer between assessments. Some (13, 9%) thought that this will incentivise higher quality and a push for higher ratings, as providers with strong TEF ratings and stable outcomes would benefit from extended intervals between assessments, thus freeing up resources. Eight (5%) said the approach would reinforce proportionality and reduce unnecessary burden for providers which demonstrate consistently strong performance.

*'We support the principle of a regular and predictable cycle for subsequent TEF assessments, as this promotes consistency and enables providers to plan strategically for continuous improvement.'* – University

Others mentioned that a consistent (10, 7%) and transparent (six, 4%) approach would provide certainty in the scheduling process, to enable providers to align TEF preparations with other requirements and to allocate staff and resources more effectively.

Some (five, 3%) welcomed the flexibility of the OfS's acknowledgment that there may be circumstances in which it would be appropriate to change the timing of a provider's next assessment.

In contrast, a few (seven, 5%) did not support the approach – most frequently this was because they felt there should be more frequent monitoring of Gold and Silver providers as they felt there was an assumption they would maintain quality without systematic oversight, which might not be the case over several years. They questioned the fairness of variable cycle lengths, noting that shorter reassessment periods for Bronze providers could lead to uneven weighting of performance trends – one respondent observed this variability "has the potential to 'bake in' current ratings", undermining the aim of a risk-based system that incentivises improvement. Three (2%) also commented on the interaction between different assessment frequencies and the years of data that would fall within scope – while the consultation did not set out a firm position on this, it was felt that the design of the cycle itself could benefit from further consideration. For example, one of these three suggested that a standard four-year cycle, or a cycle aligned to the period since a provider's last assessment, could help avoid cohort gaps in the evidence base.

Two (1%) commented that ratings which had not been updated for some years could still be used to potentially increase fees (alluding to the DfE's Post-16 Education and Skills White Paper proposal to link quality and fees).

Three (2%) also highlighted a perverse incentive that a Bronze-rated provider could improve its rating quicker than a Silver provider. Another three (2%) suggested that there should be a fixed multi-year cycle for all providers no matter what the rating was awarded to enable long-term planning.

### **Considerations for scheduling subsequent assessments**

Some (21, 14%) highlighted what they saw as the cumulative burden of having to undertake more regular TEF assessments for institutions with a Requires Improvement or Bronze rating, arguing that this could create an unequal regulatory burden across the sector, where those institutions will be subject to the higher costs and burden of maintaining a constant state of readiness. Eleven (7%) mentioned that more frequent TEF assessments for Bronze-rated institutions would also entail increased costs linked to the proposed fee for TEF assessments (discussed further in section 2.5.2), placing further financial pressure on institutions that may already be in difficulty.

Similar to points raised in the preceding section, respondents (16, 11%) raised considerations of regulatory burden – to manage sequencing of TEF timelines around other regulatory requirements or substantial processes (e.g. REF submissions, Ofsted assessments, APP submissions, mergers or other major structural changes such as curriculum transformation or estates investment) so that providers have opportunity to prepare a robust submission.

Some sought further clarity on various points around scheduling, including detail on:

- when and how the OfS might bring assessments forward because of increased risk (three, 2%)
- the ongoing monitoring process, including how triangulated data from regulators, NHS England, and other assessments inform decisions about quality risks (five, 3%)
- how the TEF and APPs will work in future, what they will assess, for which student groups, and using which data and other evidence (one, 1%), and the degree of overlap in evidence requirements between the two (two, 1%)
- the proposed introduction of additional populations to the TEF in future iterations (one, 1%).

Ten (10, 7%) felt reassessment periods should be realistic so as to give providers adequate time to implement changes and demonstrate progress, as reassessing too soon may not reflect improvements. Meanwhile, seven (5%) suggested providers with a Bronze rating should be able to request an earlier reassessment if they believe they can demonstrate improvement and achieve a higher rating. Further comments linked to the potential consequences of lower ratings are in proposal 13.

Related to this, eight (5%) discussed how time lags in data meant that any changes made between assessment would not necessarily be reflected quickly in data. It was thus suggested that there is sufficient gap between assessments to allow improvements to be undertaken and evidenced in the lagging datasets. Two (1%) stated that outcomes data can be volatile year-on-year and suggested that the OfS considers multi-year trends (and not a single, potentially anomalous, year of data) before deciding to bring forward a provider's assessment based on risk. With the data lag, one (1%) felt that contextual factors should carry greater weight than outcomes data that may not yet reflect recent changes.

Five (3%) suggested that, as with Requires Improvement providers, Bronze-rated providers should also be eligible for a streamlined, targeted reassessment focused on the specific aspects that led to the initial rating.

## 2.3 A risk-based system of incentives and interventions

### 2.3.1 Proposal 12: Risk monitoring

The OfS proposes to introduce a risk monitoring tool that sets out the factors associated with increased risks to quality.

**Respondents were asked for any comments or evidence about the factors associated with risks to quality that might be included in the draft risk monitoring tool at Annex I. 153 comments were received.**

#### Levels of support

Around half (80, 52%) supported or agreed with the OfS's proposal in principle.

These respondents perceived that a risk-based monitoring tool would be valuable for identifying issues early and maintaining confidence in quality. Some of these (29, 19%) also said it would be helpful for providers in understanding their performance, identifying gaps, and focusing improvement efforts. Eight (5%) expressed their support for a risk-based approach.

Three (2%) said the proportionate model outlined would be essential to ensure fairness for specialist institutions. One (1%) stated that the development of a risk monitoring tool as a proactive means of identifying potential risks would be essential to protecting students.

#### Risk factors to monitor

Twenty-three (15%) felt the recruitment of students with very low or no entry qualifications should not automatically be monitored as a risk. Respondents commented how many providers serve learners with vocational backgrounds, adult returners and underrepresented groups, and as such lower entry qualifications reflect their mission and context, not poor quality. They emphasised that such recruitment should be assessed alongside the support offered, student outcomes and institutional intent, and that the OfS should take a collaborative, contextualised approach rather than diminishing providers' inclusive delivery models.

'While broadly supportive of the introduction of a risk monitoring tool, it is important to recognise that many of the factors currently proposed are strongly correlated with widening participation (WP) activity. Providers with a higher proportion of WP students may be flagged as "higher risk" even when they are effectively supporting their students.' – University

Some (11, 7%) suggested monitoring financial sustainability indicators as they felt this directly affects provision quality, particularly if this leads to reduced support for teaching or student services.

The same number (11, 7%) said qualitative evidence should be included and felt that a purely quantitative risk monitoring tool could misinterpret structural or contextual factors as institutional risk, especially when data is incomplete or volatile. Incorporating qualitative evidence such as external examiner reports, PSRB engagement, peer review outcomes, and disciplinary context would, it was argued, better reflect institutional diversity, and avoid belittling niche or practice-based provision.

