London Higher response to the OfS consultation on the future approach to quality regulation

This response has been informed by extensive engagement with London Higher members and by direct discussion with the Office for Students. Evidence was gathered through a series of workshops, meetings and consultations with institutions across the capital, including specialist, postgraduate focused and multi faculty providers. We also drew on written feedback, recent institutional submissions and analysis prepared by members in response to the OfS proposals. Together, these sources provide a detailed and representative picture of how the proposals are likely to affect higher education providers in London.

Executive Summary

London Higher supports the ambition for a clearer and more coherent approach to quality regulation. Providers in the capital are committed to delivering high quality teaching and outcomes, and an effective framework should support improvement while recognising the diversity of provision in London. Our response identifies several areas where further development is required as well as concerns on fairness and proportionality for smaller, specialist and post-graduate only providers; insufficient recognition of the contextual and widening participation factors; and the impact of a compressed delivery timetable.

- **Postgraduate provision cannot be assessed through a simple extension of the undergraduate model.** Postgraduate study operates on different timescales, uses different modes of delivery and leads to distinct outcomes. Applying an unadapted undergraduate framework would be particularly unfair for postgraduate only institutions, which currently lack the data foundations, survey tools and benchmarks needed for reliable assessment.
- **Context remains essential for fair judgements.** London providers teach some of the country's most diverse student populations, including many who commute, work alongside study or have caring responsibilities. These factors shape continuation and early career outcomes in ways not captured in headline indicators and must be accounted for if assessments are to reflect providers' actual contribution to social mobility and local labour markets.
- **Institutional specialism needs explicit protection.** National policy calls for greater diversity in tertiary provision, yet the proposals do not show how TEF and the wider framework will recognise specialist, creative or practice-based models. A uniform approach risks constraining the distinctive strengths that characterise London's higher education landscape.
- **We do not support the proposed redefinition of Bronze.** TEF has always been above baseline, and Bronze has been described by the OfS as high quality. Recasting it as meeting minimum requirements would misrepresent performance, mislead students and partners and imply regulatory risk where none exists.

- **We do not support linking TEF outcomes to the removal or restriction of funding.** Linking TEF outcomes to the removal or restriction of funding would create significant unintended consequences. Although the proposals appear designed to use TEF as a funding mechanism, doing so would introduce volatility, disproportionately affect providers serving diverse student communities and make it harder for institutions to sustain investment in long term improvement. Rather than supporting enhancement, this approach risks undermining stability and weakening the sector's capacity to meet skills and labour market needs.
- **The implementation timetable is not realistic or equitable.** Final criteria will not be available until 2027, yet some institutions would be assessed later that year and during intensive REF preparations. A later start, from 2029, would better support comparability and readiness.

Taken together, these issues indicate that substantial refinement, robust piloting and a more realistic timetable are needed if the new framework is to be credible, proportionate and reflective of the diversity and strengths of London's higher education sector.

Question 1a. Views on the proposed approach to making the system more integrated

We support the aim of a coherent and understandable quality system. Bringing the regulatory conditions of registration and the Teaching Excellence Framework (TEF) into a single framework has the potential to reduce duplication and give students a clearer picture of quality. In principle, it is reasonable that the same evidence base should inform both judgements about whether minimum standards are met and judgements about excellence above that baseline.

However, we are concerned that the proposals do not simply integrate processes. They also change the underlying function of TEF from a scheme that differentiates between high quality providers above a minimum standard into a mechanism that directly triggers regulatory intervention – that could be based on marginal differences. Although students may not currently make extensive use of TEF ratings in their decision making, the framework nonetheless functions as a publicly visible signal of quality. If the intention is for the new ratings to operate both as indicators of excellence and as markers of proximity to regulatory concern, then clearer communication will be essential. Users of the system need to understand what each rating signifies, how it should be interpreted, and how it differs from previous versions of TEF.

We do not support the proposed repositioning of Bronze. TEF has always operated above the regulatory baseline and Bronze has previously been described by the OfS as reflecting high quality. Recasting it as meeting minimum requirements would risk confusing students and partners and does not reflect the performance of many institutions currently holding this rating. In many cases, Bronze providers achieve student outcomes substantially above baseline expectations, and the proposed definition would therefore give an inaccurate impression of quality. If single word descriptors continue to be used, they must convey this reality clearly and must not imply that Bronze is close to regulatory concern when this is not supported by the evidence.

Integration is a sensible objective, but the current design risks creating instability, confusing users of the system and concentrating regulatory attention on providers whose performance is not genuinely a cause for concern. Further work is needed to ensure that integration supports clarity and fairness rather than increasing volatility.

