

The Second Convention for Higher Education



Debating and Opposing the HE Green Paper

Saturday 27 February 2016
Christopher Ingold Chemistry Building
University College London

<http://heconvention2.wordpress.com>

#HEConvention

Hosted by UCL UCU. Supported by the UCU, CPU, BSA and BUIRA

Timetable

10.00-10.30	Welcome	Auditorium
10.30-11.45	Teaching quality, social mobility and the TEF – The rise of metrics and the uncapping of fees • Lee Jones, Roger Brown	Auditorium
11.45-13.00	Opening the market to private providers – Easy come, easy go? • Elizabeth Lawrence	LT
13.00-14.00	Measure anything, fail everyone? – The growth of the ‘performance management’ agenda • Liz Morrish, Joanna De Groot	Auditorium
14:00-15.15	<i>break</i>	
14:00-15.15	Deregulation, the attack on governance and statutes – Is academic freedom under threat? • Terry Brotherstone, Carol Monaghan MP, Anne Alexander	Auditorium
15.15-16.30	The future of research • John Holmwood Strategies to win – <i>How do we defend the Public University?</i> • John Holmwood, Des Freedman, Natalie Fenton	LT
16.30-17.00	Conclusions and next steps	Auditorium

Foreword and welcome

Sean Wallis (UCL), UCU

We are at a critical juncture for the future of Higher Education. In the US, the model of state-backed tuition fees and private sector provision, particularly the expansion of the for-profit sector, has proved extraordinarily lucrative. However, in the UK, the for-profits face barriers to entry. The HE Green Paper, *Fulfilling our Potential*, assumes that the expansion of private providers is both necessary and good, to ‘raise quality’, and sets out mechanisms (including the TEF) for smoothing the path for these providers.

But this premise is opposed across the UK HE sector. The consultation received 600 responses. The *WonkHE* website enumerates 31 sector bodies, 9 learned scientific societies and 13 universities (a non-exhaustive list), the vast majority scathing in their criticism.

In 26,500 words, there are 168 references to ‘quality’ – but not a single definition. ‘Risk’, another watchword for Jo Johnson, appears 27 times. Follow the references and links, and you eventually find a definition: *the commercial risk to an investor*.

We are united in our belief that there are huge risks in this policy. Risks for students – encouraged to apply to institutions run solely for the maximisation of profit – risks for staff compelled to work for these institutions – risks for academic freedom and freedom of thought in the sector in a race to the bottom – and risks for UK society as a whole.

This Convention has been organised by an *ad hoc* organising committee formed by members of the Campaign for the Public University, Council for Defence of British Universities and the UCU trade union. Our aim is to bring together a broad range of critical voices within academia united around a single purpose: to stop these dangerous and destructive policies and to defend the values of UK Higher Education.

Today is a chance for debate, but also to discuss action. We expect BIS to reply to its critics by launching a White Paper, in May, with the same premises and conclusions as the Green Paper. We also expect that the Government will push for primary legislation in the next Parliamentary session (i.e. in the Autumn). The weakness of the arguments made by Jo Johnson *et al* is not an indication of their lack of determination!

We have an essential task on our hands. We must organise to rally our colleagues behind the cause of HE. We need the biggest visible, public, opposition, inside our institutions exerting democratic and collegial pressure on Senior Management Teams, and outside, demanding our MPs side with us against this dangerous policy. Together we can win.

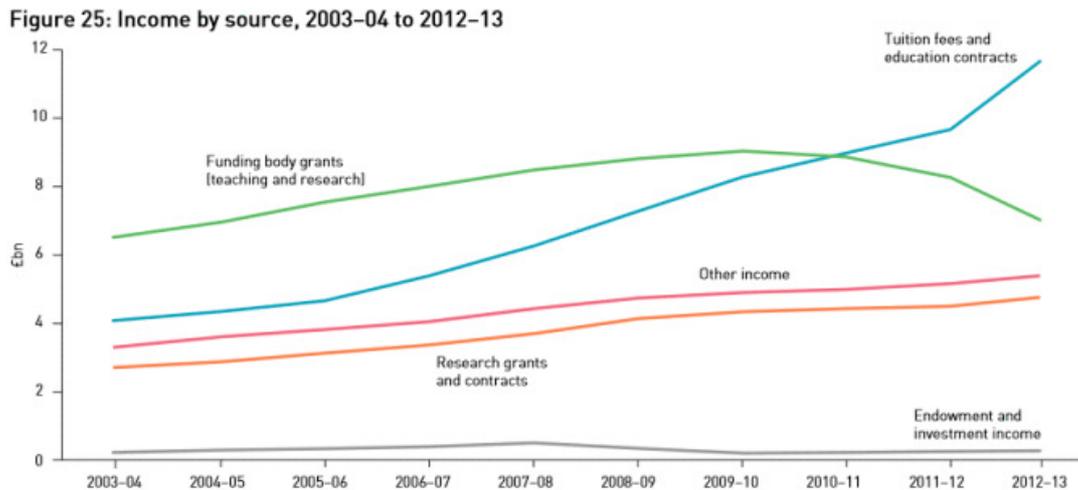
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1. Teaching Quality, Social Mobility and the TEF

