University Alliance Submission to the OfS Consultation: Future Approach to Quality Regulation

About University Alliance

University Alliance (UA) represents leading professional and technical universities across the UK. Our members specialise in working with industry and employers. Their teaching is hands-on and designed to prepare students for their careers. Their knowledge and research drive industry and the public services to innovate, thrive and meet challenges. Alliance universities are leading the way in innovation and business support in the green, tech, and healthcare industries. They are major educators in healthcare, engineering, the creative arts, social sciences, degree apprenticeships and more.

Executive Summary

UA welcomes the opportunity to respond to the Office for Students (OfS) consultation on the future approach to quality regulation. As teaching-intensive institutions, Alliance universities are proud of their long history of teaching excellence. They are committed to delivering high-quality, inclusive, and professionally oriented education and training that supports opportunity for all and regional development.

UA agrees with the OfS's ambition to create a more integrated quality system that reduces burden and drives continuous improvement across the sector. However, taken as a whole – and combined with those in the Post-16 Education and Skills White Paper – the proposals create a very high stakes quality assessment system that is unlikely to achieve this.

In the OfS's own estimation, "most provision in the higher education sector in England is already excellent" and "most students have positive experiences of HE." The OfS's new strategy commits to championing the sector and its strengths while setting ambitious expectations for access, yet the proposals in this consultation appear to contradict and undermine those aims.

We call on the OfS to:

- **Develop a single, equitable methodology for all providers that aligns with the ESG.**
- **Retain the definition of the Bronze rating as exceeding (rather than meeting) minimum requirements.**
- **Remove the most punitive sanctions linked to TEF ratings.**
- **Move away from an overall rating in lieu of aspect ratings (in line with Ofsted).**
- **Ensure contextual improvement narratives are considered in B3 assessments.**
- **Reconsider the TEF submission fee.**
- **Pilot the new system before full rollout.**
- **Delay PGT inclusion until robust data and indicators are developed.**

We look forward to engaging further with the OfS during the second-stage consultation in 2026 and contributing to the development of a fair, proportionate, and improvement-focused quality regulation system that serves to support and enhance rather than further destabilise the higher education sector.

Question 1a

As teaching-intensive institutions, Alliance universities are proud of their long history of teaching excellence. High-quality teaching is at the heart of their mission, and it is right that it is a key focus of the regulator. We agree with the Public Bodies Review that interactions between the two strands of the OfS' quality activity are currently unclear and support the development to develop a single system to assess quality at all registered providers with enhancement at its core.

UA therefore supports a more integrated quality system provided it demonstrably reduces burden, clarifies the relationship between baseline quality regulation (B conditions) and enhancement (TEF), and improves transparency for students. There is still however, a lack of clarity in the proposals about how integration will work in practice. Whilst the integration of B3 and TEF is outlined in detail, the integration of the other B conditions receives less attention. It is also not clear what impact investigations would have on a TEF award.

We support the aim to control costs but are concerned that the risk- and primarily desk-based approach outlined in the consultation will not ultimately adhere to the European Standards and Guidelines for Quality Assurance (ESG) under the European Quality Assurance Register for Higher Education (EQAR). UA is strongly in favour of full alignment to the ESG. It is our view that UK higher education as a major global education export would be better served by the four nations fully aligning to European and international norms.

That said, we do not agree that aligning with the ESG must necessarily cost more. The OfS should explore cost-effective ways to implement an integrated, ESG-compliant approach to quality assessment without adding to provider cost and burden, drawing on innovative and efficient models from the devolved administrations and overseas.

Question 1b

UA supports the principle of integrating the TEF with Access and Participation Plans (APPs) to reduce duplication and prevent disconnect between these two areas of OfS regulation, which sometimes pull in opposite directions. This is exacerbated by the fact that TEF relies on historical data whilst APPs are centred around forward-facing plans. There is a risk that integration could disassociate access from participation and outcomes, which would undermine efforts to support disadvantaged students throughout their educational journey.

We urge the OfS to ensure that APPs and TEF are coherently linked and that duplication is avoided, for example by:

- Synchronising cycles and data dashboards so split indicators for participation, continuation, completion and post-study outcomes used in TEF feed directly into APP diagnostics, avoiding parallel analytics.
- Issuing unified guidance to prevent providers having to interpret two sets of expectations.

We note the difficulty of going into detail of how integration would work when the Government has indicated in the Post-16 Education and Skills White Paper that it plans to reform regulation of APPs.