Ten (7%) suggested that structural change may signal increased risk to quality, for example leading to significant fluctuations in student recruitment, rapid expansion of provision, or through major organisational changes (e.g., mergers, leadership changes).

Six (4%) discussed monitoring risks regarding partnership provision and suggested assessing these in terms of accountability, oversight and student experience. Respondents emphasised that strong oversight by a lead provider should prevent isolated partner-level issues from disproportionately inflating institutional risk. They also noted that both domestic and international partnerships carry risks and opportunities, so additional or compound indicators such as rapid partnership growth might be helpful.

Other risk factors suggested for monitoring included:

- student outcome data (four, 3%)
- decline in staff-to-student ratios (four, 3%)
- student experience (four, 3%)
- student complaints (three, 2%)
- regulatory body concerns (three, 2%)
- NSS survey data (three, 2%)
- academic staff turnover (two, 1%)
- part-time temporary staff (two, 1%)
- resourcing pressure (one, 1%)
- external examiner concerns (one, 1%)
- collaborative body concerns (one, 1%)
- positive assurance indicators (one, 1%)
- reduction in learning resources (one, 1%)
- lack of purposeful outcome on completion (one, 1%)
- accommodation availability and affordability (one, 1%).

### **Considerations in gathering, monitoring and interpreting risk factor data**

Some (14, 9%) mentioned that some of the data being reviewed may be subject to a time lag and thus not representative of the current level of risk at that institution. Specifically, they commented that continuation is a lagged indicator as data will be approximately three years old by the first time it can be used (although the consultation proposals suggest it is up to date) (two, 1%); and measures such as completion and graduate outcomes are inherently retrospective (one, 1%).

Eleven (7%) commented on accounting for small cohort volatility (11, 7%) – they believed that risk factors should be contextualised to avoid misinterpretation of small cohort data, and that over-reliance on automated risk signals could be counterproductive for small or specialist providers. They discussed how metrics such as continuation fluctuate more in smaller datasets, and how these fluctuations should not be misinterpreted as quality concerns.

Six (4%) said relying on isolated or single year data-points could risk overstating concerns, commenting that one-off shifts in student numbers, student-to-staff ratios or foundation year provision is often reflective of normal variation, strategic choices or the natural volatility of small and specialist providers rather than declining quality. These respondents suggested that a more proportionate approach might instead be to assess multi-year trends, supported by clear definitions of what constitutes material or sustained change, to ensure regulatory judgements are consistent and evidence based.

The same number (six, 4%) mentioned there is no published, standardised sector method for calculating student-to-staff ratios (nor equivalent data published by HESA) and commented that no definition exists for what constitutes a “high” or “materially increasing” ratio.

A few (five, 3%) would like to see the student voice included, stating that it is often ahead of data-led indicators in terms of instant feedback and accurate feeling, and was therefore seen as crucial in monitoring these risks.

Another five (3%) outlined how the risk-monitoring tool should work effectively for PGT as well as undergraduate provision but commented that UCAS data is unreliable as it excludes PGT students (one, 1%), and would like to avoid classifying data-sparse postgraduate institutions (one, 1%).

Other points put forward to consider when interpreting monitoring data included:

- variation in risk among student groups (two, 1%)
- if providers are scaling down (two, 1%)
- how modular provision is treated (two, 1%)
- industrial action (one, 1%).

### **Not used in isolation**

Nearly three in ten (45, 29%) discussed how factors should not be used in isolation.

Some (22, 14%) said student-to-staff ratios should be presented in combination with other factors to provide a more balanced and meaningful assessment of quality. They commented that increasing ratios could result from a measured plan for expansion or might simply be an indication of a provider's evolving subject mix.

A tenth (16, 10%) discussed how the presence of foundation year provision is not necessarily an indicator of risk – respondents said that, when delivered well, this is a vital pipeline for mature and widening participation students into HE. Two (1%) felt the inclusion of monitoring a large or growing volume of foundation year provision risks providers moving away from this provision.

Thirteen (8%) said growth in student numbers should not automatically trigger enhanced scrutiny as this may result from a number of factors, such as a strategy for growth supported by investment (four, 3%) or natural variation (two, 1%).

Others mentioned that factors such as domestic partnerships (nine, 6%) and employment outcomes (two, 1%) should not be treated in isolation.

### **Further clarity**

Clarity was sought on how the OfS intends to use this in regulatory activity (19, 12%), with respondents seeking guidance on how the tool will inform regulatory decisions, what actions might be triggered, how providers will be informed of risk status, and how providers can engage with risk assessments.

Beyond this, three (2%) sought clarity in the OfS's definition of 'large or growing' student numbers (three, 2%), while one (1%) queried what would trigger a heightened risk rating.

## **2.3.2 Proposal 13: Incentives and interventions**

The OfS proposes to introduce a strengthened set of incentives and interventions that vary according to the level of quality and risk, to drive quality improvement across the sector.

**Respondents were asked for any comments about the proposed set of incentives and interventions associated with TEF ratings (including comments on the principle that growth in student recruitment should take place at high quality providers; the potential to link eligibility for degree awarding powers (DAPs) awards, or extensions to existing DAPs, to higher TEF ratings; the approach to determining a breach or increased risk of breach, following TEF rating decisions; and whether there are any other incentives and interventions the OfS should consider).**

**197 comments were received.**

### **Levels of support**

Three in ten (60, 30%) supported or agreed with the OfS's proposal in principle.

Most (135, 69%) did not support at least one element of the proposed set of incentives and interventions associated with TEF ratings, while three in ten (60, 30%) supported at least one element.

Of these 60 expressing some degree of support, 41 (21%) favoured the proposal to link incentives and regulatory interventions to TEF ratings. They agreed that high quality providers should be able to maximise recruitment and to benefit from reduced regulatory scrutiny, with oversight focused more heavily on those receiving lower ratings. Six (3%) explicitly supported the principle of offering meaningful incentives to institutions achieving a Gold or a Silver rating, to recognise and reward excellence and encourage high quality provision. Aligning student number growth with higher-rated providers could, it was felt, help increase the proportion of students studying in low-risk, high quality environments. Five (3%) welcomed the transparency of the process; one (1%) agreed that providers with a Requires Improvement rating may warrant closer regulatory attention; and another (one, 1%) supported the approach for being proportionate.

However, many (84, 43%) viewed Bronze interventions as disproportionate as they felt that making Bronze-rated providers ineligible for funding or incentives would be unfair, given that a Bronze rating signifies an institution meets the minimum quality requirements. Respondents felt this approach risked creating a two-tier system, where providers with fewer resources, despite meeting expectations, are placed at a disadvantage and denied opportunities to improve. Similarly, a tenth (20, 10%) remarked that placing restrictions on Requires Improvement providers such as limiting funding or capping student recruitment would make it harder for them to invest in the improvements the OfS expects. Respondents noted a perceived tension between the TEF's core purpose as a framework for driving quality enhancement versus it being used as a compliance tool (see also proposal 5).