Question 1b. Opportunities to reduce duplication of effort between the future TEF and Access and Participation Plans

We support efforts to reduce duplication between TEF and Access and Participation Plans (APPs). London providers already report extensively on participation, continuation and outcomes for underrepresented groups. Where possible, the same datasets, benchmarks and narratives should serve both TEF and APP purposes.

However, the consultation is not yet clear about how responsibilities will be divided between the two processes. For example, the draft student experience criteria include questions about inclusive course design and support for different student groups, while APPs also require detailed analysis and planning on these issues. Without clearer delineation, there is a risk that providers will

simply be required to repackage the same information in different formats rather than genuinely reduce workload.

For London Higher members, duplication is particularly acute where providers serve large commuter and mature student populations or work in partnership with further education and other delivery partners. We therefore recommend that the OfS works with the sector to map common evidence requirements across TEF and APPs and to rationalise templates and cycles wherever possible.

The rationale of reducing duplication does not apply to postgraduate provision. APPs are designed for undergraduate access and success and do not cover postgraduate pathways or outcomes. The concepts and metrics used in APPs cannot be applied meaningfully to one-year postgraduate programmes without first establishing who is underrepresented at this level, how financial and structural barriers shape access, and what success looks like for postgraduate taught students. Until this groundwork exists, aligning TEF and APP requirements for postgraduate provision is neither proportionate nor desirable.

Question 2a. Views on the proposal to assess all registered providers

In principle, assessing all registered providers is fair and consistent with a risk based regulatory approach. Students on all types of course should be able to rely on the quality of their provision and to see independent evidence about teaching and outcomes.

Postgraduate provision represents a substantial part of London's higher education ecosystem. The capital is home to two-thirds of the UK's postgraduate only institutions and has 21 institutions where more than half of students are postgraduates. Almost a quarter of London's 542,000 students study at postgraduate level.

Postgraduate students themselves form a distinct cohort within higher education, characterised by a broader age profile and a greater prevalence of mature learners than is seen at undergraduate level. National data show that around half of all postgraduate entrants in England are mature students, and UK-wide evidence indicates that approximately 43-48% of postgraduates are aged 30 or over. This age profile means many postgraduate students balance study with significant adult responsibilities, including employment, financial commitments and family or caring roles. Studies of mature learners highlight the challenge of managing intensive and often accelerated postgraduate programmes alongside these responsibilities, underscoring the need for regulatory and support frameworks that recognise the particular circumstances of this group

However, the current proposals are framed primarily around undergraduate provision and assume access to mature indicators such as the National Student Survey (NSS) and established benchmarks. For many postgraduate-only and specialist providers, particularly in London, these assumptions do not hold. There is limited or no NSS coverage, employment outcomes data is still developing and existing benchmarks do not reflect the distinct student journey associated with intensive one-year postgraduate programmes.

We are therefore concerned that bringing all providers within scope without first resolving these issues risks creating an uneven playing field. Providers that have participated in earlier TEF exercises and have built up experience, historic data and internal capacity will be at a clear advantage compared with new entrants who are being required to meet the same expectations without equivalent information or experience.

A further complication is the lack of clarity about how access commitments would be integrated into TEF ratings, and whether such integration would produce meaningful or fair outcomes. It is unclear, for example, how an overall TEF judgement should be reached if a provider demonstrates strong performance on student experience and outcomes but weaker performance on Access. If Access were to influence the overall outcome, it is not evident through which aspect rating this would occur or how the weighting would operate. Without a clear and coherent methodology, integration risks generating confusion rather than reducing duplication.

Question 2b. Enabling smaller providers, including those new to TEF, to participate effectively

Smaller and specialist providers will need additional support if the proposals are to work in practice. For many London Higher members, TEF participation would represent a significant step-change in regulatory engagement and administrative load. Staff numbers are often small and key individuals already carry a wide portfolio of responsibilities. Even if a single new staff were required, this would add an additional cost of £60,000-£90,000 in staff and related costs.

We recommend that the OfS provides clear worked examples of strong submissions from providers of different types, tailored guidance for small and specialist institutions, and early communication of data and benchmarks so that providers can understand the basis on which they will be judged. In setting expectations for submission length, it will be important to recognise that some providers will have a greater need to supply contextual information than others. While shorter templates may reduce burden in some cases, rigid limits risk constraining the ability of providers with more complex provision or diverse student populations to explain performance fairly. A flexible approach that reduces unnecessary burden without preventing providers from supplying essential context would be appropriate.