Dr Lee Jones (Queen Mary University of London), CPU¹

Following the ‘reforms’ in the last parliament, public money is now an increasingly minor proportion of income for UK universities. As the chart below shows, the combined income from tuition fees, external research grants and elsewhere now exceeds the public investment via funding body grants. In 2015/16, the teaching grant for the whole sector was just £1.42bn (HEFCE 2015: 2). Since the sector’s total income in 2013/14 was £29.1bn (UUK 2014: 23), the HEFCE teaching grant comprises under 5% of income. What little public ‘support’ for HE teaching is still provided now comes entirely through the state backing of the student loans system.



THE TEACHING EXCELLENCE FRAMEWORK (TEF)

The government’s ideas for the TEF are as follows. Every department would be subject to review on a 5-yearly basis by an disciplinary panel comprising educational experts, students and employers. These panels would review quantitative metrics and qualitative evidence on teaching quality submitted by institutions. But TEF ‘levels’ will be awarded on a rolling basis to institutions as a whole, not individual subject departments. TEF Level 1 would merely involve meeting the basic quality assurance standards – subject to a recent review by HEFCE. There would be up to three additional TEF levels, using metrics and standards yet to be devised – subject to a further ‘technical consultation’ next year. Institutions that achieve higher TEF levels would have their maximum fee cap raised in line with inflation. They are also expected to be able to increase their student intake due to the ‘reputational’ gain. This will ‘incentivise’ institutions to ‘reinvest the additional income’ in further improving teaching quality and drive a virtuous cycle.

There are endless problems with these proposals, but here are just a few.

1. **The government clearly has no idea how to measure teaching quality.** The Green Paper repeatedly moans about the ‘imperfect proxies’ currently used to denote teaching quality (pp.19, 20). It then proceeds to admit: ‘Because there is no single direct measure of teaching excellence, we will need to rely on proxy information’ (p.31). The Green Paper suggests only three concrete metrics: employment/destination; retention/continuation; and student satisfaction indicators (pp.33-34). These can only be understood as highly ‘imperfect proxies’ of teaching quality. The government itself admits: ‘these metrics are largely proxies rather than direct measures of [teaching] quality and learning gain and there are issues around how robust they are’ (p.34). This is the explicit reason why they include a resort to qualitative data submissions to TEF panels. This is obviously a gaping hole in a scheme whose entire purpose is to grade teaching quality! The Green Paper breezily declares that they will develop new metrics through a technical consultation

¹ This is an excerpted version of a lengthier article at <http://thedisorderofthings.com/2015/12/11/the>

in 2016. But there is no reason to suppose that a ‘robust’ way to measure teaching quality can actually be found. If there was, it would already have been discovered.