**'The OfS has previously stated that the TEF minimum requirements represent 'high quality' and that incentives for meeting these requirements should focus on quality enhancement, not extend beyond it. To do otherwise will hinder universities' ability to invest in teaching and learning and, worse, their ability to move up category through investment and forward planning.'**

**– University**

Nearly two fifths (76, 39%) commented that the proposal to restrict student number growth could directly undermine providers' ability to develop and enhance provision. Capping recruitment could, it was argued, limit income growth at a time when many institutions are already financially stretched. This could, they felt, leave them with fewer resources to invest in improving student experience and outcomes, ultimately slowing or preventing the very improvements the OfS expects them to deliver.

Some (22, 11%) felt linking DAPs awards to TEF ratings would be inappropriate and potentially harmful, noting that DAPs assess governance, academic standards and institutional capacity, which respondents viewed as areas distinct from the outcomes-focused measures used in the TEF. They suggested this approach could entrench inequality by favouring already well-resourced providers, and was likely to limit opportunities

for students rather than improve quality. In contrast, seven (4%) explicitly supported the link between eligibility for DAPs awards and TEF ratings as it was seen to reinforce the expectation that such powers should be underpinned by clear evidence of sustained quality.

Four (2%) expressed their view of the importance of maintaining a clear separation between TEF judgements and regulatory findings and argued that the TEF should function as an evaluative and enhancement-focused process. They suggested that low or declining ratings should prompt proportionate follow-up, such as monitoring or targeted action plans, rather than serving as an enforcement mechanism – it was suggested that lack of access to incentives could be construed as a regulatory sanction.

Linked to this, four (2%) opposed the proposed interventions for providers with a Bronze or Requires Improvement rating – they argued that providers may not necessarily be in breach of the conditions of registration (as, in their view, the TEF evidence base is not fully aligned with regulatory framework), but this could be interpreted as the OfS judging that a provider is 'at risk of breach'.

A few (three, 2%) mentioned the view that this approach presents a reputational risk for English HE. If a significant proportion of the sector is deemed lower quality through Bronze or Requires Improvement ratings linked to regulatory consequences, it was felt this could damage perceptions of the nation's HE offering on a global scale.

### **Financial sustainability**

Respondents noted that many institutions face financial stress already (inflation, frozen fees, cost pressures). They commented that adding TEF-based interventions could push some providers over the edge, especially those with structurally small cohorts. Limiting funding for lower-rated providers was seen as likely to reduce their ability to invest in quality enhancement, potentially triggering a negative cycle that undermines both educational quality and financial sustainability. Respondents expressed the view that such measures could create a downward spiral for providers already facing resource constraints, ultimately affecting staff and students. This point was also raised in student feedback sessions.

'Providers may lose opportunities to secure their financial base through increasing student numbers (especially in light of inflationary shocks to their expenditure) or research income. This could lead to them being worse resourced and potentially needing to make cuts to staff. As such, the provider would find themselves unable to improve their TEF rating, facing further financial challenges. Over time, these cumulative cost pressures may lead to market exit for providers with current financial sustainability challenges.' – HE sector body

Some (45, 23%) discussed the financial implications of potentially linking tuition fees to TEF ratings – a proposal not set out in the OfS's consultation but outlined in the DfE's Post-16 Education and Skills White Paper (published while the consultation was live) – and felt such differential fee caps could destabilise providers already facing significant financial pressures. They believed that capping fees for lower-rated providers could risk widening existing inequalities, as students from lower socio-economic backgrounds (who are often more debt-averse) may feel compelled to choose cheaper options rather than the courses or institutions best suited to their needs.

### **Further considerations around proposed limits on student growth**

Thirteen (7%) with a strong widening participation mission shared reservations about the proposal to introduce limits on student growth. They thought that such restrictions could disproportionately affect institutions serving non-traditional or underrepresented learners, which could reduce opportunities for the diverse student groups these providers typically support. They commented that capping growth for lower-rated providers could further disadvantage students who are already less well represented in higher-rated institutions.

Five (3%) also felt there was no reasonable justification for linking TEF ratings with world-leading specialist provider funding.

Eighteen (9%) felt that a more nuanced approach could take better account of small and specialist providers, with respondents commenting that applying growth limits to Bronze-rated institutions could disproportionately affect those serving rural areas or delivering local skills and widening participation missions. They emphasised that any incentives or controls must be proportionate and sensitive to context, particularly the challenges created by small cohort sizes, which could lead to statistical volatility and suppression. Without such consideration, it was felt that providers achieving strong outcomes for disadvantaged learners risked being unfairly constrained, potentially reducing rather than widening access to HE. There was also reflection that providers might be perversely incentivised to avoid recruiting students who are statistically less likely to achieve strong outcomes, undermining widening participation efforts.

Furthermore, eleven (6%) said the proposed set of incentives risked leading to more HE cold spots, and areas of the country where there are limited numbers of providers and groups of students who, they felt, would be effectively barred from HE by their local provider having caps on student numbers.

Six (3%) discussed variation between subject areas and how a blanket cap based on an overall institutional rating could unintentionally limit growth in high-quality disciplines.

### **Other incentives or interventions to consider**

A few (11, 6%) mentioned that improvement should be incentivised, not judged solely on outcomes, to help providers, especially smaller ones, strengthen quality and expand learner choice. Positive incentives were put forward – such as improvement funding, innovation grants, recognition and tailored support as enablers to help drive enhancement and innovation.

Six (3%) said an effective incentive model must balance recognition of strong performance with targeted support for those with lower outcomes, to ensure that interventions enable progress rather than reinforce disadvantage.

Other suggestions included the following.

- Unlimited student growth for Gold-rated providers (three, 2%), and rapid student growth for Silver (one, 1%).
- Incentives for widening participation (three, 2%).
- Lighter touch reporting for providers with sustained high ratings (two, 1%).
- Recognition of continuous improvement (two, 1%).
- Silver (and Gold, implicitly by extension) DAPs applications authorised automatically (one, 1%).
- Use of incentives to increase medicine and dentistry student caps (one, 1%).

In terms of other comments, a small number:

- requested alignment with other regulatory processes (five, 4%)
- sought clearer differentiation between Bronze and Requires Improvement incentives and interventions (four, 2%)
- queried the relationship between Ofsted gradings (or other regulatory ratings) and TEF ratings (three, 2%)
- suggested the OfS should model the effects of the impact on student growth of being rated Bronze, Silver or Gold (two, 1%)
- requested an equality impact assessment is conducted (one, 1%).

## 2.4 Published outputs of the overall system

### 2.4.1 Proposal 14: Published outputs

The OfS proposes to continue publishing the outputs and outcomes of its quality assessments, aimed at providing clear information to students about the level of quality delivered by different providers, and incentivising and supporting providers' efforts to enhance quality.