Consideration should also be given to whether new TEF participants might follow a staged entry route, with an initial lighter touch review that focuses on minimum outcomes and qualitative evidence, before moving to a full assessment once appropriate datasets and internal quality processes are established. We ask that OfS to continue their programme of engagement with the

sector to ensure staff have that broad understanding of HE provision and the challenges faced by small and specialist providers.

Question 3a. Provision that should be in scope for the first cycle

We agree that the first cycle should focus on undergraduate provision and may include partnership provision where the data is sufficiently robust to support fair and reliable judgements. Clear criteria on data quality and coverage will be essential to ensure consistency across providers. However, this is subject to our concerns about the feasibility of the proposed timetable, as outlined in our response to Question 11a.

We have concerns about the inclusion of degree apprenticeships because a substantial proportion of learning and assessment takes place in the workplace rather than within the provider. This limits the provider's oversight of the teaching environment, support available to learners and consistency of delivery. Any approach to assessing apprenticeship provision in TEF should recognise these constraints and avoid attributing responsibility for elements that are outside a provider's direct control. It is also important to recognise that Ofsted already undertakes robust evaluations of providers of degree apprenticeships, and institutions have established detailed processes and frameworks to meet those expectations. If shifts are planned in this space, close working with the sector will be essential to ensure that good practice developed under Ofsted's tenure is not lost, and that providers have adequate time to adapt if expectations of what constitutes high quality provision for apprentices change. Ofsted's focus, methods and definitions differ in material ways from those used within TEF, and any transition must therefore be managed carefully.

For London providers, partnership activity is an important part of widening participation and skills provision. London Metropolitan University demonstrates this through franchised degrees delivered in local partner colleges, enabling students who face financial or geographic barriers to access higher education in more flexible and community-based settings.[1]

However, partnership provision can involve complex governance and data flows, particularly where delivery is split between multiple organisations or takes place in different parts of the country. The OfS should ensure that data definitions and responsibilities are clear and that lead providers are not held liable for factors over which they have limited control. A staged approach, beginning with transparent reporting of partnership structures and outcomes before full inclusion within TEF ratings, may be more realistic.

[1] https://www.londonmet.ac.uk/courses/our-collaborative-partnerships/

Question 3b. Expanding assessments to include taught postgraduate provision in future cycles

The evidence base and regulatory framework for postgraduate provision are not yet developed enough to support alignment with the wider quality system. We support the principle that postgraduate taught provision should ultimately be subject to external quality assurance, but we do not support bringing it fully into the new TEF in the second cycle on the current timetable, or under the system that is currently proposed.

Postgraduate taught students typically study for a much shorter period than undergraduates, often on intensive programmes taken alongside employment or caring responsibilities. They engage with institutions in different ways, and their outcomes relate more to career progression, specialisation or preparation for research than to initial entry into the labour market. Existing datasets such as the Postgraduate Taught Experience Survey provide partial insight, but there is no established national survey with the maturity or time series required to support high-stakes regulatory judgements.

These system level limitations would have pronounced consequences for providers of postgraduate study, and particularly for those that are postgraduate only or postgraduate focused

The providers have no historic survey data, short student life cycles that limit opportunities for engagement, and limited clarity about appropriate benchmarks for these cohorts. The future quality framework, when applied to post-graduate provision, cannot be a copy and paste of the existing undergraduate model. Postgraduate provision operates on different timescales, uses different modes of delivery and produces different forms of outcomes, so the framework must be designed with those realities in mind.

For this reason, before postgraduate taught provision can be meaningfully included in the TEF, the OfS should work with the sector to co-design an approach to postgraduate quality that is fit for purpose. This should include piloting new data collections, refining qualitative methods and establishing appropriate benchmarks.

There should be a structured pilot phase to test the proposed processes thoroughly and ensure that any new data meets the evidential standards required for regulatory or funding decisions.

Question 4a. Assessing and rating student experience and student outcomes

We agree that a robust quality framework should consider both student experience and student outcomes. It is reasonable for students to expect evidence that their teaching is well designed and supported and that their studies lead to meaningful outcomes in employment, further study or other forms of contribution.

The proposed approach places substantial weight on student survey data for the student experience aspect and on a narrow set of continuation and employment measures for outcomes. For London providers, this presents particular challenges. Many students study part time, commute significant distances and balance paid work because of the cost of living in the capital. Around a quarter of all students in London live in their parental home and, among UK domiciled students in the capital, this rises to nearly two fifths[2]. These patterns reflect London's housing and transport pressures and result in varied routes through study and into employment that may not align neatly with a four-year completion window or an 18-month outcomes measure.