Question 2a

UA supports extending TEF to all OfS-registered providers on a cyclical basis if the OfS can develop a single, equitable methodology for all institutions. We do not support the creation of a system whereby different institutions, due primarily to their size, receive the same awards on the basis of a significantly different evidence base.

Question 2b

We support providing tailored guidance for providers new to TEF, including for different provider types. The OfS should also consider the costs of the TEF process. We do not support the OfS charging extra fees for TEF assessments (see Question 17), and a flat fee would be especially difficult for smaller providers to bear.

Question 3a

We support the inclusion of apprenticeship and partnerships provision in the TEF, with the following caveats:

- **Apprenticeships**: UA has significant concerns about double regulation by Ofsted and OfS which must be meaningfully addressed before apprenticeships are included in the TEF. The employer-led nature of apprenticeships also complicates assessment of both student experience and outcomes. A nuanced approach developed in partnership with employers is needed.
- **Partnerships**: Data and methodological challenges must be urgently addressed. There is a risk of misrepresentation if partnership data is not disaggregated or contextualised.

Question 3b

UA is concerned about the inclusion of PGT in the second TEF cycle due to:

- Insufficient robust data, especially low response rates to PTES.
- Lack of clarity on appropriate indicators for PGT quality.

We agree that PGT should be included in future cycles, but only after the OfS is able to:

- Pilot a national PGT survey.
- Develop appropriate indicators and benchmarks.
- Improve data infrastructure.

This may take longer than is currently envisaged.

We support the OfS's decision not to include TNE and PGR in TEF assessments for now, as this would add significant complexity for both the OfS and registered providers.

However, the OfS should give greater attention to how TEF will cover modular provision funded under the Lifelong Learning Entitlement. Policies from the Post-16 White Paper,

including break points at levels 4 and 5, will also need careful consideration, as they affect how TEF data is applied, including what counts as a positive completion and which provider a student is attributed to.

Question 4a

UA broadly supports the proposal for the TEF to continue to be made up of the two aspects of student experience and student outcomes.

Question 4b

UA strongly opposes redefining Bronze as "meeting minimum requirements." The TEF has always been an exercise beyond the minimum requirements, and the OfS has always maintained that Bronze means quality above the baseline. The outcomes of Bronze providers typically exceed the baseline by over ten percentage points. The redefinition is likely to confuse students and the public, as Gold, Silver, and Bronze clearly signal strong performance.

UA also opposes the proposal to retain an overall rating – and to base this on the lowest aspect rating. Ofsted has recently removed the overall judgment for the providers it regulates on the grounds that it is reductive and fails to reflect the multifaceted nature of school performance. The government described single-word ratings as "low information for parents and high stakes for schools." The same is true for TEF ratings. Given the complexities of higher education provision, an overall judgment is arguably even more inappropriate. The OfS should review the lessons learned by Ofsted and consider the significant risks of one-word judgements. We would prefer a descriptive or report card-style approach that provides nuanced feedback and avoids simplistic categorisation. If the OfS decides to retain the overall rating, it is essential that it continues to be determined by the TEF panel for a more holistic and considered assessment in what is set to become a higher stakes exercise.

Taken together, the proposals in the consultation would sharply increase the number of Bronze ratings in the next TEF cycle. Analysis published in Wonkhe has found that around 40% of providers that participated in TEF 2023 would receive a rating of Bronze or Requires Improvement in the next exercise. We do not yet know how providers new to TEF will fare, but it seems likely that nearly a majority of providers would be awarded Bronze or Requires Improvement and attract financial sanctions (see Question 13). It goes without saying that this could destabilise the entire sector and seriously harm the international reputation of UK higher education.

In the OfS's own estimation, "most provision in the higher education sector in England is already excellent" and "most students have positive experiences of HE." The OfS's new strategy commits to championing the sector and its strengths while setting ambitious expectations for access, yet the proposals in this consultation appear to contradict and undermine those aims.

Question 5a

UA agrees with aligning student experience scope to B1, B2, and B4 and assessing the student experience on the basis of provider submissions, an expanded set of NSS-based indicators, and additional evidence from students.

On the latter, we particularly support the retention of the student submission. We are concerned about alternative methods (e.g., focus groups) for small providers, as there is a risk of bias and inconsistency. It also raises questions about representativeness and comparability between different providers.

