Consultation on a new approach to regulating student outcomes

About you

What is your name?

Carole Hobden

What is your email address?

c.hobden@imperial.ac.uk

Are you responding on behalf of an individual or an organisation?

Organisation

What is the name of your organisation? (If not relevant, please answer 'N/A')

Imperial College of Science, Technology and Medicine (UKPRN: 10003270)

Which of the following best describes you?

An employee of a higher education provider

General questions regarding this consultation

Q1. Are there aspects of the proposals you found unclear? If so, please specify which, and tell us why.

- Presentation of indicators.
The indicators are numerous and complex, even to those familiar with the data and the data definitions. The visualisation of the indicators is helpful but will potentially be hard to understand and interpret by many. To help with this clarity is needed over the explanations and contextual information which will sit alongside the indicators to make them accessible to different audiences, especially as one group mentioned is prospective students, not all of whom will have family or other support networks who can help with navigating this information.

- Split indicators.
It is not clear how the split indicators (e.g. subject level) will be taken into account when assessing a provider. Clarity on whether the initial assessment will be at a provider level only based on the three student outcomes (continuation, completion and progression) and level of study (e.g. undergraduate first degree, postgraduate taught etc.) and mode of study (e.g. full-time) would be welcome.

- Split metrics for different levels of study.
It is not clear that all the split metrics are equally applicable to all levels of study. For example, the postcode metric, IMD, is a split metric and is to be applied to undergraduate, postgraduate taught and postgraduate research students. This raises many questions about the approach for using a postcode metric for postgraduate students: would it be the postcode from their UG application, the postcode associated with their PG application (which could be their home address or their UG term time address etc. and could also differ for students with different characteristics). Further clarification is needed to ensure the data can be interpreted and acted upon appropriately.

Q2. In your view, are there ways in which the objectives of this consultation (as set out in paragraph 7) could be delivered more efficiently or effectively than proposed here?

- We support the setting of minimum baselines to provide assurance about a quality education for all students.

- We welcome an approach which is proportionate, and risk based, this includes using a prioritisation process which seeks to address the most severe breaches which have the highest levels of statistical confidence of falling below the thresholds. With those providers delivering positive outcomes for their students being subject to less regulation.

- We support the use of contextual information (historic performance/provider actions) when determining whether to look at a provider more closely as there may be mitigating factors. For transparency, it would be beneficial if the OfS were to provide an outline of why a provider, which from the data does not meet the thresholds, has or has not been put under certain measures.

Questions relating to Proposal 1: Revising condition B3 and associated guidance in the regulatory framework

Q3. Do you agree or disagree that the proposed wording of condition B3 will enable the OfS to meet its policy objectives? If you disagree, what changes do you think are necessary to do so?

Agree

Comments:
The proposed wording supports the achievement of the policy objectives. As noted in question 2, we welcome a proportionate and risk-based approach to the delivery of condition B3, including less regulation for those meeting these objectives. The regulatory burden should be on those providers with the most severe breaches which have the highest levels of statistical confidence of falling below the thresholds.

Questions relating to Proposal 2: Constructing indicators to assess student outcomes

Q4. Do you agree or disagree with the proposals for how we will construct a student outcome measures? Do you have any alternative suggestions?

Agree

Comments:
We support the move away from the monitoring of degree classifications awarded to students with different characteristics in condition B3.

Given that the number of the proposed indicators will create a data burden on providers we support that there be no more than the three outcome measures proposed (continuation, completion and progression to a managerial or professional employment, or further study). Adding more indicators in the future should be carefully considered to assess if they actually add any value, or are heavily contextualised e.g. salary.

We support the inclusion of Free School Meals as a split metric and the removal of POLAR, given its known limitations. Some split metrics will need to be carefully applied to the different levels of study, for example the IMD quintile (based on postcode) for a postgraduate taught or postgraduate research student is likely to be different to the IMD quintile when they applied to undergraduate study, however these will be used to form judgements about the data and yet it is the same student. Different groups of students may also be more or less likely to go home when applying for their postgraduate studies, which would skew such data. Greater clarification on the use of split metrics for different levels of study is needed to ensure the data can be interpreted, responded to and acted upon appropriately.