2. **The TEF will be a REF-like bureaucratic nightmare.** Precisely because metrics are not a reliable measure of teaching quality (and also because what ‘quality’ means varies by subject area) the government proposes to assign judgement to expert, discipline-specific panels, which will review the metrics and qualitative submissions by departments on a 5-year basis, with a constant ‘rolling cycle’ of assessments. If this sounds familiar, it’s because it essentially duplicates the bureaucratic monstrosity that is the REF, which involves expert, discipline-specific panels reviewing quantitative and qualitative submissions by departments on research quality on a 5-year basis. The bureaucracy and costs associated with the REF are staggering: the 2014 exercise cost HEFCE just £14m, but institutions spent £230m on constant ‘dry runs’, paying ‘consultants’ to write submissions, modelling outcomes, and otherwise gaming the system. This would simply be replicated for the TEF.
3. **The costs of the TEF very obviously outweigh its dubious benefits.** Put simply, there is no good reason for universities to comply with the TEF. This relates to my introductory points on finance and the government’s reach/grasp. The only benefits to institutions participating in the TEF is reputational gain, which might increase student recruitment, and an uplift in fees in line with inflation. So when the Green Paper suggests that there will be ‘additional income’ to reinvest in teaching, this is either a lie or self-delusion. Even if student numbers rise, that simply means more students to teach; it is not a rise in the ‘unit of resources’, i.e. the amount of money per student that universities have to spend. Since fee rises are capped at inflation, the best that participating institutions can achieve is for income-per-student to stagnate in real terms.
4. **The TEF will be a constantly moving target.** As noted above, the government has no idea how to measure teaching quality, so universities are being asked to sign up to a regulatory system whose regulations are entirely unclear and which, indeed, is explicitly intended to ‘develop over time; the TEF will evolve as more metrics are integrated’ (p.23). This confirms that the TEF will be a REF-like monstrosity. The REF, after all, started out as a rather simple, quaint exercise where departments submitted just five outputs and four sides of A4 text; today it is a crippling burden. Again, it is sheer idiocy to submit voluntarily to a regulatory regime whose contours are constantly changing.
5. **The TEF will incentivise negative changes in universities.** The real problem with the ‘new public management’ approach of measuring everything is that it creates strong incentives to focus on gaming the metrics and/or focusing resources on activities designed to improve metricised scores. Research shows that students express greatest satisfaction with easier courses that make them learn less. Turning ‘student satisfaction’ into a proxy of teaching quality is not a recipe for excellence; it is a recipe for dumbing down and teaching to the test. This will become particularly true if the pilots of tests of ‘learning gain’ currently underway produce a standardised examination used to test students at the end of their degrees.

As Dorothy Bishop has rightly observed, the Green Paper wants feedback on how to implement its plans; that the TEF will be implemented in some form is not opened to question. But as the foregoing shows, the TEF needs to be rejected in its entirety, not subjected to technical critiques and offers of advice and refinement.

SOCIAL MOBILITY

The only vaguely progressive aspect of the Green Paper is its stated concern with social mobility, by which it means access to HE by disadvantaged social groups. The government has made the charging of fees above £6,000 dependent on ‘access agreements’ with the Office for Fair Access, with universities now spending £745m annually on measures to improve access. The government’s target is to raise the participation rate of students from disadvantaged backgrounds from 13.6% in 2009 to 27.2% by 2020, and increase the percentage of Black and Minority Ethnic (BME) young people going to university to 20%.

However, despite paying lipservice to this problem, the Green Paper offers no real solution. The proposed TEF would break down scores by student characteristics ‘and this information will be

used in making TEF assessments’, with a view to ‘recognis[ing] those institutions that do the most to welcome and support students from a range of backgrounds’ (pp.31, 20). No further detail is specified.

The only practical additional measure identified to enhance social mobility (aside from UCAS’s already-announced intention to introduce name-blind applications from 2017) is the possibility of empowering OFFA to set targets for providers that are failing to make progress on agreed widening participation goals. Currently these goals are negotiated in the ‘access agreements’. If institutions failed to meet these new imposed targets, OFFA could decline the access agreement, meaning an institution could only charge £6,000 fees. Even if this very heavy-handed approach was legitimate, this could only work to improve access to university. It would not do anything to improve students’ attainment when they got there.

The bigger problem here is the larger debate about universities and social mobility, which the Green Paper does not really engage with. The big questions are the appropriate degree of responsibility that universities should be assigned for solving structural social problems, and the extent to which universities themselves contribute to these problems. If one takes the view that universities are the problem, it makes sense to place the burden on them. For example, one may argue that because white/BME student attainment varies when controlling for prior attainment and other factors, universities are systematically failing BME students in some way. However, there would still be debate as to the nature of that failure and how to overcome it. Even those sympathetic to this interpretation do not agree on what needs to be done, making it difficult to know how to proceed. Furthermore, if one takes the view that uneven outcomes are structural, driven mostly by factors beyond universities’ control, then to threaten the financial viability of universities for failing to change the situation is perverse.

Either way, the Green Paper largely describes the problem. It does little to solve it.

2. Teaching Quality, Social Mobility and the TEF (Part II)

Professor Roger Brown (Liverpool Hope University), CDBU

The Green Paper represents the latest stage in the marketisation of UK – or at least English – higher education. The central proposal is for a Teaching Excellence Framework where institutions’ ability to raise fees will be linked to judgements of teaching quality. On the basis of research into the impact of the introduction of market-based policies into higher education I argue that the TEF is more likely to damage than improve quality. This is a particular pity because there are a number of quality issues that we need as a sector to address.