We accept the inclusion of NSS-based indicators, but we have longstanding concerns about:

- Subjectivity in rating criteria (what is the difference between ‘effective’ and ‘highly effective’).
- The high intercorrelation among NSS metrics which reduces their distinctiveness.
- The lack of transparency in benchmarking methodology.

The OfS should work with the sector to improve the effectiveness and transparency of the NSS.

Question 5b

The draft criteria need clearer differentiation between levels. Course content and delivery should be framed at provider level to reflect institutional practices. On criterion 6 (staff teams), we question how ‘sufficient’ or ‘optimal’ team sizes will be defined. Staff numbers alone do not indicate quality and vary by course, making this criterion overly prescriptive rather than principles-based.

Question 5c

Evidence should include institutional strategies, student feedback, and NSS data. UA supports inclusion of 'Learning Opportunities' and recommends retaining the 25-page limit and not reducing it further – particularly given the increase in provision that will be covered by future TEF cycles.

Question 6

UA supports the proposal to simplify condition B3 and integrate an assessment of the minimum required student outcomes into future TEF assessments. We also agree with removing the progression indicator due to the technical limitations outlined, particularly the low response rate.

However, we are strongly opposed to limiting contextual explanations to below-threshold outcomes only and excluding improvement narratives from consideration. Improvement actions should be considered by the TEF panel in all cases, especially given the primacy given to lagged data and the risk of penalising widening participation efforts. The proposals contradict the stated aim of continuous improvement and risk undermining enhancement-focused regulation.

Question 7a

UA supports the expanded set of benchmarked post-study indicators, though we are concerned about the potential for over-reliance on salary via the Longitudinal Education Outcomes (LEO) dataset, with its known limitations (time lag, lack of granularity, regional bias etc.).

We are disappointed by the removal of the educational gain measure, which is at the heart of teaching quality and important for capturing broader student development and incentivising continuous improvement. We strongly support retaining educational gain as a measure of assessing compliance.

The government's Post-16 White Paper sets out plans to collaborate with the OfS on developing ways to measure and compare progress in higher education, similar to a Progress 8-style measure. Before moving forward, the OfS should work with the sector to test the feasibility of this approach and consider how it could fit with a revised TEF

Question 7b

UA welcomes additional measures like skill use but insists salary data must be adequately contextualised to avoid regional bias. There is a risk of reinforcing inequalities for providers serving local labour markets. Providers should have access to their own datasets, so that they can understand and improve performance. We welcome the shift from a 15-month to a three-year post-study point, as this will yield more robust and insightful progression data.

Question 7c

We welcome the OfS's plan to let providers share relevant context, such as jobs linked to courses that aren't classed as professional or managerial, and flexible study options. However, we are concerned that the OfS does not intend to consider other important evidence about student outcomes, such as details of their approach to delivery, providers' own outcome measures, or their definitions of educational gain. Including this wider evidence is important to ensure data is properly contextualised, leading to fairer and more meaningful assessments. This is especially vital now, given sector changes such as greater specialisation, collaboration, and efficiency reforms, which may not yet show up in the data.

Question 8a

UA supports peer review by academic and student assessors with OfS staff limited to process management to avoid any conflicts of interest. We call on the OfS to recruit assessors from diverse provider types and offer flexible workloads. Student assessors must be reasonably representative, fairly compensated, and adequately supported.

Question 8b

UA believes that all providers should be able to make representations on ratings, including Silver rated providers, to ensure fairness and transparency. This is particularly important given the increasingly high stakes nature of the TEF exercise, as outlined in this consultation and in the Post-16 White Paper. There is little point in having a difference between Silver and Gold if it cannot be challenged.

Question 9a

As explained above (see Question 5a) we have longstanding concerns about NSS methodology and support the OfS's work to improve the quality and availability of NSS data.

We oppose the use of alternative methodologies (e.g. focus groups) for smaller providers. All providers should be assessed using a consistent framework to ensure fairness and comparability. Dual assessment methods risk undermining the credibility of the system.

Alternative student input is acceptable only if robust and comparable to NSS. A single pre-defined alternative to NSS data should be set.

Question 9b

UA supports a separate unclassified rating where data is insufficient, but presentation must be neutral and explained clearly to avoid reputational harm.

Question 10a

UA supports mandatory direct student input for all providers, which was a strength of the last TEF. It is important that steps are taken to ensure representativeness and inclusion. Alternatives to written submissions should be available and equitable.