**Respondents were asked for views on the range of quality assessment outputs and outcomes the OfS proposes to publish.**

161 comments were received.

#### Levels of support

Three in five (96, 60%) expressed support for this proposal.

Respondents said this would be a transparent approach to publishing (37, 23%), would help inform student choices (18, 11%), and aligns with international best practice, particularly the ESG (13, 19%). A few made specific reference to welcoming the annual publication of data (six, 4%) and the publication of data from the risk monitoring tool (three, 2%).

'We support continued publication of TEF ratings and related quality assessment outputs. These are important for prospective and current students when making decisions and holding providers to account.' – Student or students' union

Over a quarter (29, 28%) said it was important that outputs are accessible for different audiences. Most commonly, it was suggested that different approaches continue to be used for providers, students and the wider public (17, 11%), whereby providers receive detailed reports with all the information they might require, while public-facing reports include plain-language summaries, clear visual explainers, and clear contextualisation. Three (2%) also suggested user-friendly dashboards as beneficial.

'The key question is not whether to publish, but how to do so in a way that is informative rather than reductive. For students and their advisers, headline ratings and succinct narrative summaries are necessary. They offer an accessible overview of strengths and areas for development. However, those summaries should sit alongside more detailed material that is accessible to those who want to look more deeply, such as governing bodies, senior leaders, academic staff and researchers.' – University

#### Considerations when publishing outputs

Around a quarter (36, 22%) thought contextualisation would be important when publishing outputs to avoid confusion or misinterpretation by students and the public (for example, to explain any data limitations, data lag or the role of qualitative evidence). This was felt to be especially relevant for small or more specialist providers that produce more volatile data, and it was commented that such context could also help readers avoid making unfounded comparisons between providers based on the single word ratings.

Indeed, some suggested that one overall rating might be inappropriate as it was potentially limiting. Respondents (22, 14%) discussed the potential confusion around ratings, particularly with Bronze being redefined between the old and the new TEF, and suggested clear communication would aid clarity.

On the topic of ratings, an unintended consequence foreseen was those providers with a Requires Improvement rating (and the sector as a whole) may be subject to reputational harm (four, 2%), and respondents suggested there is clear differentiation between what genuinely requires improvement and cases of insufficient data and thus no rating.

‘A Requires Improvement rating could be more damaging than the current lowest rating of Bronze, including for the international reputation of the UK HE sector.’ – Professional, statutory and regulatory bodies

Eight (5%) questioned awareness of the TEF among current and prospective students and felt the TEF could be more useful if they were more aware of its significance – five (3%) thus suggested more succinct reports could help boost engagement.

Other considerations raised including the following.

- Three (2%) said the public availability of student submissions alongside institutional ratings for the TEF may result in desirability bias within students’ unions responses; this could result in sanitised rather than honest feedback and they suggested further guidance from the OfS on how to navigate this would be beneficial.
- Two (1%) felt that any data from risk monitoring or compliance investigations should not be published as they saw no clear benefit and a potential for reputational harm.

Further detail was sought on various points including:

- specifics on the provider and student submissions that would be published (six, 4%)
- how the reports would be made more succinct in practice (six, 4%)
- how the published information would be presented to students (five, 3%)
- how data could be queried by providers (two, 1%).

**Under this proposal, respondents were then asked for views on how the OfS could improve the usefulness of published information for providers and students (including comments on whether the OfS should have a role in sharing good practice, and how it should do so; and the presentation of TEF outcomes for providers that are not rated for student outcomes).**

162 comments were received.

### **Suggestions for improving the usefulness of published information**

Thematic summaries (37, 23%), case studies (26, 16%) and peer networking opportunities such as webinars (21, 13%) were frequently mentioned as alternative ways to both improve the usefulness of outputs and for sharing best practice across the sector.

In terms of content, one in six (28, 17%) felt it was important to contextualise publications so they are clear and relevant for both students and providers, as illustrated by this response:

‘For students, usefulness rests on three things: clarity, context and comparability. TEF outcomes should be presented in plain language, with a brief explanation of what each rating level means in practice for student experience and outcomes. Alongside the rating, there should be short narrative text that explains, in neutral terms, the main reasons for the judgement. For providers, published information is most useful when it supports reflection and improvement. This suggests that provider reports should avoid generic wording and instead offer a concise, analytic account of where performance is strong, where it is weaker, and what patterns are most salient.’ – Other

Respondents saw benefit in having student-friendly versions of outputs (24, 15%) and welcomed the OfS’s idea to consult with a range of students across different types of institution to identify the best way of presenting outputs to maximise impact (12, 7%).

A few suggested the ability to filter data (four, 2%) or thought it was important to have instinctive, user-friendly digital platforms (two, 1%). Three (2%) requested being able to access or filter data for different groups of students, while four (2%) felt that the inclusion of course- or module-level feedback could strengthen outputs. Two (1%) suggested data presentation could be streamlined through the inclusion of other datasets such as the NSS, B2, and student voice data.

Three (2%) would welcome timely publication from the OfS as well as regular updates on timelines, and four (2%) requested opportunity for a provider to review draft outputs ahead of publication (four, 2%). One (1%) suggested that providers be permitted to publish their own statements alongside reports.

### **Presenting TEF outcomes where providers have no student outcomes rating**

Discussion most frequently centred on having clear contextualisation and explanation in instances of providers having no student outcomes rating (33, 20%). Eight (5%) alternatively suggested that those without a student outcomes rating do not receive an overall rating, while five (3%) agreed with the OfS's proposal that consulting students would be helpful in finding the way forward. Meanwhile, one (1%) suggested reconsidering whether providers without outcomes data should have to participate in the TEF.

### **Sharing of best practice**

Nearly half (76, 47%) explicitly supported the OfS taking a role in sharing good practice, as this is seen to be in line with the developmental aims of the TEF, and is anticipated to help support providers with lower ratings by providing a mechanism for sharing sector-wide trends and challenges. Case studies and webinars were viewed as the best means for this. Some (14, 9%) felt that any outputs linked with sector-wide best practice would be most helpful if categorised by provider type, for example for FE colleges or specialist providers. However, seven (4%) queried whether the sharing of good practice falls under the OfS's remit, with another 12 (7%) commenting that this data is already available elsewhere. Two (1%) also discussed how the sharing of good practice should not detract from the core purpose of the TEF, and four (2%) suggested further consultation on who should lead this may be sensible. One (1%) mentioned that, with the complexity of the HE landscape, all information arising from any sharing of best practice should be available in a single space.

## **2.5 Implementation, ongoing development and evaluation**

### **2.5.1 Proposal 15: Implementation timeline**

The OfS proposes to consult further during 2026-27 and carry out the first cohort of future TEF assessments in 2027-28.