It may be as well to start by reminding you of the central proposal in the Green Paper, the TEF. Under the TEF institutions will be placed in one of up to four categories on the basis of the assessed quality of their teaching. The assessments will be made through a combination of metrics and peer review. The metrics will include the Destinations of Leavers in HE, HESA statistics about retention and continuation, and the NSS. Institutions’ ability to raise their fees will depend on their position in the rankings. The TEF will apply from the 2017-18 academic year. A technical consultation paper will appear in the summer.

The rationale is that:

More needs to be done to ensure that providers offering the highest quality courses are recognised and that teaching is valued as much as research. Students expect better value for money; employers need access to a pipeline of graduates with the skills they need; and the taxpayer needs to see a broad range of economic and social benefits generated by the public investment in our higher education system.(BIS, 2015, page 18).

The Green Paper is quite clear that the aim is to:

change providers’ behaviour. Those providers that do well within the TEF will attract more student applications and will be able to raise fees in line with inflation. The additional income can be reinvested in the quality of teaching and allow providers to expand so that they can teach more students. We hope providers receiving a lower TEF assessment will choose to

raise their teaching standards in order to maintain student numbers. Eventually, we anticipate some lower quality providers withdrawing from the sector, leaving space for new entrants, and raising quality overall. (page 19)

In this short presentation I want to explain why the TEF will have the opposite effect from what is apparently intended, and how it will actually make student education worse rather than better. Because of shortage of time I can only outline the argument, which is set out in my two books on markets in higher education.

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3. Private Providers – easy come, easy go?

Dr Elizabeth Lawrence (Sheffield Hallam), UCU President

The Green Paper poses a threat to UK Higher Education in a number of respects. The greatest threat is not actually the TEF but rather what motivates it: the enthusiastic encouragement for private for-profit providers to enter the sector through weakening of the regulatory framework.

Privatisation has already done substantial damage to UK Higher Education and the sector does not need more of it.

Private for-profit providers will provide a limited education for students, with a narrow range of subjects and little support for students or attention to equal opportunities and widening participation. They are likely to offer staff inferior conditions of employment and be outside national pay bargaining and the better pension schemes in the sector.

Private for-profit providers may have little commitment to values such as academic freedom, the advancement of science and education as a public good. They could substantially damage the international reputation of UK Higher Education to the detriment of the whole sector.

There is a lot to play for in terms of public debate, regulations and legislation about which institutions can become a university and can achieve degree-awarding powers. The Higher Education sector should unite in opposing a rapid influx of private for-profit providers which may also exit the sector rapidly, leaving students with incomplete studies and staff without jobs.

4. Measure anything, fail everyone? – The growth of the ‘performance management’ agenda

Dr Liz Morrish (Nottingham Trent University)

November 2015’s Green Paper on Higher Education makes constant reference to metrics. Metrics for refreshing the REF mid-cycle; metrics for the TEF. We inhabit an era of big data, league tables for everything, and shifting financial incentives. Metrics have now become tools of management. Wherever these are deployed, they will distort the process, fail to measure what should be measured and gift another cudgel to vice-chancellors.

A HEFCE report in July 2015 called *The Metric Tide* from a review body chaired by James Wilsdon, had a chilling preface. It quoted the former Archbishop of Canterbury, Rowan Williams, who announced a “new barbarity” in our universities. Nevertheless, we continue to witness the misuse of metrics as a tool of management in UK higher education.

“Metrics hold real power: they are constitutive of values, identities and livelihoods”, wrote Wilsdon. Universities should proceed with caution, then.

“We are all bunnies now” – one who never stops working for fear of being seen as superfluous or under-performing. My contention is that metrics construct us all as disposable, interchangeable labour inputs whose human capital is deployed at the pleasure of the managers.

In June 2015, a colleague of mine received an email demanding to know what their REF scores would be in 2020. There was a particular question about how many pieces would be ranked as 3*(internationally excellent) and 4* (world leading) grades. In this demand for constant monitoring we recognize the preoccupations of audit culture. There is typically little value accorded to what is actually accomplished; instead there is an overly-scrupulous fixation with accountability, monitoring and reporting, and with what Power has described as “rituals of verification”.

There has been considerable slippage between the endemic practices of audit in universities and the policies of performance management. And this has been very successful in constructing docile bodies for the corporate academy. Academic workloads, performance appraisals, teaching evaluations, but particularly the anticipatory REF preparations mentioned above, have been ‘weaponized’ – turned over to management to function as tools of reward, but more often punishment. The *Times Higher* recently reported that one in six institutions now has grant capture targets for individual researchers and there have been reports of these measures being used to disempower or humiliate academics at Imperial College, Universities of Birmingham, Warwick, Newcastle and Wolverhampton.