We welcome the OfS's decision to apply an indicator's threshold to all subjects equally. This reduces the complexity of regulation, the associated data burden and reinforces the policy objectives.

There is a concern regarding the use of survey data and the impact of low response rates, as this could make the data unrepresentative and potentially volatile year on year.

Under the proposals a student who leaves the first year of their course within the first 14 days would not be categorised as a discontinuation. It has been stated by the OfS that they have considered a number of factors in proposing 14 days including the time given for returning goods purchased ("cooling off periods") and the liability for student loans. 14 days is a very short timeframe for a student to take many different factors into account and to receive the necessary support in coming to the right decision for them. Given this, the College would support extending the period in which students can leave and be excluded from the entrant population beyond the 14 days suggested to 28 days. With the setting of any metric it is suggested that the potential for unintended consequences be considered.

Showing the data by level of study is useful given the different experiences between undergraduate and postgraduate students. However, the split between First Degree and Undergraduate with Postgraduate components as currently defined in the proposals is less useful. The College offers a number of integrated masters programmes that have a three year first degree alternative and allows students to transfer between the masters and the first degree courses meaning the lived experience of these "two groups" is very similar. Combining these groups would reduce the number of metrics included without compromising our understanding of the student population.

The College supports the principle of using headcounts which reduces complexity in processing and interpreting the data. Our undergraduate provision is almost exclusively full-time, so counting by headcount is equivalent to FTE for our undergraduate population.

Including new intercalating students in our entrant population would increase the data burden for the benefit of including a small number of students, as the distinction between intercalating students who were previously studying at the College and those new to the College is not noted in current data submissions.

Questions relating to Proposal 3: Setting numerical thresholds for student outcome indicators

Q5. Do you agree or disagree with our proposed approach to setting numerical thresholds set out in Annex E? If you disagree, please provide reasons and any alternative suggestions.

Agree

Comments:
The proposed approach seems reasonable in terms of using anonymised sector performance data as the starting point and then considering other adjustment factors. For example, taking account of providers which are below the threshold but above their benchmark, as this would indicate there are other contextual factors at play.

We support the use of the same threshold for an indicator across all subjects.

Q6. Do you agree or disagree with the proposed numerical thresholds set out in summary in Table 1 and shown in full in "Setting numerical thresholds for condition B3"?

Agree

Questions relating to Proposal 4: Publishing information about the performance of providers in relation to the OfS's numerical thresholds

Q7. Do you agree or disagree with our proposal to publish information about individual providers' student outcomes and performance in relation to our numerical thresholds, as well as sector-wide data, on our website?

Agree

Comments:
Publishing data on an annual basis on dashboards seems reasonable in terms of open and transparent uses of data. However, there are a number of concerns in relation to the interpretation of the data. The data is complex and could be misunderstood by those who do not understand how the indicators, thresholds and benchmarks have been constructed. It is recommended that the understanding of the data is tested with the different potential user groups.

If the data is intended as a tool for prospective students in deciding what and where to study then this is a concern. The data visualisations are helpful but realistically the complexity and number of the split metrics could be confusing and potentially misleading, especially to those from non-traditional higher education backgrounds.

The inclusion of any action the OfS has taken to address a provider's performance seems reasonable. We would also welcome the inclusion of information which provides any mitigating context in relation to where the provider's data does not meet the OfS thresholds and how the OfS has taken this into account e.g. in terms of taking no regulatory action.

Questions relating to Proposal 5: Making judgments about compliance with condition B3, including consideration of context

Q8. Do you agree or disagree with the proposed approach to assessment set out in Annex F? Is there anything we could do to improve the clarity of this information for providers?

Agree

Comments:
We welcome the OfS's proportionate approach and the recognition of contextual factors that are beyond a provider's control. It would be helpful if the OfS were to issue guidance about where it will prioritise its focus each year.