**Respondents were asked for comments on the proposed implementation timeline.**  
169 comments were received.

#### **Levels of support**

One in six (28, 17%) expressed explicit support for the proposed implementation timeline. Respondents discussed how the timeline seemed appropriate (11, 7%) and feasible (10, 6%), and some (23, 14%) supported a phased implementation as they felt it would give sufficient time for providers to fully understand and prepare for the changes.

In contrast, over two fifths (75, 44%) viewed the proposed timelines as very tight and emphasised that there was little room for slippage if reforms were to remain achievable.

'The proposed timeline appears broadly workable, provided that it is underpinned by timely clarity of detail and a genuine commitment to stability during the first cycle. A staged approach, in which the high-level design is settled before more granular methodological guidance is issued, is sensible. It gives providers the opportunity to understand the overall direction of travel and to brief governing bodies and senior teams accordingly, before investing heavily in the minutiae of processes and templates. That said, the success of the timetable will depend less on the formal dates and more on the availability of sufficiently detailed information at each stage.' – Other

Respondents felt the proposed timeline was too limiting given the future consultation, preparation required for TEF submission including engagement with the student body, and potential for competing deadlines.

In contrast, five (3%) said the timeline was too long and should be expedited given the nature of the changes and uncertainty making it more difficult to plan for the TEF.

### **Alternative timelines suggested**

Just over a fifth (36, 21%) would welcome a notice period that is longer than six months, with 12 months most commonly suggested as more suitable due to the work that goes into preparing for a TEF submission. Meanwhile, some (17, 10%) reiterated that clashes with other deadlines within the sector such as REF submissions or other activities that may limit staff time should be avoided (see Proposal 11 for more information).

One in six (28, 17%) thought it was important for the OfS to provide timely guidance – six months' advance notice was commonly requested in this regard.

One tenth (17, 10%) said that more time might be needed to factor in responding to, and implementing actions arising from, the second consultation, while others foresaw that more time could be required to refine the approach to including PGT students within the TEF at a later stage.

### **Additional considerations**

A few (eight, 5%) discussed the potential impact of phasing assessments, commenting that this would result in some providers having the 'same' rating but these ratings having different meanings depending on when they were assessed, which could lead to inconsistency in the sector and misinterpretation by students and the public.

Related to this, respondents also commented on ensuring the consistent application of incentives and interventions, so that some providers are not unfairly disadvantaged.

'Given the proposed incentives and interventions, the OfS should carefully consider how assessments will be timed so that providers who are assessed earlier in the cycle are not put at an undue disadvantage compared to providers assessed at the end of the cycle. Our view is that any interventions and incentives should only be applied at the end of a suitable period (for example a year of assessments or at the end of the first cycle). This will enable the OfS to conduct a calibration exercise to ensure consistency and fairness.' – HE sector body

Five (3%) sought further information about timelines, not just for the assessment, but for subsequent incentives and interventions and how that will work and discussed how clarity on this would help providers to plan.

'For some, delays could be very costly, if this prevents access to the proposed incentives. Earlier clarity on timelines of assessment for individual

providers would better support business planning and reduce uncertainty. This is particularly important for small providers who are concerned about planning for the costs of the exercise.’ – HE sector body

Meanwhile, two (1%) suggested building in formal review points so that progress could be reviewed and refined throughout to aid a smooth process.

## 2.5.2 Transition to the new scheme

The OfS is considering how best to communicate outcomes from both the 2023 TEF and the future TEF scheme, and proposed two options: a) to ‘archive’ 2023 TEF outcomes from autumn 2028 and require providers to stop publicising 2023 TEF ratings – a provider’s 2023 TEF rating would remain value until replaced by a new rating; b) to publish 2023 TEF ratings that remain valid alongside ratings from the new scheme with clear labelling and explanation.

**Respondents were asked for comments on the two options the OfS set out for how it could approach publication of TEF ratings during the transitional period, or suggestions of other approaches it could take.**

156 comments were received.

### Levels of support

Option B was slightly preferred to Option A in that fewer limitations were discussed concerning this approach – recognising the complexity of the situation, respondents acknowledged that neither would represent a perfect solution.

Around one in seven (22, 14%) expressed a preference for Option A. By not having two different sets of ratings for a given institution, it was felt that this approach would be less confusing for prospective students and the wider public (13, 8%), and would also be fairer – as all institutions would display ratings that were reached via assessment using the same criteria (seven, 4%). Three (2%) also mentioned that the 2023 TEF ratings would become less valid as time passes.

‘During the transitional period, we would favour an approach that preserves the clarity of existing TEF ratings until they are replaced, and that avoids multiple overlapping labels in circulation. For prospective HE in FE students, mixed messaging creates confusion about quality and undermines confidence in local routes. Whatever option is chosen, clear communication with students, employers and local partners will be critical so that they understand how older and newer ratings relate to each other and to the future framework.’ – HE sector body

However, some (25, 16%) pointed to potential drawbacks of this approach, mentioning that only some providers would be able to communicate ratings (14, 9%) and the inherent delay in being able to share information until assessed. Nine (6%) discussed how the absence of a rating might be interpreted negatively, and three suggested this will lead to inconsistency across providers (2%).

Option B received more support overall, with over a third (37%) listing at least one advantage of this approach. Reasons for support primarily focus on how this approach would address some of the limitations within Option A – namely that some providers would not be able to publicise their rating – while some also thought that this will enable better comparability across institutions (12, 8%) or mentioned that the 2023 TEF rating information is not out of date (three, 2%).

'In the interests of transparency and students' awareness it is probably wise if providers are permitted to publicise their TEF 2023 rating until they are awarded a rating under the new scheme.' – Professional, statutory and regulatory bodies

### **Alternative approaches**

Various suggestions for alternative or 'hybrid' approaches to handling publication of ratings during the transition period were proposed. Five (3%) suggested delaying the publication of results until the first cycle of assessments under the new TEF is complete. One rationale given for this was that releasing in batches or on a rolling basis could result in market distortion and lack of comparability. Another cited that a benefit of delaying publication was to minimise the potential for misinterpretation by current and prospective students, particularly among providers assessed later in the cycle that would retain their old rating for longer.

Another suggestion was for a phased approach (four, 2%) whereby a series of ratings are released at set stages once they are finalised.

### **Suggestions for clarity in communication**

Many (62, 40%) commented that, whichever option is chosen, clear communication and explanation will be essential to ensure that confusion is minimised. In particular, nearly a fifth (32, 19%) discussed the potential for confusion between a Bronze rating under the old and the new TEF (given its definition is changing) and would welcome seeing this addressed.

To assist with this, one suggestion to help minimise confusion was to use distinct logos for the old and new TEF systems (19, 13%), for example including the date of assessment or other 'historic' branding. A few (eight, 5%) felt that a public timeline of when assessments were taking place would also mitigate confusion by providing further clarity on which ratings were recent and which were historical.