This kind of crude management by metrics poses an escalating threat to academic freedom. As a linguist, I am interested in the role of discourse in constructing new corporate identities which align with the priorities of academic capitalism; it is a discourse which shapes a cautious academic whose access to academic advancement is contingent upon adopting a new mode of being.

5. Performance management and unequal power

Dr Joanna de Groot (York), UCU

I would like to complement and extend the analysis offered above by Liz Morrish by drawing attention to how performance management intensifies inequities among academic colleagues. At the macro level, it is of course a management tool for controlling – even policing – the activities of university staff.

- It reaffirms and extends the force of hierarchy and seniority against the collegiality and autonomy which are at the core of successful HE, and the climate of stress and fear experienced by staff facing performance reviews and such like.
- It reinforces the inequities of gender and ethnicity, which are roadblocks to career development and advancement.
- It privileges judgmental and quantitative approaches to our work and achievements over developmental and qualitative approaches.

I too have received requests to estimate the likely REF score of work which I have not yet produced – which is of course scary and offensive, but also unintelligent and counter-productive. These are mechanisms of control and intimidation and I hope that we shall be discussing how best to resist and subvert them, and the relations of unequal power which they serve to maintain and strengthen.

6. Deregulation, the attack on governance and statutes – Is academic freedom under threat?

Terry Brotherstone (Aberdeen), UCU Scotland

Bio: I’m an honorary research fellow in history at the University of Aberdeen, where I was on the staff for 40 years. A former UCU Scotland President and member of the General Council of the Scottish TUC, I was chosen to serve as a trade-union nominee on the Scottish Government’s Review of Higher Education Governance, chaired by Robert Gordon University Principal, Professor Ferdinand von Prondzynski ⁽¹⁾ which reported in early 2012.

Some of the recommendations of the *von Prondzynski Report*⁽²⁾ – including the election by staff and students of the chairs of HE governing bodies (who would be modestly remunerated to make possible a wider range of applicants), and the right of campus trade unions to nominate a governing body member – are included in an HE Bill reaching its final legislative stages in the Scottish Parliament (Holyrood) and due to be passed by the SNP majority, with some cross-party support, before the Holyrood elections at the beginning of May.

This has led to a frantic campaign against the Bill by the Scottish Principals (vice-chancellors’) organisation *Universities Scotland* and the current chairs of governing bodies. The wider significance seems to me to be that this has brought into the open the conflict between two opposing conceptions of what a 21st-Century university should be, that lies often unspoken (and certainly ill-understood by the wider public) beneath political battles – most recently over the Green Paper – generated by Westminster policies⁽³⁾.

The UK no longer has a unitary (despite its diversity) university system and Scotland manifests the greatest difference from the Westminster model⁽⁴⁾. Yet the struggle against what capitulation to the neoliberal demands of capitalist globalisation is doing to the values necessary for humane and scientific research and education is essentially the same north and south of the border^(5, 6).

My purpose in giving an account of my recent experiences serving on, and helping write, the *von Prondzynski Report* is to promote discussion of whether greater awareness of what is – and what is not – different in Scotland can play a part in the much wider campaign made necessary by the destructive HE policies which have been – and are being ever more ruthlessly – pursued by New Labour, Coalition and Conservative governments.

References

- (1) Ferdinand von Prondzynski, ‘A significant step towards a mature Scottish model of higher education’, *Times Higher*, 20 November 2014.
- (2) *Report of the Review of Higher Education Governance in Scotland* (available on Scottish Government website).
- (3) Terry Brotherstone, ‘Why Scotland Matters: devolution, neoliberalism and the fight for the future of the public university in the UK’, accessible at www.andreasbieler.net/wp-content/files/Brotherstone.pdf.²
- (4) Sheila Riddell et al. (eds.), *Higher Education in Scotland and the UK: diverging or converging systems?* (EUP, 2016).
- (5) Tom Owen and Terry Brotherstone, ‘Britain’, in Cliff Slaughter (ed.), *Against Capital: experiences of class struggle and rethinking revolutionary agency* (Zero books, 2016), pp. 63-109.
- (6) Istvan Meszaros, ‘The Critique of the State: a twenty-first century perspective’, *Monthly Review*, 67 (4), September 2015.