We have significant concerns about the proposed use of Longitudinal Education Outcomes (LEO) as an indicator of teaching quality or early career success. LEO tracks earnings rather than educational value and is shaped predominantly by socio-economic background, regional labour markets, prior attainment and subject mix. This makes it an unreliable proxy for institutional performance and particularly unsuitable for providers with strong widening participation missions. Graduates who remain in lower wage regions, enter socially essential but regulated professions or face structural barriers to labour market mobility are systematically disadvantaged by an earnings metric. LEO also excludes substantial groups of graduates, including those who are self-employed, working internationally or progressing directly to further study.

These omissions particularly affect both creative and public sector pathways, though for different reasons. In the creative industries, portfolio careers, freelance work and early-stage entrepreneurial activity are common, and earnings trajectories typically extend well beyond the narrow timeframes captured in LEO. In public sector fields, such as nursing, allied health and teaching, nationally regulated pay bands suppress early-career earnings regardless of the quality of provision or the societal importance of these professions. As a result, LEO would systematically under-represent successful graduate outcomes in both sectors and unfairly disadvantage institutions with specialist creative or public-service-oriented provision despite their strong educational, cultural and civic contributions.

The OfS has itself noted that LEO is not designed to support assessments of institutional performance and continues to classify it as "experimental statistics," reinforcing the need for caution and underscoring its unsuitability for high-stakes regulatory judgements. Used in this way, LEO risks embedding socio-economic inequality into TEF and creating perverse incentives that discourage providers from supporting entry into lower-paid but socially vital professions.

By contrast, indicators such as NSS Learning Opportunities and Preparation for Future Careers provide more meaningful insight into the contribution institutions make to student learning and development. In future cycles, the OfS should focus on strengthening the reliability and representativeness of the Graduate Outcomes Survey, drawing on longitudinal graduate reflections

[2] https://londonhigher.ac.uk/wp-content/uploads/2024/03/Commuter-students-in-London-A-briefing-note-2.pdf

and, where appropriate, employer perspectives, to build a more rounded and defensible understanding of outcomes than LEO can provide.

Without stronger contextualisation and the opportunity for providers to present qualitative evidence, student outcomes ratings may not reflect accurately the contribution that London providers make to social mobility, local labour markets or the diversity of student pathways.

Question 4b. Generating overall provider ratings based on the two aspect ratings

We understand the appeal of a simple rule that sets the overall rating at the lower of the two aspect ratings. It is easy to explain and reinforces the idea that both student experience and student outcomes matter equally. However, the proposed reframing of Bronze also raises questions about how clearly users will be able to interpret the overall rating.

Modelling by London South Bank University and Anglia Ruskin University, using TEF 2023 data, suggests that this approach would shift around 40 per cent of providers into the lowest categories. This would occur even where performance on one aspect is strong. It would also compress the ratings distribution and make it difficult to distinguish meaningfully between different types of provider. Institutions with very different strengths and challenges could appear similar because the stronger aspect would no longer influence the overall rating.

A purely automatic rule also raises questions about the purpose of the overall rating. If the overall judgement is meant to add value, then it should be reached through a process that weighs the evidence from both aspects. If no such consideration is expected, it may be clearer and more honest simply to publish the aspect ratings on their own rather than combine them.

This approach also raises a more fundamental question about the purpose of the overall judgement. If the overall rating is intended to convey something distinct and of value, then it should be reached through a process that actively weighs evidence across both aspects. If no such consideration is expected, it becomes difficult to justify producing an overall rating at all, and it may be more transparent simply to publish the aspect ratings on their own.

We therefore recommend keeping space for panel judgement when combining the two aspect ratings, so that context and balance can be reflected (this Is particularly important for both specialist and widening participation focused providers). If the OfS wishes to use a simple rule, it should publish both aspect scores prominently alongside the overall rating. This would give users a clearer picture of performance and avoid masking important differences across the sector.

Question 5a. Scope of the student experience aspect and alignment with B conditions

We support in principle the alignment of the student experience aspect with conditions B1, B2 and B4. Students are well-placed to comment on course design, teaching, assessment, learning

resources and support. In an integrated system, it is important that their perspectives inform judgements about whether providers are meeting and exceeding regulatory expectations.

For postgraduate and specialist providers, however, the practicalities are more complex. Postgraduate students are often present for a single calendar year or less, and many London based students study intensively alongside employment. There is limited time to identify and support student contributors, and less opportunity for providers to respond to feedback within the same cohort. The OfS will need to provide clearer guidance on how providers can supply contextual evidence, such as internal quality assurance documentation and committee records, without creating an unmanageable burden for assessors or providers.

