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| Higher Education Green Paper 2015 |
| TUC response to the Higher Education Green Paper, “Teaching Excellence, Social Mobility and Student Choice” |

Introduction

The TUC welcomes the opportunity to respond to the Higher Education Green Paper, “Teaching Excellence, Social Mobility and Student Choice”. Participation in higher education has expanded rapidly in recent decades under various governments and this policy approach has undoubtedly supported many more citizens to fulfil their personal potential and to enhance their long-term employment prospects. While the TUC has welcomed the increased numbers progressing into higher education, we have also expressed concerns about the development of higher education policy in recent years on a number of fronts.

Some of the main areas of concern include the following: the rapidly escalating cost of attending university and significant levels of long-term debt being accumulated by individuals; the growing marketisation of higher education including the disproportionate amount of government support directed at for-profit providers: the rapid decline in part-time students (especially mature students and women); the significant barriers faced by specific individuals, including people from BME communities and disabled people; and, the growing casualisation of the HE workforce as a result of the increasing use of temporary contract working, zero hour contracts and other unfair employment practices.

Whilst we welcome a number of recommendations in the Green Paper our overall view is that it fails to tackle the key challenges highlighted above. In fact the analysis in the Green Paper is predicated on driving up student debt further, extending marketization, and largely ignoring the principle that excellent teaching, social mobility and student choice will only be achieved if we ensure that teaching and support staff across the sector have decent working conditions and job security.

There is also little reference in the Green Paper to the huge decline in part-time students in recent years and how this has had a disproportionate impact on mature students and women. On the positive side there is a broad commitment to widening participation and some welcome recommendations to achieve further progress on this front. However, this policy intent is undermined by recent policy announcements, especially the decision to abolish means-tested maintenance grants in favour of loans.

This response sets out the TUC’s overall view on each of the five key areas being consulted on in the Green Paper, as follows: the Teaching Excellence Framework; social mobility and widening participation; opening the sector to new providers and developing exit strategies; institutional and regulatory reform, including the proposed Office for Students; and, reducing complexity and bureaucracy in research funding. It should be noted that a number of affiliated trade unions, including the University and College Union (UCU), will be submitting more detailed responses that generally reflect the overall views set out in the TUC submission.

**Teaching Excellence Framework**

Along with many other stakeholders, the TUC has a number of concerns about the introduction of a new Teaching Excellence Framework (TEF). This is not to say that all the arguments made in the Green Paper to justify the introduction of the TEF are erroneous as it correctly highlights some key challenges facing the higher education sector. For example, we would largely agree with the conclusions that current arrangements often result in “teaching becoming something of a poor cousin to research in parts of our system” and that the impact of the Research Excellence Framework “at an institutional and individual level skews activity away from teaching”.

The main problem is that establishing the TEF is not the best means of addressing the range of challenges that the Government identifies in the Green Paper. On the one hand there is little evidence that some of the alleged problems (e.g. the quality of teaching) actually exist to the extent that is claimed. On the other hand there is limited evidence that the TEF will achieve the degree of progress that is anticipated in support of other priorities, such as empowering the decision-making of students.

Whilst it is important that prospective students have robust independent data to inform their choice about which universities they decide to apply to, this does not validate an approach increasingly based on a market-led model of customers purchasing a commodity. Students base their decision-making on a broad range of issues, many of which are not related to existing league tables and criteria and the introduction of the TEF will not fundamentally change this.

As highlighted in the evidence given by various stakeholders to the BIS Select Committee inquiry, there is widespread scepticism about the claims that the TEF is needed to address what the Minister had controversially referred to in the past as “lamentable teaching that must be driven out of the system”. Our view is that there is no evidence to substantiate the Minister’s statement and that there is no rationale for introducing the TEF on this basis. The available evidence, including the data from the National Student Survey, refutes this and generally supports a relatively high level of student satisfaction. In fact the Green Paper itself (para 14, p12) highlights that even areas of student experience with the lowest satisfaction levels in previous years have improved significantly (e.g. the positive satisfaction rating for “assessment and feedback” increased from 64% in 2008 to 74% in 2015).