Q9. Do you agree or disagree with our proposed general approach to prioritisation? If you disagree, do you have any alternative suggestions for how we should approach prioritisation?

Agree

Comments:
We would support the focus on the most severe breaches which have the highest levels of statistical confidence of falling below the thresholds (options b and d). This would be a risk based and proportionate approach with reduced regulatory burden for those meeting condition B3. On this same basis, we would not support a random selection of providers (option e).

Q10. Do you think that the OfS should adopt Option 1 or Option 2 (see paragraphs 207) when defining the scope of each assessment for ongoing condition B3?

We support the second option whereby the "assessment of all the indicators for a provider after the initial indicator has been identified as below the numerical baseline through the prioritisation process" would be within scope. This is considered to be unlikely to impact high quality providers, and hence reduce the potential regulatory burden on them.

This is also recommended on the basis that severe breaches only, having considered contextual information too, are the factor to result in assessment of all indicators below the numerical baseline. This will help in achieving a risk-based and proportionate approach.

Q11. Do you agree or disagree with our proposals for considering the context of an individual provider when assessing compliance with condition B3?

Agree

Comments:
The proposed two-phase approach to considering contextual information is supported i.e. initially looking at contextual information already held by the OfS prior to engaging with the provider, as this initial look may result in the OfS concluding the provider does meet condition B3. Where contextual information does result in a different outcome than the indicators then for transparency this should be made available alongside the data. Without this, the data and conclusions from the regulatory process could appear misaligned and opaque and lead to ill-informed decisions by those considering the data.

Questions relating to Proposal 6: How the OfS will address statistical uncertainty in the assessment of condition B3

Q12. Do you agree or disagree with the proposed approach to using statistical measures when considering a provider's performance in relation to numerical thresholds?

Agree

Comments:
On balance, taking into account the statistical uncertainty around the indicators is a reasonable approach and enables a broad indication of how the data will be assessed without the need for setting arbitrary cut-offs. It does though create large complex data sets which for those not close to the data could be hard to interpret, and could reduce their usefulness to certain groups. It could also reduce the transparency of why a provider has or has not been selected for further consideration by the OfS.

Q13. Do you have any suggestions for additional steps the OfS could take to provide greater clarity about the impact that the proposed approach to statistical confidence may have for individual providers?

It would be helpful for the OfS to indicate the basis for its prioritisation process, including an indication of the proportion of statistical confidence below the thresholds it will be considering further, alongside contextual information.

Questions relating to Proposal 7: Taking regulatory intervention when a breach is identified

Q14. Do you agree or disagree with our proposals to impose an 'improvement notice' where we find a breach of condition B3?

Agree

Comments:
In principle, this is supported. The following will though need to be taken into account in some way: the different time frames for delivering improvements, for example, continuation for full-time undergraduates would have a shorter timeframe compared with progression outcomes and the cohorts to which any actions will be applied. Also, given that there could be multiple reasons for a particular outcome for a group of students it will not always be known that a particular intervention will have the necessary positive impact to meet the threshold in the future. It is suggested that the OfS take this into account when assessing progress against the improvement notice (similar to the way it has proposed looking at contextual information when determining a breach of the regulation). Providers could also be asked to prepare action plans which would be signed off by the OfS, and progress measured against these.

Q15. Do you agree or disagree with our proposals to take account of a provider's compliance history in relation to condition B3 for the purpose of determining eligibility for other benefits of OfS registration?

Disagree

Comments:
This raises a number of considerations. For example, to what extent the history of compliance is relevant to the interests of current and future students, and whether any current issues are consistent with those in the provider's history. The focus should be on improvement, and where necessary through governance changes, rather than sanctions.

Questions relating to Proposal 8: Timing of implementation

Q16. Do you agree or disagree with the proposals for the implementation of the proposed approach to regulating student outcomes? If you disagree, do you have suggestions for an alternative timeline?

Agree

Comments:
Agree, with the caveat that the impact on the TEF timelines will need to be considered, as providers need to meet condition B3 to retain or be awarded a TEF rating.