Question 5b. Criteria for the student experience rating

The criteria in Annex H outline expectations for sufficient, high quality and outstanding provision, but they remain broad. Without clearer descriptors or examples, there is a risk that assessors will interpret these terms differently, reducing the consistency of judgements across the sector.

Greater clarity is also needed on how judgements relating to condition B2 and resourcing will be made. At present, B2 is assessed on a binary basis: a provider is either compliant or not. It is not clear why this binary judgement could not be retained for TEF purposes, given that attempting to rank staffing or resourcing as Bronze, Silver or Gold introduces considerable scope for inconsistency and dispute. Metrics such as staff–student ratios are highly sensitive to subject mix, pedagogic models and institutional missions, and trying to determine quality levels from them risks creating confusion rather than delivering meaningful differentiation.

Further clarity is also needed on how assumptions about condition B2 and resourcing will be applied within TEF assessments. At present, B2 operates as a binary judgement: a provider is either compliant or not. It is not evident why this approach could not be retained for TEF, given that attempting to distinguish Bronze, Silver or Gold levels of staffing or resourcing is likely to introduce inconsistency, confusion and significant scope for appeal. Metrics such as staff–student ratios are highly sensitive to subject mix, pedagogic models and institutional missions, and may not provide a reliable basis for graded judgements.

Question 5c. Evidence that would inform judgements about the student experience aspect

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 postgraduate taught 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.

Alternative student input methods, such as focus groups, raise further questions. It is not clear how representativeness will be ensured, whether providers are expected to resource these activities, or how findings from small groups will be compared with survey indicators used elsewhere. Clearer guidance on the weighting of quantitative and qualitative evidence, and on the expectations for providers without robust NSS data, is essential if the assessments are to be fair, proportionate and comparable.

We therefore recommend clearer guidance on what constitutes credible evidence for each rating level. For specialist and postgraduate providers, a critical part of London's profile, examples will need to reflect studio based, clinical, laboratory and practice-based models as well as traditional classroom delivery. Greater clarity on the design, resourcing and weighting of alternative student input mechanisms is essential if assessments are to be fair and consistent.

Question 6. Revising condition B3 and integrating minimum required student outcomes into TEF

We support the principle that minimum student outcomes should be clearly defined and that providers falling below them should receive appropriate regulatory attention. It is important that students can rely on a consistent baseline of continuation and completion.

We note the proposal to remove progression from the regulatory baseline and to rely solely on continuation and completion for condition B3. This concentrates minimum standards on a narrow set of indicators that are strongly influenced by student mix, mode of study and local circumstances. For many London providers, these factors include significant commuter patterns, high levels of paid work and complex study trajectories that are less suited to short measurement windows.

It is also important to recognise that continuation and completion metrics are assessed against different thresholds for full-time and part-time students. However, students who switch from full-time to part-time modes of study continue to be counted as full-time for the purposes of these assessments. This disproportionately affects providers with strong widening participation missions, as these students are more likely to change mode and should be encouraged to do so where it supports their academic progression. The current treatment therefore risks penalising providers for offering flexible pathways that enable students to succeed.

A narrative statement should be retained to ensure that continuation and completion data is interpreted in context. This is essential for providers with diverse, commuter or postgraduate taught cohorts, where external factors shape outcomes in ways that cannot be captured fully by the indicators alone.

We therefore support greater alignment between minimum outcomes and the broader quality framework but recommend that contextual information remains a formal part of the assessment to ensure that the system is proportionate and reflects the diversity of student pathways.

Question 7a. What are your views on the proposed approach and initial ratings criteria for the student outcomes aspect?

The proposed criteria for the student outcomes aspect follow a familiar structure, distinguishing between meeting minimum requirements, performing broadly in line with benchmarks and delivering outcomes that are consistently above benchmark. This provides a clear conceptual framework.

The challenge is that continuation and completion are strongly influenced by student characteristics, local labour markets and modes of study. As previously mentioned, London providers teach large numbers of commuter, part time, mature and postgraduate taught students whose patterns of engagement do not always align with short measurement windows. A narrow interpretation of benchmarked performance could therefore disadvantage providers serving these groups. The criteria should reflect this diversity and ensure that judgements account for the context in which outcomes are achieved.

Question 7b. Employment and further study indicators and other possible measures

We support the use of indicators that focus on meaningful employment and further study outcomes, provided they recognise the variety of routes that students take after graduation. In London, many students combine study with work, move into portfolio or freelance careers, or use postgraduate taught study to advance within an existing career rather than to enter a new field. These patterns are not always reflected in standardised measures.

We therefore encourage the OfS to develop indicators that better capture this diversity and to remain open to incorporating additional data sources where they can improve accuracy. This may include more detailed information on career progression, professional registration or entrepreneurial activity, particularly in sectors that are strong within London.