More importantly, what the TEF will not go any way to addressing is the key issue that quality teaching remains highly dependent on decent working conditions and job security. A recent analysis by UCU[[1]](#footnote-2) shows that temporary contract working is endemic across UK higher education with 69,000 (43%) out of a total of 161,000 contracted academic staff on non-permanent contracts and among 40,000 teaching-only staff, 29,435 (73%) have non-permanent contracts. And significantly these statistics do not include the 75,000 so called ‘atypical academic staff’ who are also largely engaged in teaching but who are usually employed on an ‘as and when’ basis. According to UCU almost half of universities use zero-hour contracts to deliver teaching and over two thirds of HE research staff are on fixed-term contracts.

As highlighted in much of the evidence given to the recent BIS Select Committee inquiry, there is also a wide consensus that the proposal to link the TEF with tuition fee rises from 2017-18 is a retrograde step. As highlighted by the OECD, England already has the highest university tuition fees in the industrialised world and linking TEF with tuition fees will lead to even greater marketisation and drive student debt up further.

In addition, as some commentators have cogently argued, “the current proposals have an apparent illogicality at their heart” and the likelihood is that “we will move to a system where the richest institutions, scoring well against largely prestige measure, will be given more”.[[2]](#footnote-3) And as the Green Paper highlights, access to these “richest institutions” is one aspect of the widening participation agenda that has seen relatively little progress. For example, only 3% of disadvantaged 18 year olds enter highly selective universities compared to 21% of young people from the most advantaged backgrounds (para 14, p37).

Admittedly the Green Paper does attempt to square this circle by quite rightly specifying that having measures to facilitate access and success of disadvantaged individuals should be one of the metrics in the TEF, which in principle should be of benefit to those HE institutions that have focused more on widening participation. However, the likely predominance of other metrics linked to outcome data such as employability data is likely to outweigh this and have a disproportionately adverse impact on these institutions (e.g. because employment prospects for students in the most highly selective universities will remain much higher). So the reality is that giving metrics such as retention rates and graduate employment outcomes a high priority in the TEF will simply further entrench and widen the existing divide between HE institutions.

If the government remains determined to proceed with the TEF in some form, we would make the following points regarding its key features and the planned implementation:

* The TEF should be decoupled from tuition fee increases and instead be developed as a tool that incentivises and encourages high quality teaching by giving students and the workforce a genuinely inclusive role in its development and operation.
* The TEF should be open to all types of providers but there are concerns that it will drive down innovative teaching and promote homogeneity by discouraging any deviation from inappropriate and inflexible metrics used in the TEF. Unless this is addressed the TEF could incentivise a degree of standardisation that would be detrimental to high quality teaching.
* The TEF should be contingent on the range of measures that institutions implement to facilitate the access and success of disadvantaged groups, but consideration needs to be given on how they might lose out because of the greater weight given to other metrics (e.g. employment outcomes).
* Due to the challenging implementation timescales, it makes sense to base the TEF in 2016-17 on a successful quality review that draws on the definition set out in the Green Paper.
* The TUC has major concerns with the proposed implementation timetable for the TEF in the longer-term. A recent briefing paper on the HE Green Paper produced by Million+[[3]](#footnote-4) has highlighted that prior to the completion of the first Research Excellence Framework (REF) in 2014, there was a 5-year period for consultation and piloting. Also, no funding was attached to the first three years of the original Research Assessment Exercise (RAE) when it was introduced in 1986. The TUC agrees with Million+ that similar principles should apply to the TEF.
* The emphasis in the Green Paper on deregulation is undermined by the increased bureaucracy that the TEF will lead to and it is imperative that serious consideration is given to minimise the increased administrative burden on institutions.
* It is important that the development of metrics and the overall operation of the TEF addresses three major weaknesses in the analysis in the Green Paper: (i) there is a need for metrics that provide a contextualised picture of the student learning experience rather than requiring HE institution to focus on “more of the same” by developing yet more indicators linked to employability, retention and relatively simplistic satisfaction ratings; (ii) the TEF will only incentivise and encourage more high quality teaching if it is genuinely inclusive and gives the workforce a genuine role in the process; and, (iii) assessment of quality teaching will require the TEF to provide a clear analysis of how staff in different HE institutions perceive their status, terms and conditions, job satisfaction, access to training and development and other key factors impacting on teaching quality. It is welcome that the Green Paper makes reference to the possibility of one measure including the proportion of staff on permanent contracts, but there is a need to make it mandatory for the TEF to assess all aspects of the staff experience in the metrics in order to incentivise quality teaching.