Question 10b

We welcome the OfS's plan to involve more student assessors from small, specialist, and college-based providers and recommend engaging directly with these providers and their students to draw on their expertise. Requiring two years of service from student assessors will affect the demographics of who can be involved.

Question 11a

UA supports variable reassessment cycles based on provider rating. It is reasonable to start by reassessing Bronze providers, particularly if the definition is changing.

Significant events like mergers should defer assessment.

On sequencing, the cycles should be modelled to assess if they give providers ample time to improve their metrics.

TEF and APP sequencing should avoid overlapping as far as possible.

Question 11b

We are concerned that the current timeframes will provide insufficient time for Bronze and Requires Improvement-rated providers to demonstrate improvement, particularly given the time lag built into the TEF data.

Question 12

UA welcomes transparency in risk monitoring, but indicators must be contextualised and not used in isolation. For example, SSR and foundation year growth require nuanced interpretation. Feedback loops are currently too slow to prevent quality decline. Risk monitoring must be timely, contextualised, and proportionate.

Question 13

UA strongly opposes sanctions for providers who have not breached the conditions of registration and who are meeting regulatory baselines. Regulatory interventions should only be targeted at providers delivering below the minimum level of quality.

We also strongly oppose linking TEF ratings to tuition fees (as per the proposal in the Post-16 White Paper) or growth caps. Reducing the funding available to these providers will limit their capacity for improvement and risks disadvantaging their students These measures also

risk entrenching inequality, as benchmarked indicators ensure that some providers will always “lose.” Incentives should support enhancement, not punishment. Reputational incentives and reassessment flexibility are more appropriate and effective. They are also less likely to be subject to legal challenge. It is difficult not to see endless litigation as a natural consequence of attaching financial sanctions to what will always be an imperfect exercise, for example using programme level metrics to determine institutional quality.

Question 14a

UA supports the publication of ratings and reports with sector-wide sharing of good practice.

The transition between old and new TEF ratings must be clearly communicated to avoid confusion.

Question 14b

The OfS should help disseminate good practice and provide student-friendly summaries alongside provider reports. However given the removal of improvement narratives and learning gain, it is not clear how the OfS will find out about the good practice that is going on.

The presentation of unrated aspects must be neutral and clearly explained.

Question 15

The proposed timeline is ambitious and may not be deliverable. UA urges piloting and phased implementation to ensure deliverability and fairness. Six months’ notice for assessment is insufficient.

Question 16

UA believes providers should retain their current TEF rating until reassessed. Option B, which publishes TEF 2023 ratings alongside new ones with clear labelling, is the fairest approach as it ensures equal treatment and visibility. Regardless of the option adopted, the OfS must ensure transparent communication of outcomes throughout the transition, given that providers will temporarily operate under different TEF frameworks.

Question 17

The TEF should be part of the OfS’s core regulatory function, not an additional cost. Done well, it should reduce workload within the OfS. The proposed £25,000 charge per submission is unjustified and particularly punitive for Bronze/Requires Improvement-rated providers who will have to pay more frequently and smaller providers if there is a flat charge for all. This is compounded by the expectation that institutions will contribute significant staff and student time to the exercise.

UA supports future inclusion of PGT and modular provision, but only after robust data and indicators are developed.

Question 18

Several areas of the proposals need greater clarity:

- **Integration in practice:** How will TEF assessments align with registration conditions and other regulatory process (e.g... investigations), avoid duplication, and share evidence effectively?
- **Support for new providers:** How will those unfamiliar with quality regulation and TEF be helped to engage quickly with the methodology?
- **Alignment with LLE:** How will the approach to quality work with the LLE? For example, how will B3 and student outcomes be measured at modular level, and how will the LLE student voice be captured?
- **Interpretation of TEF ratings:** The consequences of Bronze or Requires Improvement ratings remain unclear, including thresholds for restrictions on growth or funding, and processes for appeal or improvement.
- **Cost implications:** The estimated £25,000 fee lacks detail on calculation, variation by provider size, and support for smaller institutions.

Question 19

There is little in the proposals that will reduce provider burden. The proposed process, which will require continuous compliance, is more resource intensive than the current TEF, especially when you consider the punitive sanctions attached to a Bronze or Requires Improvement rating. The areas in which the OfS has sought to ease provider burden, for example the removal of educational gain and contextual improvement narratives has the opposite effect. More alignment is also needed across TEF, APP, registration conditions, and other regulatory processes. The OfS should streamline requirements so that providers do not need to resubmit the same or similar data multiple times.