Question 7c. Considering a limited set of contextual factors for student outcomes

We support the use of contextual factors to ensure that outcomes data is interpreted proportionately. Providers with diverse student populations and those operating in specialist or narrow employment sectors work in circumstances where continuation and early career outcomes are shaped by factors that are not within the provider's full control. These include differences in student work patterns, local labour markets and the structure of professional or creative career pathways.

A limited but carefully selected set of contextual factors can improve fairness and comparability. The choice of factors should reflect the realities of studying in London, including higher living costs, reliance on part-time work and the high proportion of students living at home. Panels should also take account of the time lag in continuation, completion and progression data, which can reflect earlier cohorts and labour market conditions and does not always capture recent improvements or changes in provision. Transparent application of contextual factors will be essential to ensure confidence in the outcomes ratings and to avoid unintended penalties for institutions supporting students with more complex educational and employment trajectories.

Question 8a. Who should carry out the assessments

Panels should reflect the diversity of provision across the sector, including large multi-faculty providers as well as specialists and postgraduate taught contexts.

Question 8b. Permitting representations only on Bronze or Requires Improvement decisions

We do not support limiting representations to Bronze or Requires Improvement decisions. Providers should be able to correct factual errors or material misunderstandings in any provisional rating. Restricting representations risks reducing confidence in the process and may lead to avoidable inaccuracies in higher ratings. A proportionate approach would allow representations on all outcomes, with clear criteria to ensure the process remains manageable.

Question 9a. Alternative means of gathering students' views where NSS based indicators are insufficient

We agree that alternative means of gathering students' views are needed where NSS data is insufficient, as noted in earlier answers. The proposals, however, require greater clarity. It is not clear how adequate representation will be ensured for small scale activities such as focus groups, who will organise them or whether students are expected to be paid for their participation.

This could increase financial and administrative burden in a way that is disproportionate for smaller, specialist or postgraduate providers. Without clear expectations on sampling, weighting and resourcing, these methods may not generate evidence that is comparable with NSS based indicators. Clear guidance will be necessary if alternative approaches are to support fair and consistent assessments across the sector.

Question 9b. Not rating the student outcomes aspect where there is insufficient indicator data

We accept that in some cases there may be insufficient data to support a reliable rating for the student outcomes aspect. In such circumstances it is sensible not to assign a rating that could be misleading.

Whilst public datasets for smaller providers can sometimes be limited for statistical reasons, this does not mean that these institutions lack insight into their own student outcomes. The OfS could explore, in collaboration with smaller and specialist institutions, what forms of proportionate internal evidence might be appropriate in these circumstances. This would allow providers with small cohorts to demonstrate their understanding of student progression and outcomes without creating undue burden and would support more consistent and equitable assessments across the sector.

Under the current proposals, some providers would receive both aspect ratings while others would receive only one. It will therefore be essential that published information makes these differences clear and avoids creating an impression that providers without an outcomes rating are necessarily performing poorly or are closer to regulatory concern. Clear explanation of the basis for partial ratings is needed to maintain comparability and to protect against unintended reputational effects.

Question 10a. Direct student input into the assessment of the student experience aspect

We agree that the provider submission should allow institutions to explain their approach to teaching, support and assessment and to set out the context in which student outcomes are achieved. Providers will need clear guidance and realistic timelines to gather appropriate evidence, particularly where provision is complex or where quantitative indicators are limited. It is important that institutions can contribute contextual information where student perceptions alone may not capture compliance with conditions of registration or the realities of supporting part time, commuter or postgraduate taught students.

We recognise that PTES may offer some limited insight during a transitional period, but it is not a mature or comprehensive instrument and should not be treated as a proxy for an established national survey. Any use of PTES should remain strictly provisional while more robust and representative approaches to postgraduate evidence are developed.

Question 10b. Enabling more student assessors from small, specialist and college based providers

We recognise the value of drawing directly on students' views, but the proposed approach raises practical issues for institutions with large postgraduate taught cohorts. As previously mentioned, these students are in the institution for a short period and often combine intensive study with employment, which limits opportunities for sustained involvement in consultation processes. Identifying students who can participate and ensuring that they are supported to reflect the wider cohort is resource-intensive. The OfS should set out clear and proportionate expectations so that student input can be gathered in a way that is workable and reflective of the diversity of student experience.