7. The transnational context of the Green Paper’s attack on university governance and academic freedom

Anne Alexander (Cambridge), MENA solidarity, UCU

“The governance structures and obligations of charities, or of bodies of similarly ancient pedigree established by Royal Charter or equivalent instruments, were not designed to grow rapidly, or to run a network across the world.” (UK government industrial strategy document, International Education: Growth and Prosperity, 2013, p28)

In my presentation I will look at the Green Paper’s drive for deregulation in the context of a type of ‘internationalisation’ of teaching and research which is driven by the logic of the market. I will explore how in relation to the Middle East there are already increasing pressures on UK universities to

² A fuller version published in a Festschrift for the Scottish historian and former MSP, Christopher Harvie – *A View from Zollernblick*, ed. Eberhardt Bort – is available from the author at t.brotherstone@abdn.ac.uk

accommodate to violations of academic freedom and repression of dissent carried out by governments which are either their hosts or partners in new ventures in ‘transnational education’.

Until now, the focus of concern has generally been on UK universities’ complicity in abuses carried out in the region, such as the conditions of workers employed to build UCL’s campus in Qatar. However, the deregulation proposed in the Green Paper could give state and private investors from the Middle East many more opportunities to work within UK institutions, by weakening governance structures and diluting commitments to uphold academic freedom.

8. The Future of Research

Professor John Holmwood (Nottingham), CPU

The Green Paper does not say very much directly about research funding other than that it will continue to support ‘dual funding’ (QR money distributed via the REF and Research Council funding of grant applications) and that it upholds the Haldane principle. How the REF will be managed should HEFCE be dismantled – whether by Research Councils or by BiS – are issues pushed into the future. The same holds for the question of a greater role of metrics to reduce costs, which is to be addressed via the Stern Review. But if the issues are less immediate than the TEF, they are no less significant. A neo-liberal knowledge regime is bearing down on research. The key features are these:

- The market has failed to incentivize investment in research and development. The greater emphasis on shareholder value means an orientation to short-term returns. British investment in R & D, having been among the highest among OECD countries in the 1970s, is now among the lowest (Jones 2013).
- This means that universities are being pressed to fill the gap. Whereas market logic used to mean that where there is a private beneficiary that beneficiary should pay (Rothschild’s customer pays principle of the 1970s), now the argument is that there should be no public funding unless there is a private (or government beneficiary). This in essence is the ‘impact agenda’.
- But this has placed university research at the same short-term imperative as commercial research. The impact agenda seeks to shorten the time from idea to implementation, with deleterious consequences for fundamental research (Mazzucato 2011; Mirowski 2011).
- The impact agenda increasing involves Government setting priorities for Research Councils in terms of strategic priorities. It is claimed that this adheres to the Haldane Principle because only excellent research evaluated through peer review is funded. However, the impact agenda brings users into the peer review process and, for large grants, this will include representatives of BiS, the Treasury and other Government departments.
- At the same time, university research strategies mirror those of the funding bodies. The same strategic priorities are reproduced across universities. The research environment becomes more monotone as all universities conduction cutting edge research at the same edge.
- The wider academy adjusts to the instrumentalisation of research by displacing the functions of knowledge in the facilitation of public debate. Research is directed at users who are increasingly incorporated into Government policy objectives or commercial imperatives. The Campaign for Social Sciences, for example, lobbied for social science funding in precisely these terms, tellingly calling its pamphlet, *The Business of People* (2015), and identifying how social scientific knowledge could facilitate reducing resistance to policy or commercial objectives (Holmwood 2015)
- The expansion of higher education (including the incorporation of polytechnics) took place without an equivalent expansion of research resources. It is precisely this that required an elaborate system of competition to distribute it. The consequence has been to produce concentrated and selective distribution (via the audit measures of the RAE/REF and changes to the funding formula) and lobbying by the Russell Group to increase the proportion going to them (Russell Group 2012). We are locked into an individualistic performance management system, at the same time as funding is falling.
- The relation between teaching and research is being dismantled. Universities overstated the amount of their time spent on research activities through TRAC in order to maximize their FEC charges (Holmwood 2011). But this made it appear as if teaching was subsidizing research. Now

universities refuse to argue that a portion of student income would properly be used to support scholarship. All student fees need to be demonstrated to enhance the student experience, which is no longer defined to include the scholarship and experience of those teaching them. This will be accentuated by the entry of teaching only for-profit providers. Much is made of the need to level the playing field in order to allow proper competition, but they will be allowed to compete without meeting the broader functions of a university putting pressure on other universities also to strip out those functions.

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