Social mobility and widening participation

The TUC welcomes the commitment in the Green Paper that “widening participation in higher education is a priority for this Government [and that it] believes that anyone with the talent and potential should be able to benefit from higher education”. We also support the Government’s targets to double the proportion of people from disadvantaged backgrounds entering higher education by 2020 and to increase the number of BME students by 20% in this timeframe.

However, these commitments are undermined by recent policy announcements, especially the decision to abolish means-tested maintenance grants in favour of loans. A wide range of stakeholders, including the Sutton Trust, have highlighted that this will be a barrier to widening participation because of the disproportionate impact on disadvantaged low-income groups. In addition, it was disappointing that the Chancellor announced in the Spending Review that the national Student Opportunity Fund would be retargeted and reduced (this HEFCE funding supports disadvantaged groups and specifically prioritises disabled people).

In addition, as highlighted in the previous section of this response, there are major concerns that a new Teaching Excellence Framework linked to tuition fee increases is likely to create perverse incentives that will ultimately disproportionately benefit HE institutions that have a poor track record in widening participation.

It is right that the Green Paper focuses on policy measures aimed at widening participation among BME groups and disadvantaged groups more widely. It is also welcome that the analysis highlights that certain non-BME groups, especially young white men from disadvantaged backgrounds, are the least likely to progress to higher education.  However, there are two groups that are not specifically identified for whom there needs to be a more concerted effort to widen participation: part-time students (especially mature students and women) and disabled students. Both these groups should be included as part of the remit of the new Social Mobility Advisory Group and related initiatives.

The TUC remains concerned that the huge increase in tuition fees has contributed to the dramatic fall in recruitment to part-time undergraduate higher education provision in recent years. Although eligible part-time undergraduate students are now able to access student loans on the same basis as full-timers, this change has not led to more mature students accessing HE because of the increased levels of debt aversion among “HE part-timers”. Furthermore, a number of restrictions, such as the Equivalent or Lower Qualification (ELQ) policy, have excluded large numbers of part-timers from accessing student loans and this has had a disproportionate impact on mature students and women.

There needs to be a clear robust signal from Government to the HE sector that increasing the number of mature students in part-time higher education is a priority for growth and that all higher education institutions need to engage with this agenda. At the same time the government needs to formulate a coordinated strategy looking at potential new policy measures and the piloting of innovative approaches to expand best practice.

As regards disabled students the TUC believes that the government should be adopting a similar approach to its strategy for BME students in higher education, including specific targets for widening participation. Measures also need to be put in place to ensure that HE institutions do actually take responsibility for, and commit funding to, the support for disabled students that was previously available under the Student Opportunity Fund.

The TUC welcomes a number of the recommendations in the Green Paper on social mobility and widening participation, including introducing a name-blind application process and introducing powers to require bodies in the sector to provide data and information to help better target efforts on widening participation. However, name-blind applications are only part of the solution as other information provided by prospective students (e.g. school attended) may influence preferential treatment. The government also needs to consider the benefits of introducing a post-qualification applications system as there is some evidence that this would aid those from less well-off backgrounds to aspire to university.