Question 11a. Scheduling providers for their first assessments

The proposed implementation timetable presents significant challenges. The OfS has indicated that a further consultation will follow this one, meaning the sector is unlikely to have clarity on the final framework before early 2027. Beginning the first TEF exercise later that year would therefore leave very limited time for institutions to understand the new requirements and prepare submissions. Previous sector-wide changes, including those introduced by the QAA, allowed a transition period to support alignment and a similar approach would be appropriate here. The timing also coincides with preparations for the Research Excellence Framework (REF) in 2028, creating a substantial burden and particular difficulty for smaller providers where the same staff often lead both TEF and REF activity.

The proposed sequencing also raises questions about fairness and comparability. Providers scheduled early in the cycle are likely to include those the OfS considers closer to the regulatory baseline, which may include some Bronze providers, or providers identified as higher risk through existing monitoring processes. These providers would be assessed only months after the new criteria are confirmed and without the benefit of observing outcomes from the first set of assessments, whereas providers scheduled later would have considerably more time to prepare. Although this affects some groups more directly, the wider issue is that assessments conducted at different points in the cycle may reflect different external conditions and levels of institutional readiness, which could undermine comparability across the sector.

Within this context, we support a planned approach to scheduling assessments that takes account of provider type, size, historical risk and major organisational changes. In London, many institutions are managing significant financial pressures, estate projects and restructurings, and these factors should be considered when scheduling an initial assessment. Given that TEF criteria will not be confirmed until 2027 and that institutions will be engaged in REF submissions throughout 2028, it would be more equitable and practical to delay full implementation of the TEF until 2029.

We also encourage the OfS to coordinate the timing of TEF assessments with other major exercises so that providers are not required to meet multiple high stakes deadlines in the same period. In smaller institutions it is often the same staff members who undertake this work. For postgraduate providers entering TEF for the first time, a later scheduling point, once data and processes have developed sufficiently, would be more proportionate.

Question 11b. Scheduling providers for subsequent assessments

We support the principle that the frequency of assessments should be linked to risk. Providers with strong ratings and stable performance should be subject to less frequent review, while those with weaker ratings or emerging risks should be reviewed more often.

In applying this principle, the OfS should recognise that a Bronze rating under the proposed framework may encompass providers with very different levels of performance, from those close to

the baseline to those just below benchmark. Treating all Bronze providers as equally high risk for scheduling purposes would not be proportionate. We therefore recommend that the risk monitoring tool and scheduling decisions draw on more granular information than the single word rating alone.

Question 12. Factors associated with risks to quality for the risk monitoring tool

The draft risk monitoring tool appropriately considers factors such as rapid growth in student numbers, financial instability, significant changes in provision and weaknesses in student outcomes. These are all relevant to London providers.

We suggest that the tool should also recognise the specific risks and mitigations associated with London. These include exposure to higher operating costs, the volatility of international student recruitment, and the complexity of partnership arrangements in a dense higher education ecosystem. At the same time, London providers often have strong external partnerships and diversified income streams that can mitigate some risks. The tool should be sensitive to both sides of this picture and avoid mechanically flagging risk purely based on scale or location.

Question 13. Incentives and interventions associated with TEF ratings

Incentives and regulatory permissions should be applied in a way that is proportionate and that reflects meaningful differences in quality.

We are concerned that the proposed approach creates very sharp distinctions between categories, with significant consequences concentrated around a small boundary. Treating both Bronze and Requires Improvement as below the high-quality threshold would place a large proportion of the sector in a position associated with restrictions and enhanced scrutiny, even where outcomes meet minimum requirements and align with benchmarks. When set alongside other policy developments, including the apprenticeship levy, the BCA metrics and the prospect of more frequent TEF assessments, the cumulative effect may make it difficult for institutions to plan and to invest in the improvements that the framework is intended to encourage.

We do not support any linkage between TEF outcomes and access to world-leading specialist funding. The purposes of world-leading funding and TEF are fundamentally distinct and aligning them would compromise both. World-leading funding is intended to recognise and sustain internationally significant excellence, whereas TEF is a regulatory tool designed to assess performance against contextualised benchmarks and minimum expectations. Conflating these functions would risk narrowing the definition of excellence, creating inappropriate incentives and disadvantaging specialist provision that delivers nationally valuable outcomes not captured through TEF. For these reasons, TEF ratings should not play any role in determining eligibility for world-leading funding.

Question 14a. Range of quality assessment outputs and outcomes to be published

We support in principle the publication of aspect ratings, overall ratings and high-level commentary. Transparency is important for students, employers and international partners.

Given the complexity of the evidence base and the diversity of London provision, we urge the OfS to ensure that published outputs are accompanied by clear contextual information. This should include explanations of the student mix, the scope of provision covered, and any limitations in the data used. Without such context there is a risk that single word ratings could be misinterpreted or used in ways that do not reflect the underlying evidence.