Five (3%) suggested a different ratings system (i.e. not using terminology of Gold, Silver, Bronze) could go some way to alleviating the potential for confusion, particularly for Bronze-rated providers where the definition of the rating will change.

Five (3%) advocated for a pilot year or a phased approach to allow for feedback and any resulting changes to be made. Two (2%) sought clarity as to whether TEF 2023 awards will still provide access to incentives introduced under the new TEF.

### **Respondents were then asked for comments on the OfS's approach to ongoing development, or its plans to prepare for the future inclusion of PGT provision.**

163 comments were received.

### **Levels of support for PGT inclusion**

A third (51, 31%) stated support for the inclusion of PGT provision within the future TEF. Seven (4%) agreed that a staged approach was sensible, while four (2%) explicitly commented that PGT provision is important and thus they felt it should be assessed with the same level of priority as undergraduate provision.

'I support the phased approach to include PGT provision in future cycles, as this allows time to develop robust indicators and a suitable survey. For smaller providers, proportionality will be key especially if postgraduate cohorts are very small.' – Individual based at a HE provider

In contrast, three (2%) expressed opposition – two (1%) felt it should be considered as a separate aspect and one (1%) suggested PGT provision is outside the TEF's remit.

## Suggestions and considerations for PGT integration

Support for inclusion of the PGT element was often caveated with the complexity of assessing PGT provision, with around two fifths raising points for consideration (68, 42%), and many (66, 40%) had suggestions for ensuring that the plans for PGT assessment run smoothly and efficiently. Most commonly, respondents – and attendees at feedback events – discussed the fundamental differences between undergraduate and PGT provision, with variation in fees, cohort sizes, proportion of international students, subject mix, and post-study destinations (25, 15%). They suggested that further consultation would help to strengthen understanding of how this will impact the data and assessment metrics required, to understand better the aims and priorities of those on PGT courses, and to plan for and mitigate the comparative volatility of PGT datasets (34, 21%).

'The approach to preparing for the future inclusion of PGT provision is, in broad outline, sensible. PGT education is now a major part of the English HE landscape, particularly in relation to international recruitment and professional upskilling. It cannot be permanently excluded from a comprehensive account of quality. At the same time, postgraduate cohorts differ markedly from undergraduate students in their motivations, prior experience, patterns of study and post completion trajectories. The evidence base and assessment tools that work reasonably well at undergraduate level cannot simply be transposed.' – Other

Eighteen (11%) expressed support for a piloted approach and this was also proposed by attendees at the feedback events. Meanwhile, nine (6%) suggested drawing on existing PGT surveys (such as the PTES) to streamline the process and make it more efficient. Three (2%) proposed including interim measures before a full rollout.

A further ten (6%) felt the plan for launching PGT inclusion within the TEF should be delayed to allow more time for consultation and refinement, whereas seven (4%) felt it should be brought forward as they viewed PGT provision to be particularly important for some institutions.

Three (2%) suggested having separate TEF awards for undergraduate and PGT provision.

'In terms of PGT provision, the staged approach proposed is appropriate. Postgraduate courses present distinct challenges – such as smaller cohort sizes, diverse student motivations, and varying modes of study – that require tailored indicators. Before full inclusion, the OfS should pilot postgraduate-focused assessments, consult widely with the sector, and develop metrics that meaningfully capture student experience and outcomes at this level.' – Other

Some (22, 13%) sought more information, for instance detail on specific datasets to be used (to assess student experience and outcomes) and in how PGT provision will be assessed in practice.

Some (17, 10%) said it was important that the inclusion of PGT provision does not create undue burden for institution staff, students or the OfS.

A few suggested avoiding duplication with the PTES or with APP submissions (four, 2%), while three (2%) sought clarity of the impact of proposals for integrated Master's courses.

## Ongoing development

Plans for the OfS's proposed approach to ongoing development were broadly welcomed (23, 14%). Respondents said it would be important to monitor changes closely (five, 3%) and viewed sample visits as helpful for providing further insight and context (five, 3%) – three asked how sample visits would be decided (2%).

Six (4%) discussed the OfS's proposal to consider transnational education: two (1%) expressed explicit support to avoid the perverse situation of providers involved in transnational education not facing scrutiny, while two (1%) opposed this proposal citing institutional burden and potential regulatory overlap with host countries.

Four (2%) mentioned the possibility of extending assessments to student support and student wellbeing and said it would be important to have robust indicators for these (and raised potential limitations in measuring these aspects); they also noted the potential associated cost. Two (1%) looked for more specific information around the integration of access and participation.

In terms of further suggestions for maximising the impact of ongoing development, some (15, 9%) discussed how consulting students and providers throughout would mean that any approach is informed by their feedback to provide context.

The intention for greater focus on modular provision within the TEF was welcomed by some (14, 9%), particularly in light of the LLE's rollout.

Eight (5%) thought it was of ongoing importance to integrate contextual factors into assessments in order to best reflect sector diversity as part of ongoing development work.

### **Assessment fee**

Some (24, 15%) sought clarity on the methodology to be used for calculating the assessment fee, with no respondents expressing explicit support. Of these 24, 16 (10%) noted the substantial impact this could have for smaller providers or those with a Bronze or Requires Improvement rating (being assessed, and thus having to cover the fee, more often), with six (4%) citing the financial challenges the sector is facing. Six (4%) suggested a more proportionate approach could be beneficial, potentially based on provider size, while four (2%) felt the cost of the TEF should be covered by the annual registration fee (2%). One respondent (1%) suggested that the fee should mean increased levels of support from the OfS for providers.

Participants discussed the financial burden this fee will present to providers and sought clarification on the reasons for this level of fee, and the extent to which this will result in any differences in the OfS's approach to the TEF and support to providers.

'We are concerned about the suggested cost of £25,000 which seems substantial for a desk-based exercise (in comparison to the cost of an in-person Ofsted inspection) that could be considered part of the OfS's business as usual activity. We request greater transparency regarding the calculation of this charge, along with a guarantee of value for money. For smaller providers, the flat rate is disproportionately burdensome, resulting in a very high cost-per-student, especially when they will have fewer datapoints for the panels to assess. These institutions already contribute more per head to OfS operations than larger HEIs, despite not presenting a different level of risk.' – University

## **2.6 Further considerations**

It should be noted that the responses received to the last two consultation questions, which consider the proposals as a whole, covered many of the same themes raised elsewhere under specific proposals.

**Respondents were asked if they had found any aspects of the proposals unclear.**  
151 comments were received, of which eight (5%) felt the entire set of proposals were clear.

### Further clarity sought

The most common query related to how the proposed changes to the TEF will align with linked policy areas (28, 19%). The alignment with APPs was the most common item mentioned, but participants also queried the TEF's role alongside the ESG, the Post-16 Education and Skills White Paper, the LLE, and transnational education.