The proposal to establish a Social Mobility Advisory Group is welcome but it is essential that membership of this includes a wide range of stakeholders, including trade unions.

The TUC is generally supportive of the recommendation that the new Office for Students should have the power to set targets where HE institutions are failing to make progress on widening participation.  However, we do have some concerns that subsuming OFFA within the proposed Office for Students will reduce its influence. On this basis, it is therefore important that the Government makes a clear commitment about the role of the Director for Fair Access, including maintaining this as an independent role and continuing to make it a public appointment.

Opening the sector to new providers and developing exit strategies

The TUC is opposed to the wide scale expansion of for-profit providers in the HE sector. The TUC’s “Education not for Sale” campaign has highlighted that already too many companies have been given access to public subsidies for higher education provision without rigorous regulation or monitoring of standards. The TUC campaign recommended that the Government should introduce a new requirement that public support must only go to educational and training organisations that are not-for-profit and it should also put in place a tougher regulatory framework for those companies owned by for-profit companies.

UCU estimates that between 2010/11 and 2013/14 the number of students claiming support for courses at alternative providers rose from 7,000 to 53,000 while the amount of taxpayers’ money paid in loans and grants rose from around £50M to around £675M. Despite early warnings from the TUC and UCU about the widespread scandals in the US higher education system resulting from a highly market-led approach, alternative HE providers in England have already been involved in a number of high profile scandals involving fraud and low-quality educational provision. The evidence to date suggests that the best strategy would be to restrict the number of for-profit providers rather than facilitating a greater expansion as is being proposed in the Green Paper. On this basis the TUC is opposed to the recommendation to speed up entry of alternative providers into the sector.

The TUC is also against the proposal to change the eligibility for institutions that can apply for university title because there is a major risk that this will downgrade the overall quality of the HE sector. Opening up the sector without the current safeguards in place risks leading to a rapid expansion of small for-profit HE institutions that do not meet appropriate quality standards. There is a significant risk that such an approach would lead to a downgrading of the status of English HE institutions overall, both here and abroad, as for-profit organisations flood a highly market-led sector.

The section of the Green Paper on provider exit from the sector is of concern in itself because it appears to be predicated on a shift to a highly marketised sector where “exits” could become a commonplace feature of our higher education system. However, the TUC is generally supportive of the principle that HE institutions should have contingency arrangements in place to support students in the event that their course cannot be completed.

Institutional and regulatory reform - the proposed Office for Students

As regards the establishment of a new Office for Students, we have highlighted some concerns earlier in this response about reducing the influence of OFFA by subsuming it within OfS. The TUC is also concerned that OfS should be a body that effectively represents the interests of students and the HE workforce as well as HE institutions and Government. This will be a difficult line to tread and it will be important to plan a structure and governance that achieves a balance of influence for all parts of the HE sector. In the past HEFCE has not adequately addressed the relationship between the state of the HE workforce and high-quality provision, including addressing major challenges such as wide-spread casualisation. It is essential that this changes if a new Office for Students is established.

The TUC is opposed to the idea of removing HEFCE-funded providers from the scope of the Freedom of Information Act. FOI requests have played a major role in enhancing transparency and public scrutiny in the HE the sector and holding institution to account.

Reducing complexity and bureaucracy in research funding

Our main comment on this section of the Green Paper focuses on the need to ensure that the ongoing reviews of research funding prioritise widening out the debate to give greater consideration to breaking down the institutional divide and professional divide (i.e. between research and teaching) that is driven by the way the current research funding process operates.

1. UCU Briefing on the Higher Education Green Paper, November 2015 [↑](#footnote-ref-2)
2. Blackmore, P. *HE Green Paper: reforms will benefit the established elite*, TES, 17/12/2015 [↑](#footnote-ref-3)
3. *Policy Briefing – The 2015 Higher Education Green Paper*, Million+, December 2015 [↑](#footnote-ref-4)