Question 14b. Improving the usefulness of published information

We support the principle that TEF ratings and the outcomes of quality assessments should be published in a clear and accessible form. Transparency is important for students and stakeholders, but published information must be presented in a way that avoids oversimplification and enables users to understand the basis for different judgements.

For providers with limited or suppressed data, the OfS should ensure that partial ratings are clearly explained to avoid misinterpretation. It will also be important that any accompanying narrative is factual and proportionate, and that publication practices do not inadvertently disadvantage specialist or postgraduate-focused institutions.

Question 15. Comments on the proposed implementation timeline

We are concerned that the proposed implementation timetable is too compressed. Providers are already managing financial pressures, recruitment challenges and substantial regulatory change. London institutions in particular face the combined impact of the international student levy, high estate costs and wider public funding constraints, which limits capacity to respond to a major new framework at pace.

The timetable for incorporating taught postgraduate provision is especially challenging. As noted earlier, appropriate data collections and benchmarks are not yet in place, and alternative methods for gathering postgraduate student views remain underdeveloped. We recommend that the OfS allows additional time to co-design and pilot the postgraduate elements before full implementation or any link to high-stakes regulatory consequences.

Question 16. Approach to publication of TEF ratings during the transitional period

We recognise that the transition from the 2023 TEF to the new framework will be challenging. During this period, it will be essential to avoid confusing students with overlapping sets of ratings that use the same labels but different definitions, particularly in relation to Bronze.

Question 17. Ongoing development and future inclusion of taught postgraduate provision

We support the OfS intention to develop the quality system iteratively and to continue to engage with the sector. In our view, the approach to postgraduate provision is the area that most urgently requires further co-design.

Before postgraduate courses are brought fully into a high stakes TEF, the OfS should work with providers and students to agree survey tools, data definitions, benchmarks and qualitative methods that reflect postgraduate realities. This should include careful consideration of how to capture the experience of intensive one- year programmes, professional upskilling and the distinctive outcomes of creative, technical and research preparation courses. Only once these foundations are in place should postgraduate ratings be used to trigger incentives or interventions.

Question 18. Clarity of the proposals

Overall, the consultation presents the broad structure of the proposed quality system clearly, but further detail is required before providers can fully assess the implications.

Clarity is needed on the practical operation of student input and on alternative mechanisms where NSS data is insufficient, together with the interaction between benchmarks and thresholds in outcome judgements and the selection and application of contextual factors.

Providers also require certainty regarding data solutions for postgraduate provision and clearer guidance on the treatment of partnership activity and subcontracting within TEF assessments. Additional explanation of how the revised TEF will align with the conditions of registration and how qualitative judgements will be reached would support consistency. Clear expectations about the use of evidence and the handling of partial or atypical datasets are essential for effective planning.

The revised positioning of Bronze close to the regulatory baseline introduces a further layer of complexity and will require careful communication to support domestic and international understanding of the ratings.

Question 19. Alternative or more efficient and effective approaches

There is scope for a more proportionate approach to quality regulation that better reflects both regulatory ambition and provider capacity. Recent years have seen growing demands under Conditions E7 to E9, Condition C5 and Condition E6, together with strengthened expectations for oversight of subcontracted and franchise provision. These developments increase staff time, training requirements and administrative cost, particularly for smaller and specialist institutions. A more efficient approach would involve streamlining or removing existing requirements when new ones are introduced, ensuring that the overall burden remains sustainable.

Alongside regulatory requirements, the current registration fee structure scales poorly for smaller providers. Institutions with 40,000 students pay £214,485 per year, around £5.36 per student, while those with 1,000 students pay £54,332 or £54.33 per student, and those with 400 students pay

£43,312 or £108.28 per student. The proposed flat £25,000 assessment fee would be charged in addition to these costs, widening the disparity further. A tiered or proportionate fee model would provide a more efficient and equitable approach by reflecting differences in provider size.

We also question the value for money case for the proposed assessment fee. The University Mental Health Charter fee of £20,000 funds a substantial assessment process, including on-site panel activity and detailed review of extensive evidence. By contrast, the TEF process described in the consultation involves no observation of teaching and appears to require a considerably lighter assessment footprint. On this basis, it is difficult to see how a £25,000 fee is proportionate or justified, particularly when the process is intended to support judgements about teaching quality.

Finally, the cumulative effect of these pressures risks pulling the sector away from the ambitions of the Post-16 Education and Skills White Paper, which seeks to promote greater specialism and diversity across the tertiary system. A more proportionate approach that actively supports specialist provision, particularly where this involves smaller-scale delivery, would better align regulation with that strategic direction.