'There is a lack of clarity on how APPs will link to the TEF and how conflicts will be avoided between widening participation objectives and the risk monitoring tool.' – HE sector body

Some (17, 11%) discussed the perceived tension between the TEF and condition B3 in that the TEF is more of an aspirational tool whereas B3 is more compliance-based. Clarity was sought on how this would be balanced when B3 is integrated into the TEF.

Respondents were also keen to understand more about how different data will be analysed and weighted as part of the TEF (27, 18%), particularly in terms of what contextual factors will be permitted and how these will be considered consistently. Some (22, 15%) specifically sought more explanation around how contextualisation will work in practice, and 16 (11%) looked for further explanation regarding data sufficiency thresholds.

'The proposals do not provide sufficient detail on how contextualisation will be operationalised within the TEF. While references are made to triangulation and expert judgement, these concepts remain vague. Institutions need clear and transparent guidance on how qualitative evidence will be evaluated, how contextual factors will be weighted, and how consistency will be maintained across assessments. Without this clarity, there is a risk that the process will lack transparency and credibility, particularly for institutions with complex provision and diverse student populations.' – University

Further clarity was sought on the incentives and interventions, and publication of ratings (21, 14%). Ten (7%) requested detail on the potential impact on DAPs awards, and nine (6%) asked for detail on caps on student growth. Three (2%) once again sought clarity on the distinction between Bronze and Requires Improvement ratings and interventions criteria.

A few (13, 9%) discussed the proposals specifically in relation to small and specialist providers, querying how suitable the assessment metrics and indicators are for these providers and whether there would be flexibility in format. They further queried whether the proposed assessment fee would be the same for all institutions regardless of size (noting that this might impact the HE market).

'The costs are unclear and will be important in informing the strategic decision making of smaller providers regarding whether they can remain in the HE market. So, it needs to be absolutely clear before providers can respond fully to consultation.' – FE college

More specificity around the ratings criteria would also be welcomed, with 13 (9%) raising this specifically for student experience and nine (6%) for student outcomes. Some (16, 11%) also discussed data sufficiency thresholds and wished to understand more about how providers with insufficient reliable data (particularly for student outcomes) would be assessed and treated, including what this means for ratings and how an absence of data would work in relation to incentives and interventions. Four (3%) reiterated limitations with data lag.

Additional information was also requested on:

- the role and impact of partnerships in the TEF both for students and for institutions (12, 8%)
- the support the OfS will provide (seven, 5%)
- the role educational gain will play in future (three, 2%)
- the role of B2 evidence in the TEF (two, 1%).

Two (1%) suggested that an independent appeals mechanism for the TEF decisions would be appropriate and help to maintain trust.

**Finally, respondents were asked, in their view, whether there were ways in which the objectives of this consultation could be delivered more efficiently or effectively than proposed.**

140 comments were received.

### **Increasing efficiency**

In terms of suggestions to make the process more efficient, the most common notion was to integrate the TEF with other policy areas (31, 22%) to reduce duplication and provider burden by streamlining processes. Specific areas mentioned included APPs, the NSS, other B conditions, and aligning to the government's Post-16 White Paper. Others less commonly mentioned included the UK Quality Code for HE and the REF, as well as initiatives such as Athena Swan, the Race Equality Charter, the Disabled Student Commitment, and the University Mental Health Charter.

Ten (7%) suggested increasing support available to providers, for example that the OfS offers provider training and networking events. A further ten (7%) suggested that the OfS provides supporting materials in a timely manner.

'Offering training, exemplars, and peer-learning networks (particularly for small or specialist providers) would support effective participation while reducing inefficiencies caused by uneven understanding of requirements.' – Other

Ten (7%) said that OfS-led student engagement (such as focus groups) would be useful to help reduce the burden on providers and to ensure consistency across qualitative data collection, and once again said it was important to hear the student voice.

Ten (7%) suggested that piloting the new approach to the TEF with a subset of willing institutions may be beneficial, to ensure that new processes can be refined before wider rollout.

Eight (5%) reaffirmed their support for a risk-based and proportionate approach, for example to allow providers with rigorous internal review processes and data collection to submit this as evidence to make the TEF process more efficient. A further eight (5%) commented that robust, user-friendly digital tools, such as a centralised online submission, would help drive efficiency.

Seven (5%) reiterated that the OfS ought to consider the potential burden for smaller providers: two (1%) of these suggested that involvement in the TEF remains optional, whereas one (1%) felt that the OfS should further demonstrate to providers how the benefits of TEF would outweigh any administrative burden.

Three (2%) discussed how the panel should have sufficient expertise in the provision assessed to realise efficiencies.

### **Increasing effectiveness**

Respondents envisaged that a supportive approach would be best suited for realising the enhancement aims of the TEF, while mitigating against any unintended consequences, as summarised by this response.

'A more supportive and developmental regulatory approach would better align with the aim of enhancing quality across all providers, particularly those serving diverse or disadvantaged cohorts. The current proposals risk creating a two-tier sector in which high-performing institutions are rewarded while others face constraints that limit their capacity to improve. This dynamic could reduce regional provision, restrict student choice and disproportionately affect institutions whose outcomes are shaped by structural labour market or demographic factors not fully reflected in the proposed metrics.' – University

On this, nine (6%) reiterated support for the enhancement goals of the TEF to ensure that it remains distinct from compliance processes. Some (14, 10%) mentioned it was important that the TEF is developmental.

'Overall, the objectives of the consultation would be more efficiently delivered for providers and the OfS through an approach that emphasises proportionality, clarity and development ensuring that regulation promotes sustainable improvement rather than reinforcing existing inequalities.' – University

Some (10, 7%) discussed the redefinition of the Bronze rating and reiterated how careful communication will help to avoid any confusion.

Seven (5%) commented on potential unintentional negative consequences, such as the potential for perverse incentives around student recruitment and the potential for negative regulatory spirals.

Other potential unintended consequences that respondents flagged included: impact on workload (eight, 5%); the potential for misinterpretation of ratings (three, 2%); a negative impact on England's HE reputation based on the new ratings (one, 1%); and the potential for a two-tier system based on provider size (one, 1%).

Four (3%) felt that the TEF should pay more attention to qualitative evidence to help contextualise submissions and provide a more holistic overview of an institution, while also being a more equitable approach for institutions that may produce unreliable or volatile data. Meanwhile, six (4%) suggested a tiered approach to the TEF based on provider size.

Finally, 16 (11%) mentioned that more information ahead of the second stage of the consultation would be beneficial so they could provide meaningful feedback.

'It has been useful to see increased engagement across different provider types and this continued engagement will continue to be welcomed.' – FE college

## Appendix 1: Respondent profile

This section outlines a more detailed profile of respondents to the consultation. It also contains an explanation of how response categories available to respondents were grouped for subsequent analysis.

### Respondent type

All respondents, including those submitting responses offline, were grouped – in agreement between Pye Tait Consulting and the OfS – and are reported according to the following categories.

**Table 1 Respondent profile by category**

Respondent category	Count	Per cent
University – institutional/organisational response	92	42%
Student or students' union	30	14%
Specialist provider – institutional/organisational response	25	11%
Further education college – institutional/organisational response	22	10%
Higher education sector body	20	9%
Individuals based at a higher education provider	8	4%
Professional, statutory and regulatory bodies	7	3%
Other	16	7%

Base: 220 respondents. Source: OfS consultation 2025.

## Appendix 2: Consultation questions

The full OfS consultation questions and wording are listed below.

The full consultation documentation, including supporting annexes, is available at:

[www.officeforstudents.org.uk/reforms-to-quality-regulation/consultation-on-the-future-approach-to-quality-regulation/](http://www.officeforstudents.org.uk/reforms-to-quality-regulation/consultation-on-the-future-approach-to-quality-regulation/)

### List of consultation questions

#### Question 1a

What are your views on the proposed approach to making the system more integrated?

#### Question 1b

Do you have views on opportunities to reduce duplication of effort between the future TEF and Access and Participation Plans?

#### Question 2a

What are your views on the proposal to assess all registered providers?

#### Question 2b

Do you have any suggestions on how we could help enable smaller providers, including those that haven't taken part in the TEF before, to participate effectively?

#### Question 3a

Do you have any comments on what provision should be in scope for the first cycle? You could include comments on areas such as:

- the inclusion of apprenticeships
- the proposal to look separately at partnership provision.

#### Question 3b

Do you have any comments on the proposed approach to expanding assessments to include taught postgraduate provision in future cycles?

#### Question 4a

What are your views on the proposal to assess and rate student experience and student outcomes?

#### Question 4b

Do you have any comments on our proposed approach to generating 'overall' provider ratings based on the two aspect ratings?

#### Question 5a

What are your views on the proposed scope of the student experience aspect, and how it aligns with the relevant B conditions of registration?

### **Question 5b**

What are your views on our initial thoughts on the criteria for the student experience rating (at Annex H)? You could include comments on:

- whether the 'course content and delivery' criteria suggested in Annex H should be framed differently for a provider-level assessment
- whether there is clear enough differentiation between each level, and how this could be improved.

### **Question 5c**

What are your views on the evidence that would inform judgements about this aspect? You could include comments on issues such as:

- what evidence could demonstrate the requirements of condition B1 are met at a provider level
- whether the submission page limit should be reduced
- the proposed inclusion of indicators based on the 'Learning opportunities' theme of the NSS.

### **Question 6**

Do you have any comments on our proposed approach to revising condition B3 and integrating the assessment of minimum required student outcomes into the future TEF? You could include comments on areas such as:

- removing the progression indicator from condition B3
- how contextual factors would be considered at different stages in the process.

### **Question 7a**

What are your views on the proposed approach and initial ratings criteria for the student outcomes aspect?

### **Question 7b**

Do you have any comments on the proposed set of employment and further study indicators, and are there other measures that we should consider using?

### **Question 7c**

What are your views on the proposal to consider a limited set of contextual factors when reaching judgements about this aspect?

### **Question 8a**

What are your views on who should carry out the assessments? You could include suggestions for how we can enable more assessors (both academic and student) from small, specialist or college-based providers to take part.

### **Question 8b**

What are your views on only permitting representations on provisional rating decisions of Bronze or Requires improvement?

### **Question 9a**

What are your views on our proposal for an alternative means of gathering students' views to inform the student experience aspect where we do not have sufficient NSS-based indicators? You could include comments on:

- the proposed approach to determining whether the NSS data is sufficient (this is expanded on in Annex G)
- the actions we are considering to improve the availability of NSS data for more providers
- how student views could be gathered through an alternative means.

### **Question 9b**

What are your views on our proposal not to rate the student outcomes aspect where we do not have sufficient indicator data? You could include comments on the proposed approach to determining whether the data is sufficient (this is expanded on in Annex G).

### **Question 10a**

What are your views on our proposed approach to including direct student input in the assessment of the student experience aspect for all providers? You could include comments on alternative ways of gathering student input where student submissions are impractical.

### **Question 10b**

How could we help enable more student assessors from small, specialist and college-based providers to take part?

### **Question 11a**

What are your views on our proposed approach to scheduling providers for their first assessments? You could include comments on:

- the factors we should consider in scheduling assessments
- any types of significant events that should lead us not to schedule an assessment in that year
- the sequencing of TEF assessments and APP approvals.

### **Question 11b**

What are your views on our proposed approach to scheduling providers for subsequent assessments?

### **Question 12**

Do you have any comments or evidence about the factors associated with risks to quality that might be included in the draft risk monitoring tool at Annex I?

### **Question 13**

Do you have any comments about the proposed set of incentives and interventions associated with TEF ratings? You could include comments on:

- the principle that growth in student recruitment should take place at high quality providers

- the potential to link eligibility for new DAPs awards, or extensions to existing DAPs, to higher TEF ratings
- the approach to determining a breach or increased risk of breach, following TEF rating decisions
- whether there are any other incentives and interventions we should consider.

**Question 14a**

What are your views on the range of quality assessment outputs and outcomes we propose to publish?

**Question 14b**

Do you have any comments on how we could improve the usefulness of published information for providers and students? You could include comments on areas such as:

- whether the OfS should have a role in sharing good practice, and how we should do so
- the presentation of TEF outcomes for providers that are not rated for student outcomes.

**Question 15**

Do you have any comments on the proposed implementation timeline?

**Question 16**

Do you have any comments on the two options we have set out for how we could approach publication of TEF ratings during the transitional period, or suggestions of other approaches we could take?

**Question 17**

Do you have any comments on our approach to ongoing development, or our plans to prepare for the future inclusion of taught postgraduate provision?

**Question 18**

Are there aspects of the proposals you found unclear? If so, please specify which, and tell us why.

**Question 19**

In your view, are there ways in which the objectives of this consultation could be delivered more efficiently or effectively than proposed here?

## Appendix 3: Abbreviations used in this report

Abbreviation	Meaning
APP	Access and Participation Plan
DAPs	degree awarding powers
DfE	Department for Education
GOS	Graduates Outcomes Survey
ESG	European Standards and Guidelines
FE	further education
HE	higher education
HEI	higher education institution
LLE	Lifelong Learning Entitlement
LEO	Longitudinal Education Outcomes
NSS	National Student Survey
NUS	National Union of Students
OfS	Office for Students
PGT	postgraduate taught
PSRBs	professional, statutory and regulatory bodies
PTES	Postgraduate Taught Experience Survey
QAA	Quality Assurance Agency for HE
REF	Research Excellence Framework
TEF	Teaching Excellence Framework

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